



# **North Durham Agriculture-Related and On-Farm Diversified Uses Study**

## **Final Recommendations Report**

April 2025



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# 1 Introduction

## 1.1 Study Context

The Region of Durham (“Region”), in coordination with the Townships of Brock, Scugog, and Uxbridge (“Townships” or “North Durham”) have collaborated to undertake the North Durham Agriculture-related and On-farm Diversified Uses Study (“Study”). The purpose of the Study is to provide recommendations on an updated land use planning framework to better enable agriculture-related uses and on-farm diversified uses. The objective is to support economic viability within the agricultural community by better enabling agriculture-related and on-farm diversified uses and in doing so, support a thriving agricultural system.

## 1.2 Project Team

The Region retained WSP Canada Inc. (“WSP”) to support undertaking the Study and preparing the recommendations presented in this Report. Throughout the process, the Project Team regularly consulted the Province, Durham Agricultural Advisory Committee, Durham Region Federation of Agriculture, and the broader agricultural community. The Region, WSP, and the Townships have undertaken this Study through a collaborative process, working closely to ensure that the interests of the agricultural community are represented and advanced within the context of developing a clearer land use planning framework to better enable diversified farm businesses.

## 1.3 Final Recommendations Report

The Final Recommendations Report (“Report”) provides direction on proposed recommendations for each of the Township’s land use planning frameworks, including official plans, zoning by-laws, and site plan control. As described below, the recommendations have been developed based on work completed through a five phase work plan, which also benefited from comprehensive consultation and participation from the agricultural community key stakeholders, as well as diversified farm business owners and operators.

## 1.4 Study Overview

The Study was undertaken through five phases. The five phases are generally described as follows:

- 1. Phase 1 – Project Initiation:** Phase 1 involved an initial meeting between the Region and the Consultant to finalize the work plan, schedule, consultation activities, as well as to gain a better preliminary understanding of the study priorities.

2. **Phase 2 – Technical Review and Issues Identification:** This Phase involved a review of relevant background information and inputs, including the applicable land use planning framework, provincial guidelines, staff reports, and a scan of other municipal practices within Ontario. Phase 2 also included preliminary meetings between Region staff, Township staff, and representatives from the Ontario Ministry of Agriculture, Food and Rural Affairs (now referred to as Ontario Ministry of Agriculture, Food and Agribusiness). Phase 2 concluded with the Issues Identification Memorandum which documented the Project Team’s understanding of key issues and opportunities based on the background review and preliminary meetings with stakeholders.
3. **Phase 3 – Draft Recommendations Report:** The Project Team worked closely with the Townships to prepare the Draft Recommendations Report, which was informed by the work undertaken in Phase 2. This document outlined the proposed framework to meeting the stated objectives of the Project and offered a range of recommendations to update the Township’s local land use planning frameworks. This included recommendations regarding the official plan, zoning by-law, site plan control, and other municipal tools, such as licensing by-laws.
4. **Phase 4 – Consultation:** Phase 4 focused on consultation with the agricultural community and key stakeholders to present the Draft Recommendations Report for broader input and feedback. Several consultation activities were undertaken through this Phase to provide meaningful participation from the community, including delegations to the Durham Region Federation of Agriculture and the Durham Agricultural Advisory Committee, a public open house, and an online survey.
5. **Phase 5 – Final Recommendations Report:** This is the final phase of the Project, with this Report representing a culmination of the previous phases. The Final Recommendations Report was prepared through ongoing close consultation with the Townships. It was then presented to each of the Township Councils, as well as the Community Growth and Economic Development Committee. It is anticipated that the recommendation will be implemented by the Township’s through local planning processes over time.

## 2 Background

### 2.1 Land Use Planning in Ontario

The land use planning framework in Ontario is based on a hierarchy of legislation and implementing land use plans and policies. The **Planning Act**, R.S.O., 1990, c. P.13, as amended (“**Planning Act**”) is Provincial legislation that sets out the ground rules for land use planning in Ontario, which includes direction for official plans, zoning by-laws, and site plan control by-laws. It also enables planning authorities (i.e., municipalities) the authority to provide direction on land use planning matters. The Provincial Policy Statement, 2020 (“PPS, 2020”) and the Provincial Planning Statement, 2024 (“PPS, 2024”) establish policy direction for land use planning matters of Provincial interest including Agriculture-Related Uses and On-Farm Diversified Uses. All Provincial and municipal land use plans and policies must be consistent with the PPS, 2024.

There are other Provincial plans, including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) and the Greenbelt Plan, which provide more specific land use direction for specific areas, including some areas within North Durham.

Generally, these plans reflect the same policies and definitions for agriculture-related uses and on-farm diversified uses as the PPS, 2024. Durham Region’s Official Plan provides more specific policy direction for land-use and development within its jurisdiction and each of the local official plans must conform to the Region Official Plan, and each implementing zoning by-law must conform to the local official plan.

Accompanying the adoption of the PPS 2024, the Greenbelt Plan was also amended with notable impacts to the application of provincial policy in the Townships. Section 1.4.1 in the Greenbelt Plan states that “a reference in this plan to the PPS is a reference to the Provincial Policy Statement, 2020 as it read immediately before it was revoked and a reference in this Plan to the Growth Plan is a reference to the Grown Plan for the Greater Golden Horseshoe 2019 as it read immediately before it was revoked.” The Greenbelt Plan also states that where there is no overlap or conflict with the matters addressed in those plans, those policies must be independently satisfied. In effect, the PPS 2020 and the Growth Plan remain in force and effect within the Greenbelt Plan Area, which includes the entire area of the Townships, in addition to the newly established PPS 2024.

### 2.2 Provincial Planning Statement, 2024

The PPS, 2024 came into effect on October 20, 2024. The PPS, 2024 is a consolidation of the PPS, 2020, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, which were repealed at that time. The PPS, 2024 policies relevant to agriculture-related uses and on-farm diversified uses were not substantively modified from the PPS 2020. However, due to the policies of the Greenbelt Plan, both the PPS, 2020 and the PPS, 2024 apply to this Study. This Report will identify PPS, 2024 changes significant to this

Study. The PPS, 2024 defines agriculture-related uses and on-farm diversified uses as follows:

- > **Agriculture-related Uses:** 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.
- > **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, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.

