



County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0
brucecounty.on.ca
226-909-5515

April 25, 2022

Notice of Decision Of the Approval Authority

A decision was made by the County of Bruce on April 21, 2022 **to approve** By-Law Number 2022-026 for a Bruce County Official Plan Amendment in relation to:

File Number C-2021-025
For The County of Bruce
In Respect Of All lands within the County of Bruce

Your opinion matters

A copy of the Decision and Amendment is enclosed. Written and oral submissions to Council were considered by Council as part of its deliberations and final decision on this matter.

The proposal

The Purpose and Effect of the proposed County Official Plan Amendment is to revise existing policies and add new policies to the Agricultural Areas section of the Bruce County Official Plan, having due regard for provincial planning direction and the planning context of Bruce County.

Learn more

You can view limited information about the application at <https://brucecounty.on.ca/living/land-use>. Additional information, including the supporting materials, can be provided upon request by e-mailing bcplwa@brucecounty.on.ca or calling 226-909-5515. Information can also be viewed in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday).

The Planner on the file is: Monica Walker Bolton

Know your rights

Last Date For Appeal Of This Decision

May 15, 2022

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

Anyone wishing to appeal the decision is required to submit a Notice of Appeal (available at <https://olt.gov.on.ca/appeals-process/>) setting out the reasons for the appeal and the specific part of the proposed official plan or plan amendment to which the appeal applies, as well as the prescribed appeal fee required by the Tribunal.

Appeals are to be filed with the Approval Authority:

County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0
bcplwa@brucecounty.on.ca
226-909-5516



By-law Number 2022-026

A by-law to adopt Amendment Number C-2021-025

to the County of Bruce Official Plan

Authority is provided in Sections 17 and 21 of the Planning Act, R.S.O. 1990, as amended.

The Council for the Corporation of the County of Bruce enacts By-law 2022-026 as follows:

1. Amendment Number C-2021-025 to the County of Bruce Official Plan attached and forming part of this by-law is approved.
2. That this By-law come into force and take effect on the day of the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990, as amended.

Passed this 21st day of April, 2022

Original signed

Janice Jackson
Warden

Original signed

Donna Van Wyck
Clerk

Part B – The Amendment

Introductory Statement

All of this part of the document entitled “Part B – The Amendment” and consisting of the following text, constitutes Amendment Number C-2021-025 to the Bruce County Official Plan.

The Official Plan Amendment is to revise existing policies and add new policies to the Agricultural Areas section of the Bruce County Official Plan, having due regard for provincial planning direction and the planning context of Bruce County.

The Amendment

1. The Bruce County Official Plan is amended by deleting Sub-Section iv) within Section 5.5.2 Agricultural Objectives and replacing it with the following:

iv) Permit small scale farm-related commercial and industrial uses that are directly related to local farming operations and are required to be located in the prime agricultural area rather than in a settlement area and benefit from being in close proximity to farm operations.

2. The Bruce County Official Plan is amended by deleting Section 5.5.4 Permitted Uses and replacing it with the following:

5.5.4 Permitted Uses

5.5.4.1 Permitted Uses in Agricultural Areas

Agricultural Areas shall permit:

- a) Agriculture uses, as defined by the Provincial Policy Statement including agriculture, aquaculture, apiaries, agro- forestry, associated on-farm buildings and structures, growing of crops for biomass, maple syrup production, the growing of plants for food production, nurseries, the primary and secondary farm residence, and temporary farm accommodation for workers;
- b) Agriculture related uses, as defined by the Provincial Policy Statement, including commercial or industrial uses that are directly related to the processing of agricultural products produced on the same property or providing products or services to farm operations in the area, in accordance with the policies of Section 5.5.9, and retail stands for the sale of agricultural products produced on the farm unit upon which the retail stand is to be located;
- c) Limited on farm diversified uses, as defined by the Provincial Policy Statement, and accessory to the agriculture operation are permitted on farms. The following uses shall be permitted by local Zoning By-Laws: bed and breakfast establishments, farm vacations, and occasional agricultural demonstration events such as a plowing match. Further on farm diversified uses, secondary to the principal agricultural use of the property may be permitted within Agricultural Areas provided that such uses: are zoned in the Zoning By-law for that use; All on-farm diversified uses shall be: compatible with and shall not hinder surrounding agriculture operations; and limited in area to a maximum of 2% of the subject property area up to one hectare. Lot area and lot coverage for on farm diversified uses will be in accordance with the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas;