A key policy direction of the PPS, 2024 regarding agriculture-related uses and on-farm diversified uses is to ensure that they are compatible with, and shall not hinder, surrounding agricultural uses. Furthermore, within lands designated as prime agricultural areas, the PPS, 2024 encourages, promotes, and protects “all types, sizes and intensities of agricultural uses and normal farm practices”.

In Prime Agricultural Areas, a use may be permitted as an agriculture-related use if it meets the following six criteria:

1. The use is a farm-related commercial or farm-related industrial use;
2. The use is directly related to farm operations in the area;
3. The use supports agriculture;
4. The use provides direct products and/or services to farm operations as a primary activity;
5. The use benefits from being in close proximity to farm operations; and
6. The use is compatible with, and does not hinder, surrounding agricultural operations.

Similarly, a use may be permitted as an OFDU in Prime Agricultural Areas if it meets the following five criteria:

1. The use is located on a farm;
2. The use is secondary to the principal agricultural use of the property;
3. The use is limited in area;
4. The use may include home occupations, home industries, agri-tourism, and value-added uses; and
5. The use is compatible with, and does not hinder, surrounding agricultural operations.

Agriculture-related uses and on-farm diversified uses are also permitted on rural lands. However, there is a slightly lower standard required for a use to be considered "compatible with" the surrounding agricultural operations if the land is outside of the prime agricultural area.

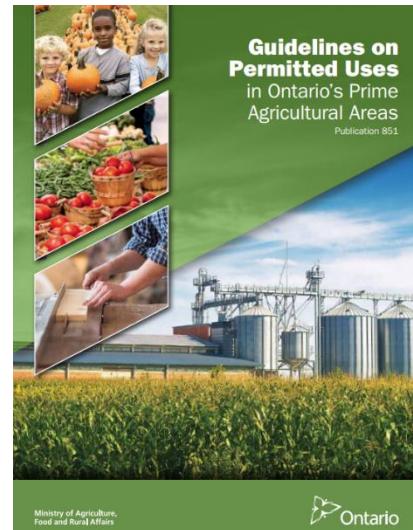
## 2.3 OMAFRA Guidelines

In June 2024, the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) was restructured into two new ministries – the Ontario Ministry of Agriculture, Food and Agribusiness, and the Ontario Ministry of Rural Affairs. For the purpose of this Report, the old name of OMAFRA will be used. OMAFRA is responsible for the food, agriculture and rural sectors of Ontario and works to promote, support, and protect the agri-food sector and vibrant rural economies.

OMAFRA has created several guidelines to this effect. The Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, 2016, provides guidance for interpretation of the requirements and regulations of the PPS, 2020 as it relates to agriculture-related uses and on-farm diversified uses in prime agricultural areas. The Minimum Distance Separation Document, 2017, details regulations to protect agricultural uses that require separation from sensitive land uses. Both of these documents are important for understanding how to implement the PPS, 2020 when considering new land uses in a rural context.

The Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas elaborates on the six criteria for a use to be permitted as an agriculture-related use, as it is defined in the PPS, 2020. They also expand on the five criteria for a use to qualify as an OFDU, as it is defined in the PPS, 2020.

The objective of Minimum Separation Distances ("MDS") is to prevent land use conflicts and minimize nuisance complaints related to odour-emitting agricultural uses. The MDS Document establishes a two-way approach, comprised of separate but related formulae, which helps determine a recommended separation distance between a livestock barn, manure storage or anaerobic digester (where they are permitted) and another land use. Guidelines are provided for required setbacks for agriculture-related uses and on-farm diversified uses. Implementation guideline #35 states that MDS setbacks for agriculture-related uses and on-farm diversified uses are not generally needed, but that there are certain types of uses that could lead to potential conflicts with livestock facilities or anaerobic digestors. This subset of uses may be characterized by a higher density of human occupancy, or that may draw higher visitation from the public. Municipalities may choose to implement policies and provisions for MDS separation in keeping with the intent of the MDS document.



## 2.4 Envision Durham

The Durham Region Official Plan (“ROP”) establishes land use planning policy direction for lands within the municipal jurisdiction of Durham Region. The Region of Durham adopted its new official plan, Envision Durham, on May 17, 2023, and was approved by the Province on September 3, 2024. Durham Region became an upper-tier municipality without planning responsibility effective January 1, 2025. The ROP is still in force and effect, however, it is now the responsibility of each of the lower-tier municipalities, separately.

The new ROP establishes policy direction for agriculture-related uses and on-farm diversified uses that are consistent with the PPS, 2024 and reflect other Provincial plans and guidelines. Section 6.3 establishes policy for agriculture related and on-farm diversified uses. Agriculture-related uses and on-farm diversified uses are generally permitted within Major Open Space Areas and all areas of the Oak Ridges Moraine Conservation Plan (“ORMCP”), which includes most of the countryside areas within Brock, Scugog and Uxbridge. The definitions for “agriculture-related uses” and “on-farm diversified uses” are consistent with the PPS, 2020, however, the definition for “on-farm diversified uses” has minor changes in the PPS 2024 that are not reflected in the ROP. This difference is considered in these recommendations; however, it is not significant.

## 3 Consultation

To understand the needs of the agricultural community, a range of consultation activities were held to inform this Report. This includes meetings with the Durham Agricultural Advisory Committee, Durham Region Federation of Agriculture, public open houses, a full day in-person tour of agriculture-related uses and on-farm diversified, online surveys, and a dedicated project webpage hosted on Your Durham. Throughout the Study, many meetings were held with planners from the Townships, as well as half day in-person workshop. A summary of these consultation activities and “what we heard” are further detailed below.

Once the recommendations of this Study are implemented through the Townships local land use planning frameworks (e.g., official plans and zoning by-laws), further opportunity will be afforded to the community and Township Councils to provide additional feedback and input to the recommended framework presented in this Report. It is anticipated that the recommendations will be implemented by the Townships, who will continue to work closely with the agricultural community and key stakeholders.

### 3.1 Consultation Summary

As of January 2024, several consultation activities were held where the project team engaged with members of stakeholder groups and the broader community. These events include:

- > Five meetings and a half-day, in-person workshop with municipal staff from the three Townships and Durham Region, and public agencies May 16, June 20, July 24, August 22, October 10, 2024, and January 20, 2025, respectively;
- > A presentation and discussion with the Durham Agricultural Advisory Committee (DAAC) on June 11<sup>th</sup>, 2024 and again on March 18<sup>th</sup>, 2025;
- > A presentation and discussion with a project subcommittee of the Durham Agricultural Advisory Committee (DAAC) on November 4<sup>th</sup>, 2024, and again on February 2<sup>nd</sup>, 2025;
- > A presentation and discussion with the Durham Region Federation of Agriculture (DRFA), Durham Farm Fresh, and members of the public on June 18<sup>th</sup>, 2024, and again on March 3<sup>rd</sup>, 2025;
- > Two online public surveys, one in Summer 2024 and another in Winter 2025; and
- > A tour of local agricultural businesses and interviews with business owners on July 17, 2024.

Presentations to each of the three Township Councils, and a final presentation to the Durham Region Community Growth and Economic Development Committee will be given by the Project Team.

## 3.2 Key Priorities

Through consultation with the agricultural community and key stakeholders, the following priorities were identified for the Study:



There was broad consensus that it should be easier for farmers and business owners to diversify and grow their businesses. A key aspect of this was interest in a clearer land use planning framework to enable diversified farm businesses, and a consistent framework across the Townships.



Many participants noted their understanding for due process to ensure that good outcomes were achieved, principally that new or expanded diversified farm businesses were appropriate and desirable within the agricultural area. While support for due process was noted, there was also support for a streamlined process that minimizes the number of barriers and reduces the level of effort, both for business owners and Township staff.



There was strong preference to recommend a land use planning framework that is coherent and understandable for everyone, with clear direction on land use permissions and associated criteria for starting or growing a diversified farm business.



Many participants observed the diversity of diversified farm businesses, and how the agricultural community continues to evolve in response to changing economics and market interests. An important observation was that the implementing land use planning framework would also need to offer flexibility over the longer-term as diversified farm businesses continue to adapt and grow.



There are many different interests and perspectives with regards diversified farm businesses, including from farmers, non-farmers, municipal staff, and elected representatives. The recommended land use planning framework needs to balance these varying interests and perspectives, while ensuring good outcomes with regards to the objectives of this Study.

## 4 Best Practice

Other municipalities in Ontario face the same challenges in supporting rural economies as Durham Region, and many have implemented policies, regulations, and processes to address this need within their rural communities. We can learn from the approaches that other municipalities have taken to inform the approach recommended in Durham.

### 4.1 City of Ottawa

Ottawa is a large single-tier municipality, and its land area is approximately 80% rural. Ottawa has implemented processes to support agriculture-related uses and on-farm diversified uses, including the publication of a guidebook that lays out requirements and resources for people looking to start or expand their on-farm diversified uses. The Guide is presented as an easy-to-use list of considerations and tips and summarizes the basics of establishing an on-farm diversified uses. It provides direct links to further resources, documents, regulations, and resources, including business tips and advice, and contact information to get in touch with the municipality to interpret the planning policies and regulations. The Guide also includes a business checklist that a prospective business owners can use to keep track of all the things they need to ensure they can start their business successfully.

- > Publicly available information and helpful instructions on starting an OFDU
- > Includes both land use planning information and new business resources
- > Provides a business checklist to help farmers work through the process



### 4.2 Brant County

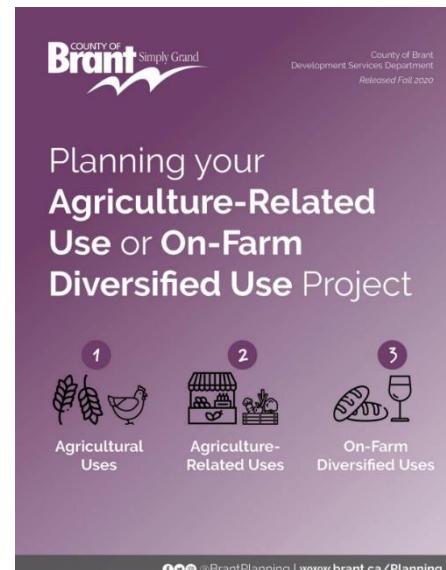
Brant County is a predominantly rural, single-tier municipality located south and west of Hamilton. In 2023, the County adopted a new Official Plan that reflects Provincial policies related to agriculture-related uses and on-farm diversified uses. To support the policies, the County also issued a guidebook, similar to Ottawa, that contains guidance to farmers and business owners on how to navigate the land use planning process to establish agriculture-related uses and on-farm diversified uses.

The Brant County Guidebook: Planning your agriculture-related use or on-farm diversified use project.

- > Provides detailed and point-form instructions on what the planning framework requires of agriculture-related uses and on-farm diversified uses.
- > In addition to the guidebook, Brant County established an application process for agriculture-related use and on-farm diversified use projects. Key highlights include:
  - > The County requires a Pre-Consultation Application for on-farm diversified use applications, which gives staff an opportunity to understand the requirements for the proposed agriculture-related use or on-farm diversified use to provide direction to the applicant on requirements and next steps.
  - > Applications for on-farm diversified uses require a minor site plan control application to ensure that the new use fits in with the agricultural character of the area and traffic and circulation impacts are minimal. This process is separate from other site plan control applications and has delegated authority from Council, meaning that County of Brant staff can expedite this process without the need for a public meeting.
  - > Building permits may be required for agriculture-related uses and on-farm diversified use applications, depending on the application.
  - > A new use on an agricultural property that requires a building permit also requires the payment of development charges.

The Brant County's planning framework provide supporting agriculture-related use and on-farm diversified use policies including:

- > Official plan policies reflecting much of the language and suggestions identified in OMAFRA's Guidelines.
- > Official plan policies that address certain requirements for agriculture-related uses and on-farm diversified uses such as compatibility with the surrounding area, road access, private water and wastewater services, utilities, fire protection, emergency services, and other public services.
- > The zoning by-law identifies specific requirements related to lot coverage, buffers from environmental areas, and parking requirements.