- d) Wayside pits and portable asphalt plants are permitted uses in accordance with the Zoning By-Law; and,
- e) Schools, churches and cemeteries that service the immediate rural community relying on horse-drawn vehicles as the primary means of transportation shall also be permitted in accordance with Section 5.5.10 [Institutional Uses (Agricultural Areas)].
- f) A Temporary Garden Suite and/or Additional Residential Unit are permitted on the same lot as part of the farm unit. Forestry, public conservation, public open space and passive recreation are also permitted in the agricultural area.

3. The Bruce County Official Plan is amended by deleting Section 5.5.4.1. Secondary Compatible Uses

4. The Bruce County Official Plan is amended by deleting Sub-Section .2 within Section 5.5.6 Farm Size and replacing it with the following:

.2 Smaller, specialized, farm parcel sizes will only be permitted if the owner can demonstrate that:

- i) Agriculture shall be the primary use of both the proposed severed and retained lots, and lots of similar size to those proposed for the severed and retained lots are not available within a 25 km radius of the subject property suitable for the intended use;
- ii) the size of both the parcel to be severed as well as the parcel to be retained is appropriate and typically associated with the type of agriculture proposed for each parcel, and;
- iii) the proposed retained and severed lots are of a size appropriate for the types of agricultural uses common in the area and are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations.

5. The Bruce County Official Plan is amended by deleting Section 5.5.9 Farm Related Commercial and Industrial Uses and replacing it with the following:

5.5.9 Agriculture Related Commercial and Industrial Uses

Agriculture related uses, as defined by the Provincial Policy Statement, directly related to, and compatible and supportive of, agricultural operations, including grain drying and stables may be permitted providing the following policies are considered:

- i) Not adversely impact surrounding agricultural operations;
- ii) Be sensitive to the natural environment by minimizing impacts on water courses, wetlands, groundwater resources or other environmentally sensitive features;
- iii) Be individually serviced with a private water supply and sewage disposal system which comply with the requirements of the appropriate approval authority;
- iv) Be directly related to local farm operations and related to commercial scale agriculture as a primary activity and not have as a primary activity provision of goods or services that are normally required by the general public;
- v) The commercial or industrial operation cannot reasonably be located in an urban, rural or hamlet industrial area and must be located in proximity to an agricultural operations;

- vi) The industrial or commercial use shall not require large volumes of water or generate large volumes of effluent; and
 - vii) The location of commercial and industrial uses shall be suitably buffered from adjacent residential uses by means of distance separation and landscaping, fencing and site design.
6. The Bruce County Official Plan is amended by deleting Sub-Section vii) of Section 5.6.4 Permitted Uses and replacing it with the following:
- vii) Non-Farm Residential use, including Additional Residential Units in accordance with 4.4.4.1 (xi) and Section 5.5.12;
7. The Bruce County Official Plan is amended by deleting Sub-Section 5.5.13.35 and replacing it with the following:
- .35 Cumming (OPA #142)
- Notwithstanding the policies of Section 5.5.9 Agriculture Related Uses of this Plan, the lands identified as Site Specific Policy Area 5.5.13.35 on Schedule 'A': Land Use Plan (Interior) [Part of Lot 16, Concession 10, geographic Township of Elderslie, Municipality of Arran-Elderslie], may be used to operate a warehouse and office, both associated with a wholesale operation. All other policies of Section 5.5 [Agricultural Areas] policies shall apply.
8. The Bruce County Official Plan is amended by deleting Sub-Section 5.5.13.87 and replacing it with the following:
- .87 Sovie c/o Davidson BCOPA245-19.26 – West Part Lot 1, Concession 14, 1769 Bruce-Saugeen Townline, Bruce Twp. Municipality of Kincardine Notwithstanding the policies of Section 5.5.4.2 c) of this Plan, the on-farm diversified use of a wedding/event venue may be permitted on the lands described as Pt Lot 1, Concession 14 W, geographic Township of Bruce.
9. The Bruce County Official Plan is amended by deleting Sub-Section .1 of Section 6.5.3.3 Consents – Agricultural Areas and replacing it with the following:
- .1 With the exception of the severance of a lot for a residence surplus to a farming operation as a result of a farm consolidation, or a minor lot line adjustment, such as applications for access and servicing purposes that do not result in a new conveyable parcel or increase development potential, or a reconfiguration of lot lines for parcels that meet the minimum lot area requirements, in no instance shall an original Crown surveyed lot be divided into more than two (2) parcels including the retained portion. For the purposes of this section, any original Crown surveyed lot severed for the purposes of a school or church prior to 1995, road widening or similar public purpose, or minor lot line adjustments shall be deemed to be an original Crown surveyed lot.
10. The Bruce County Official Plan is amended by deleting Sub-Section .3 b) of Section 6.5.3.3 Consent – Agricultural Areas and replacing it with the following:
- b) Where the lot will be for an existing residence and buildings surplus to a farming operation as a result of farm consolidation provided:
 - i) The owner of the lands to be severed is a 'bona fide farmer'. For the purposes of this policy, the 'bona fide farmer' must: a) own and farm the lands on which the surplus dwelling is proposed to be severed from; b) own and farm other lands; and c) own a residence elsewhere, or reside as a tenant elsewhere, therefore rendering the residence on the subject farm surplus to their needs. In situations where the agricultural portion of the subject lands is rented in whole or in part to others, the owner of the subject lands shall not qualify as a 'bona fide farmer'. A 'bona fide farmer' shall be defined as to include a limited company, sole proprietorship, incorporated company, numbered company, partnership, non-profit and other similar ownership forms.
 - ii) The lot proposed for the residence and buildings surplus to the farming operation shall be limited in area and shall only be of sufficient size to accommodate the residence surplus to the farming operation, accessory buildings (where including accessory buildings does not render the lot