## 4.3 King Township

King Township initiated a review of its zoning for the rural areas and hamlets within the Township, resulting in a new comprehensive Rural Area Zoning By-law, By-law 2022-053. The Zoning By-law, as approved by Council on September 26, 2022, was appealed to the Ontario Land Tribunal (OLT) by 17 parties. In August 2023 the Township announced that the majority of the Countryside Zoning By-law, By-law 2022-053, was in force and effect. King Township, like the north Durham Townships, includes areas that are within the Greenbelt Plan Area and the Oak Ridges Moraine Conservation Plan.

- > The rural area of King Township encompasses the Countryside and Hamlet designations, as well as the Nobleton Village Reserve Lands. The rural area excludes the urban Villages of King City, Nobleton and Schomberg. A key objective of the Rural Zoning By-law Review was to support the agricultural and rural economy. Policies were developed to broaden permissions within the Agriculture zone, as compared to the previous RU1 zone, and have a new framework for OFDUs and for agriculture-related industrial and commercial uses. The review also included a framework for farm help and seasonal farm help dwellings.
- > King Township does not permit agriculture-related uses as-of-right in the zoning by-law but are permitted in the official plan. Applicants for agriculture-related uses must undertake a minor variance application to permit the agriculture-related use, which provides an opportunity for oversight, but is a more expedited process than a full zoning by-law amendment.

## 4.4 Conclusion

Municipalities that implement land use planning frameworks in Ontario are generally aligned with the policies of the OMAFRA's Guidelines. There is flexibility on implementation of the policies to allow municipal staff to ensure that the guidelines are being satisfied. In addition to guidelines, best practices support providing toolkits to farmers and applicants with links to important resources and contact information.

## 5 Draft Recommendations

The Region has worked closely with the Townships and the agricultural community to develop the preliminary recommendations and an updated land use planning framework regarding agriculture-related uses and on-farm diversified uses. Prior to the recommendations taking effect, the recommendations must be formally adopted by a decision of Council into each of the Township's official plans, zoning by-laws, site plan control by-laws, and other land use planning or related tools and processes. Through the local adoption process, the Townships are afforded an opportunity to propose minor modifications to address specific needs, so long as the overall intent and function of the recommended land use planning framework is maintained.

### 5.1 Official Plan, Zoning By-law, and Site Plan Control

The following sections present the draft recommendations, policies and provisions for all three Townships in the Region. The proposed policies are for the purpose of permitting agriculture-related uses and on-farm diversified uses, enabling regulations in the zoning by-laws, and outline the process in which agriculture-related uses and on-farm diversified uses might be permitted and developed through site plan control amendments.

#### 5.1.1 Official Plan Policy

For each of the three Township Official Plans, the following definitions are proposed to be amended into each of the Township's Official Plans. The recommended definitions are based on the PPS, 2024, Provincial Guidelines, and based on comparable municipalities:

- > **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 temporary accommodation, which may include, for example, cabins, yurts, or tents, that promote the enjoyment, education or activities related to the farm operation.

- > **Event space:** Means an on-farm diversified use that includes a permanent or temporary building or structure, or part thereof, used to host indoor events, and without limiting the generality of the foregoing, may include buildings or structures used for weddings, parties, or social similar social gatherings.
- > **Farm:** Means a property of any size containing an agricultural use that is assessed as farmland, having a valid Farm Business Registration Number for the purpose of agricultural uses, but does not include cannabis production and processing. A farm may or may not have any associated buildings or structures.
- > **Farm Building:** Means all or part of a building that does not contain a residential occupancy, that is associated with and located on land devoted to agricultural uses, and that is used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds.
- > **Farm Operation:** Means an agricultural use(s) that is operated as a distinct business and recognized by having a valid Farm Business Registration Number. A farm operation may include one or more farms on different properties that are owned or leased by the farm operation, and those farms may be disconnected geographically. There may be more than one farm operation on a farm.
- > **Normal farm practices:** Means a practice, as defined in the *Farming and Food Production 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.
- > **On-farm accommodation:** Means an on-farm diversified use that is a building or structure, either permanent or temporary, such as a bed and breakfast, tent, yurt, cabin, tiny home, garden suite, geodome, or a campsite intended for tents or recreational trailers
- > **On-farm diversified uses:** Means uses that are secondary to the principal established agricultural use of the property, are limited in area, and is operated by individual(s) with a Farm Business Registration Number that is applicable to the same property for which the on-farm diversified use is located. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.

## Section ##: Agriculture-related Uses

The following policies shall apply to Agriculture-related Uses:

1. These policies implement provincial requirements for agriculture-related uses.
2. Further to the definition of Agriculture-related Use established by this Official Plan, reference may also be made to the implementing Zoning By-law(s), and the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (Publication 851), in interpreting if a use shall be deemed to be an Agriculture-related Use, where necessary.
3. Agriculture-related uses may be permitted subject to applicable policies in this Plan, implementing By-laws, Provincial guidelines, and any agency having jurisdiction, where the applicant has demonstrated the proposed use:
  - a. Is a farm-related commercial or industrial use;
  - b. Is compatible with and will not hinder surrounding agricultural operations;
  - c. Is directly related to farm operations in the area;
  - d. Will benefit from being in close proximity to farm operations;
  - e. Supports agriculture; and
  - f. Provides direct products and/or services to farm operations as a primary activity.
4. An agriculture-related use is permitted to be located on a non-farm property, in which case the owner or operator of the agriculture-related use is not required to have a valid Farm Business Registration Number.
5. Agriculture-related uses shall be developed in accordance with all applicable municipal, provincial and federal requirements on emissions, noise, odor, nuisance, compatibility, water, and wastewater standards and receive all relevant environmental approvals. Where applicable, the applicant shall demonstrate that all necessary approvals have been obtained, to the satisfaction of the Township and relevant authorities.
6. Agriculture-related uses are encouraged to occupy existing buildings, structures, and farm facilities, such as driveway and parking areas, that are used for the principal agricultural use.
7. Agriculture-related uses shall not be permitted in natural heritage features or wetlands subject to the following exception where it can be demonstrated to the satisfaction of the Township through an Environmental Impact Study:
  - a. Expansions to existing buildings and structures where it is demonstrated that there is no alternative;
  - b. The expansion into the feature is minimized and is directed away from the feature to the maximum extent possible; and
  - c. The impact is minimized and mitigated to the maximum extent possible.

8. An agriculture-related use may be exempt from Site Plan Control, where all other policies of this plan, regulations of the implementing zoning by-law, and provisions of the site plan control by-law are deemed to be satisfied.
9. Agriculture-related uses are required to mitigate any potential impacts of such uses, including but not limited to building location and orientation, parking, traffic, emissions, noise, servicing, landscaping, buffering, and relevant environmental considerations, as well as the size and scale in relation to the applicable requirements.
10. For the purposes of calculating the area of an agriculture-related use, the area is to be calculated cumulatively with all existing on-farm diversified uses, subject to area calculations policies for on-farm diversified uses, and all existing and proposed agriculture-related uses.
11. A severance shall be prohibited for an agriculture-related use.

### **On-Farm Diversified Uses**

1. These policies implement provincial requirements for on-farm diversified uses.
2. Further to the definition of on-farm diversified use established by this Official Plan, reference may also be made to the implementing Zoning By-law(s), and the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (Publication 851), in interpreting if a use shall be deemed to be on-farm diversified use, where necessary.
3. An on-farm diversified use may be permitted subject to applicable policies in this Plan, implementing By-laws, Provincial guidelines, and any agency having jurisdiction, where the applicant has demonstrated that:
  - a. The use is located on a farm;
  - b. The use occupies no more than 2% of the total lot area of the farm parcel to a maximum of one (1) hectare. For further clarity, the total lot area of a farm property includes environmental features and any hazard lands;
  - c. The use shall remain secondary to the principal agricultural uses of the property;
  - d. Shall be compatible with, and not hinder, surrounding agricultural operations; and
  - e. The use shall be subject to the Minimum Distance Separation Formulae where applicable.
4. On-farm diversified uses shall be developed in accordance with all applicable municipal, provincial and federal requirements on emissions, noise, odor, nuisance, compatibility, water, and wastewater standards and receive all relevant environmental approvals. Where applicable, the applicant shall demonstrate that

all necessary approvals have been obtained, to the satisfaction of the Township and relevant authorities.

5. On-farm diversified uses are encouraged to occupy existing buildings, structures, and farm facilities, such as driveway and parking areas, that are used for the agricultural use.
6. On-farm diversified uses shall not be permitted in natural heritage features or wetlands except for expansions to existing buildings and structures where it is demonstrated that there is no alternative, the expansion into the feature is minimized and is directed away from the feature to the maximum extent possible, and the impact is minimized and mitigated to the maximum extent possible.
7. An on-farm diversified use may be exempt from Site Plan Control, where all other policies of this plan, regulations of the implementing zoning by-law, and provisions of the site plan control by-law are deemed to be satisfied.
8. A severance shall be prohibited for an on-farm diversified use.
9. A residential use shall not be considered an on-farm diversified use.
10. The following policies shall apply to home industries as an on-farm diversified use:
  - a. Where a home industry is located on a farm, the use shall be subject to the on-farm diversified use policies.
  - b. Where a home industry is not located on a farm, the use shall be subject to the home industry provisions.
11. The following policies shall apply to event spaces as an on-farm diversified use:
  - a. An event space shall have a maximum gross floor area equal to or less than 200 sq. m. for all buildings or structures, whether permanent or temporary.
  - b. Area discounts as identified in the area calculations for on-farm diversified uses under **[insert policy reference]**, shall not apply to event spaces.
12. The following policies shall apply to on-farm accommodations as an on-farm diversified use:
  - a. An on-farm accommodation that is deemed to be an agri-tourism use may be permitted, provided it can be demonstrated to the satisfaction of the Township that the on-farm accommodation is compatible with the farm and surrounding land uses.
  - b. Where an on-farm accommodations is permitted, it shall be limited in scale and may be restricted to less than the maximum area permitted for an on-farm diversified use by this Official Plan. The following additional policies shall apply:

- i. Where a building or structure is used as an on-farm accommodation, the maximum number of buildings or structures shall be three.
- ii. The maximum area of a building or structure used for an on-farm accommodation shall be 25.0 sq. m.
- iii. Buildings and structures used for on-farm accommodations shall be grouped together to the extent possible and have minimal impact on the principal agricultural operation.
- iv. On-farm accommodations shall be located outside of environmental features, except where it can be demonstrated to the satisfaction of the Townships subject to an Environmental Impact Study.

c. An on-farm accommodation shall be subject to all requirements of this Plan, the implementing zoning by-law, provincial requirements, including Minimum Distance Separation, and any authority or agency having jurisdiction.

13. An on-farm diversified use shall only be permitted where it can be demonstrated to the satisfaction of the Townships that the owner and operator of the use has a valid Farm Business Registration Number.

### **Area Calculations for On-farm Diversified Uses**

14. The following policies shall be applied for the purposes of calculating the area of an on-farm diversified use:

- a. Existing laneways and parking areas shared between agricultural uses, and/or agriculture-related uses and on-farm diversified are not counted;
- b. Where an on-farm diversified use occupies a farm building or structure that has been demonstrated to be more than ten years old at the time of application, the area is discounted by 50%; and
- c. The area of the on-farm diversified use includes all new driveways, parking spaces, buildings, storage areas, and space occupied by associated infrastructure.

15. The maximum combined area for all existing and proposed on-farm diversified uses shall be no more than the lesser of 2% of the area of the total lot area, or 1.0 hectare (ha). For the purposes of policies in this section, lot area does not include any area that is occupied by an agriculture-related use, including parking, shared buildings, and the area required for servicing infrastructure.

16. The maximum combined gross floor area of all buildings used for all existing and proposed on-farm diversified uses shall be no more than 20% of the total area permitted for an on-farm diversified use.

17. For on-farm diversified uses outside of prime agricultural areas and major open space areas, permission to occupy more than 2% of the area up to one (1) hectare of a farm may be granted, provided it can be demonstrated that the use directly contributes to the farm operation, and that the expansion will be compatible with, and shall not hinder, surrounding agricultural operations.

### 5.1.2 Zoning By-law Amendments

A summary of the recommended amendments to each of the Townships' zoning by-laws are as follows:

1. On-farm diversified uses be a permitted use, as-of-right in agriculture zones and rural zones, subject to the regulations of the zoning by-law.
2. Agriculture-related uses be permitted as-of-right in agriculture zones and rural zones, subject to the regulations of the zoning by-law.
3. The following definitions and provisions be added or updated in the zoning by-laws of the Townships of Brock, Uxbridge and Scugog.