excessively large in the opinion of the Land Division Committee), a well and a sewage disposal system, while ensuring that as little land as possible is removed from the agricultural lands.

- iii) The remnant agricultural lands shall be rezoned to prohibit the future erection of a residential dwelling of any type on the agricultural lands provided that a residential dwelling does not exist at the time of severance.
- iv) Minimum Distance Separation (MDS I) formula requirements are to be met for the proposed severed lot if livestock facilities or anaerobic digesters exist on the retained farmlands. MDS I does not apply to existing barns on separately titled lots.
- v) Given that no new dwelling/residence can be erected as a result of the residence surplus to a farm operation being severed from the farm holding, the severance shall not need to meet the Mineral Resource Area, Aggregate/Quarry Operation or sanitary landfill site setback requirements.
- vi) The existing surplus dwelling/residence is habitable at the time of application.
- vii) The policies of Sections 6.5.3.3.1 and 6.5.3.3.2 do not apply to surplus farm residence severances.

11. The Bruce County Official Plan is amended by deleting Sub-Section .5 of Section

6.5.3.3 Consent – Agricultural Areas and adding the following:

.5 Lot enlargements for the expansion of an existing Non-Farm Residential lot. Lot enlargements shall be limited in area and shall only be of sufficient size to accommodate the residence, accessory buildings (where including accessory buildings does not render the lot excessively large in the opinion of the Land Division Committee), a well and a sewage disposal system, while ensuring that as little acreage as possible is removed from the agricultural lands. The maximum lot size shall generally not exceed 0.81 hectares (2.0 ac.).

12. The Bruce County Official Plan is amended by deleting Sub-Section .6 of Section 6.5.3.3 Consent – Agricultural Areas and adding the following:

.6 Lot enlargements for the expansion of an existing Agriculture Related Use as per Section 5.5.9; or existing Institutional Use as per Section 5.5.10 shall be limited in area and shall only be of sufficient size to accommodate the commercial, industrial or institutional use, accessory buildings (where including accessory buildings does not render the lot excessively large in the opinion of the Land Division Committee), a well and a sewage disposal system, while ensuring that as little acreage as possible is removed from the agricultural lands.

Decision
With respect to a County Official Plan Amendment
Subsection 17(34) of the Planning Act, R.S.O. 1990

The Approval Authority of the County of Bruce hereby approves Amendment Number C-2021-025 to the Bruce County Official Plan.

Dated at the County of Bruce this 21st day of April, 2022.

Original signed

Janice Jackson
Warden

Original signed

Donna Van Wyck
Clerk

Number: C-2021-025