Each of the Township's zoning by-laws are recommended to be amended to establish the following definitions:

- > **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 temporary accommodation, which may include, for example, cabins, yurts, or tents, that promote the enjoyment, education or activities related to the farm operation
- > **Farm:** Means a property of any size containing an agricultural use that is assessed as farmland, having a valid Farm Business Registration number for the purpose of agricultural uses, but does not include cannabis production and processing. A farm may or may not have any associated buildings or structures.
- > **Farm Building:** Means all or part of a building that does not contain a residential occupancy, that is associated with and located on land devoted to agricultural uses, and that is used essentially for the housing of equipment or livestock, or

the production, storage or processing of agricultural and horticultural produce or feeds.

- > **Farm Operation:** Means an agricultural use(s) that is operated as a distinct business and recognized by having a valid Farm Business Registration Number. A farm operation may include one or more farms on different properties that are owned or leased by the farm operation, and those farms may be disconnected geographically. There may be more than one farm operation on a farm.
- > **Normal farm practices:** Means a practice, as defined in the Farming and Food Production 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.
- > **On-farm accommodation:** Means an on-farm diversified use that is a building or structure, either permanent or temporary, such as a bed and breakfast, tent, yurt, cabin, tiny home, garden suite, geodome, or a campsite intended for tents or recreational trailers
- > **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, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.

### **Zoning By-law Provisions:**

The following general provisions are recommended to be amended into each of the Township's implementing zoning by-laws:

#### Agriculture-related uses

Agriculture-related uses may be permitted in the **[insert agricultural zone]**, subject to the following criteria:

1. An agriculture-related use shall only be permitted where it is demonstrated the proposed use satisfies the following criteria:
  - a. Is a farm-related commercial or industrial use;
  - b. Is compatible with and will not hinder surrounding agricultural operations;
  - c. Is directly related to farm operations in the area;
  - d. Will benefit from being in close proximity to farm operations;
  - e. Supports agriculture; and

- f. Provides direct products and/or services to farm operations as a primary activity.
2. The agriculture-related use shall not be permitted in natural heritage features except for expansions to existing buildings and structures where it is demonstrated that there is no alternative, the expansion into the feature is minimized and is directed away from the feature to the maximum extent possible and the impact is minimized and mitigated to the maximum extent possible.
3. A vegetation protection zone is to be maintained as natural self-sustaining vegetation that is no less than thirty (30) metres for wetlands, permanent and intermittent streams, fish habitat, and significant woodlands.
4. The following maximum area requirements shall apply to agriculture-related uses:
  - a. Where the total lot area is 20.2 ha or greater, the maximum lot coverage for an agriculture-related use shall be 30%.
  - b. Where the total lot area is less than 20.2 ha, the minimum landscaped open space shall be 30%. For greater clarity, there shall not be a maximum lot coverage requirement.
5. An agriculture-related use may not be permitted if the area it occupies would result in any on-farm diversified uses located on the same lot to exceed the maximum permissible area for on-farm diversified uses.
6. An agriculture-related use may be subject to the Province of Ontario's Minimum Distance Separation (MDS) Guidelines for compatibility between livestock facilities and sensitive land-uses.
7. Prior to an agriculture-related use being established on a property, the site plan control by-law may be applicable to mitigate the impacts of items such as but not limited to traffic, parking, emissions, noise, water and wastewater usage, and consider relevant environmental approvals, landscaping, buffering, size and scale.
8. The parking requirements and provisions for an agriculture-related use shall generally be according to the requirements of similar uses identified in this by-law. At minimum, agriculture-related uses shall have two (2) required parking spaces, one (1) of which shall be an accessible parking space.

#### On-farm Diversified Uses

On-farm diversified uses may be permitted in the **[Insert agricultural zone]** subject to the following provisions:

1. An on-farm diversified use shall only be permitted as an accessory use to a farm and located on the same lot as the farm, and shall be compatible with, and not hinder, surrounding agricultural operations.

2. The requirements of this By-law as applicable to an on-farm diversified use shall apply separately to each farm property.
3. Where there is more than one on-farm diversified use on a single farm property, the requirements of this By-law as applicable to an on-farm diversified use shall apply cumulatively for all on-farm diversified uses. For greater clarity, the requirements applicable to an on-farm diversified use shall apply separately to each individual farm property that may be part of a farm operation.
4. On-farm diversified uses shall not exceed a combined total of 2% of the total lot area of the farm, up to a maximum of one (1) hectare.
5. The on-farm diversified use shall not be permitted in natural heritage features except for expansions to existing buildings and structures where it is demonstrated that there is no alternative, the expansion into the feature is minimized and is directed away from the feature to the maximum extent possible and the impact is minimized and mitigated to the maximum extent possible.
6. A vegetation protection zone is to be maintained as natural self-sustaining vegetation that is no less than 30 metres for wetlands, permanent and intermittent streams, fish habitats, and significant woodlands.
7. Where a farm contains an agriculture-related use, the area for the agriculture-related use shall not be included in the area of the farm for the purposes of calculating the maximum permitted area for on-farm diversified uses. For greater clarity, the total area of an agriculture-related use shall not contribute to the maximum permissible area of an on-farm diversified use.
8. The combined maximum gross floor area of all buildings or structures used for on-farm diversified uses shall not exceed 20% of the total area permitted to be used for an on-farm diversified use.
9. Where an on-farm diversified use occupies a farm building or structure that is more than ten years old at the time of application, the area for the on-farm diversified use may be calculated at a discounted rate of 50%.
10. The total area used for new parking or a driveway access that is used solely or exclusively for the on-farm diversified use shall be included in the total area calculation.
11. Any existing driveways and parking areas shared with agricultural uses and/or agriculture-related uses shall not be included in the area calculation.
12. The parking requirements and provisions for an on-farm diversified use shall generally be according to the requirements for similar uses identified in this by-law. At minimum, on-farm diversified uses shall have two (2) required parking spaces, one (1) of which shall be an accessible parking space.

13. The total gross floor area used for an event space that includes a place of assembly whether located in new or existing buildings, shall not exceed 200 square metres.
14. The maximum number of on-farm accommodations used for agri-tourism on a farm is three, with the maximum gross floor area of 25.0 sq. m. for a building or structure used as an on-farm accommodation.
15. An on-farm diversified use must meet all applicable requirements, including, but not limited to, the Ontario Building Code, the Ontario Fire Code, and any other approval from an authority or agency having jurisdiction, and requires an approved building permit to legally establish the use.
16. An on-farm diversified use may be subject to the Province of Ontario's Minimum Distance Separation (MDS) Guidelines for compatibility between livestock facilities and sensitive land-uses.
17. Where a home industry is located on a farm, it shall be subject to the provisions of this By-law regarding on-farm diversified uses. Where a home industry is not located on a farm, it shall be subject to the provisions of this By-law regarding home industries.
18. Prior to an on-farm diversified use being established on a farm, site plan control may be applicable to mitigate the impacts of items such as but not limited to traffic, parking, emissions, noise, water and wastewater usage, and consider relevant environmental approvals, landscaping, buffering, size and scale.

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

Site Plan Control is an important planning tool that a municipality may use to evaluate certain site elements on a parcel of land where development is proposed. It ensures the use is compatible with surrounding uses and that it conforms with official plan policies and satisfies zoning by-law requirements.

Each of the Township's Site Plan Control By-laws are recommended to be amended to establish the following definitions:

- > **Exempt from Site Plan Application:** On-Farm Diversified Uses and Agriculture-Related Uses located on a farm may be exempt from the requirement to submit a site plan application. The authorized person must be satisfied that the proposed use satisfies all policy requirements, which would be identified through the Pre-Application Meeting. A Pre-Application Meeting with the authorized person is recommended to be a pre-requisite for an exemption.
- > **Minor Site Plan Application:** Establish a minor site plan application for on-farm diversified uses and agriculture-related uses. A minor site plan application shall have a reduced fee, and more flexible requirements than a standard site plan application process, including less rigorous forms of inputs, such as providing

information briefs as an alternative to formal studies. A Pre-Application Meeting with the authorized person is recommended to be a pre-requisite for a minor site plan application;

> **Site Plan Control:** Require all agriculture-related use and on-farm diversified use applications to be subject to site plan control. A Pre-Application Meeting is encouraged to determine, at the discretion of the Townships, whether the application will be required to submit a standard site plan application, or whether the proposed use can be diverted to a different application stream. The Townships currently have site plan control by-laws, though the requirements are inconsistent. A key recommendation of this Report is to define a new class of site plan control application specifically for limited agriculture-related uses and on-farm diversified uses applications that can be applied as an alternative to the site plan control applications that are currently required by the Townships. Further, the recommended amendments to the Townships official plans and zoning by-laws will also inform updated requirements for all site plan applications.

It is recommended that the following language be considered for the Townships' Site Plan Control By-laws:

1. That the following definitions be added to the Township's Site Plan Control By-laws:
  - a. 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.
  - b. 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, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.
2. Any class of development specifically stated within this section of the By-law may be subject to the minor site plan application process for the purposes of applying a scoped evaluation of the various site elements and determining the appropriate development characteristics. Notwithstanding uses that are determined to be exempt according to Section 3 below, such classes subject to a minor site plan application shall be inclusive of development of or related to the following:
  - a. On-farm diversified uses; and
  - b. Agriculture-related uses.

3. It may be determined by an authorized person at the time of the Pre-Application Meeting that the proposed agriculture-related use or on-farm diversified use is exempt from site plan control because the proposed use would result in negligible impacts, or a proposed agriculture-related use that satisfies the applicable policies of the Official Plan. Negligible impacts may include consideration for parking, expected traffic, available onsite servicing capacity, available municipal infrastructure such as roads, emergency services, and utilities, site context, location of the use on the site, operating hours, surrounding uses, and seasonality. However, the authorized person must be satisfied that all applicable requirements are satisfied to make this determination. Such a determination shall only be valid for a period of one (1) year following the release of the minutes of the meeting. After that time, a new meeting shall be required to authorize the exemption from site plan control.
4. Notwithstanding any policy to the contrary, the minor site plan application process shall only apply to proposed developments that have been evaluated by the Township through a pre-application process.
5. It is the intent of a minor site plan application to apply in instances where the proposed use is compatible with the agricultural area and the modifications to the subject property are limited in size, location, and scale so as to limit the impact to stormwater management, geotechnical engineering, grading, or traffic circulation and not to create nuisance that would impact surrounding properties. It shall be the responsibility of the applicant to demonstrate that such impacts and potential for nuisance are minimal or non-existent as a result of the proposed development. Such information shall be provided to the satisfaction of the Township at the time of the site plan application or through a pre-application process.
6. The requirements, application, review, and approval process for a minor site plan application shall be as follows:
  - a. Under the authority of subsection 41(3.1) of the *Planning Act*, a pre-application meeting with the municipality is strongly encouraged prior to the submission of any site plan application. At the time of a pre-application meeting, at the sole discretion of an authorized person, it may be determined by an authorized person that the proposed use is subject to the requirements of a minor site plan application instead of a full site plan application. Such a pre-application meeting and determination shall only be valid for a period of one (1) year following the release of the minutes of the meeting. After that time, a new meeting shall be required to authorize the permission for a minor site plan application;
  - b. As per Section 1.0.1 of the *Planning Act*, any information that is required to be provided to the Township under the authority of this By-law shall be made available to the public;

- c. Every minor site plan application shall be accompanied by the plans, specifications, documents, and information required by the policies of the Official Plan and determined by an authorized person. The necessary information for the application submission may be determined as part of a prescribed pre-application consultation meeting or indicated by a standard list of requirements provided as part of the pre-application process. Once all the required information has been submitted, the applicant will be required to pay the fee prescribed pursuant to section 69 of the Act. Until such time as the required information and fees have been provided, no site plan application shall be considered to have been made;
- d. Within 30 days after the applicant pays any prescribed fee, the corporation will notify the applicant in writing with respect to the completeness of the application;
- e. The minor site plan application will be reviewed by the applicable staff of the corporation, and any agencies with jurisdiction for the purposes of making required changes to the plans or drawings prior to submission, and for the purposes of determining a final approved site plan drawing that abides by all applicable standards and implements the policies of the Official Plan; and
- f. A site plan agreement may or may not be required according to the complexity of the potential impacts of the proposed use, at the discretion of the authorized person.

## 5.2 Information Gathering

An Information Gathering process, which will include a Pre-application Meeting with the Township Planner, is recommended to be standard procedure prior to a formal application for agriculture-related uses and on-farm diversified uses. A Pre-Application Meeting is intended to provide a similar role to a Pre-Consultation Application in other municipalities. The Information Gather process may be a valuable tool to provide greater clarity for applicants, provide a consistent point of contact across the Townships, and enabling the Township to identify specific required inputs early in the application process. Pre-consultation is currently widely used in municipal development processes across Ontario for this reason.

The following recommendations are offered regarding the pre-application process:

- > The Economic Development Division at Durham Region be the first point of contact for applicants of all agriculture-related uses and on-farm diversified uses. Region staff provide direction to the applicant on developing a business plan, directing them to resources, and provide direction on filling out the Pre-Application checklist, included in the Application Toolkit. Region Staff would receive the checklist, circulate to the appropriate staff, and discuss the potential

applications at a regular meeting with planners from all three Townships. At this point, the Township planners would schedule a Pre-Application Meeting with the applicant and any relevant authorities

- > At the Pre-Application Meeting, the Township planner determines what materials should be provided, and whether the proposed use requires a minor site plan application, standard site plan application, or does not require a site plan application. This meeting also provides an opportunity for the authorized person to suggest changes that would reduce the requirements of the application by eliminating or mitigating conflicts, such as avoiding natural heritage features;
- > This process may include a site visit by the Township planner or Regional staff to understand the context of the proposal, how it fits in with the surrounding uses. The Region and Townships may consider a suitable alternative to a site visit, such as a virtual tour, or a collection of photos that would achieve the same intent as a site visit; and
- > The Townships work with the Region to review and assess applications, including the use of the Application Toolkit and the Business Checklist.

## 5.3 Implementation and Marketing

Broader awareness amongst the community and municipal staff, as well as a heightened understanding of contemporary agricultural practices can support the implementation of an updated land use planning framework. This can be achieved by providing information and resources to farmers about the land use planning framework to raise awareness of ways they can diversify their farm businesses.

The following recommendations are offered regarding implementation and marketing resources:

1. The Townships identify a staff member who is responsible for agriculture-related use and on-farm diversified use applications to assist and provide information to applicants and to facilitate the Site Plan application process.
2. The Region of Durham Economic Development be responsible for supporting applicants prior to formal applications to the Townships. This would include ensuring that applicants have filled out the Pre-Application Checklist to the best of their abilities and communicating their intent to the Township planners.
3. The Region of Durham and the Townships publicize the new land use framework once it has been implemented.

### 5.3.1 Applicant Toolkit

Based on feedback received from the agricultural community, prospective applicants often feel they lack information on what is permitted, or what is required to diversify their farm business. In other Ontario municipalities, supplemental resources such as toolkits

are used to summarize the applicable land use planning framework, as well as other helpful information and resources. Municipalities often provide an application guide to give direction to applicants, and to facilitate the applicant in providing relevant information to the municipality to facilitate a more streamlined and effective application process.

The following recommendations are offered regarding a toolkit for applicants:

1. A Toolkit be developed by the Region of Durham and in partnership with the Townships. The Toolkit should be tailored to reflect how the recommended land use framework is ultimately implemented in the Townships so that the information provided to interested applicants is accurate.
2. That the Toolkit includes business resources for agricultural businesses, provides direction on who to contact for more specific advice, and provides a high-level overview of the development process.
3. Partner with local farming and business organizations to be a contact and/or contributor to the Toolkit and be a resource for applicants.
4. That the Toolkit include a flow-chart to illustrate the application process and applicable requirements, and also includes a pre-application checklist to help the applicant submit a pre-consultation application.

### **5.3.2 Public Education and Awareness**

Members of the public may be unaware of what types of businesses are supported in the agriculture and rural areas. The result is that people who might be interested in starting new businesses are not aware of the economic potential, and people who are not familiar with agricultural practices might resist new developments that don't align with their understanding of the 'rural character'. This may lead to tension amongst neighbours or represent a barrier to someone who is interested in diversifying their farm business.

The following recommendations are offered regarding public education and awareness:

1. The Region of Durham, in partnership with the Townships, develop a program to educate the public regarding agricultural practices, and the land use planning framework related to agriculture-related uses and on-farm diversified uses.

## **5.4 Fees**

The Townships have separate by-laws that establish fees for applying for development and planning permits, which results in different costs and processes between the municipalities.

The following recommendations are offered regarding municipal fees:

1. That the Townships update their fees and charges by-laws to reflect the recommendations of this Report.
2. That the Townships work together to develop a consistent fee schedule for agriculture-related use and on-farm diversified use applications that includes pre-consultation applications, minor site plan applications, and regular site plan applications.

## 5.5 Other Municipal By-laws

Agriculture-related uses and on-farm diversified uses have the potential to trigger compliance issues related to other municipal by-laws such as Noise By-laws, Property Standards By-laws, Sign By-laws or Business Licensing By-laws. For example, hosting on-farm special events, may offer farmers an opportunity to add to their income and support local tourism. However, it is important that these planned events are compatible with ongoing farm operations and do not result in unintended impacts on neighbouring property owners due to noise, litter, safety, or traffic.

The following recommendations are offered regarding other municipal by-laws:

1. The three Townships adopt events by-laws or update existing by-laws to align with the recommended changes related to OFDUs, that would regulate events occurring within the agricultural area.
2. Events by-laws should provide direction on event spaces with permanent structures to a maximum gross floor area of 200 square metres, unless a special permit is granted.
3. Consider implementing a business licensing by-law to regulate events spaces and/or on-farm accommodations in the rural areas.

## 6 Summary of Recommendations

This Report recommends an updated land use planning framework to regulate and permit agriculture-related uses and on-farm diversified uses within the Townships. It includes recommended amendments to official plans and zoning by-laws, as well as updates to local site plan control by-laws, as well as additional resources such as a toolkit to support and guide applicants. In summary, this Report recommends the following:

- > The Region and Townships adapt and offer the recommended Toolkit in partnership with the Region of Durham, to assist applicants in starting a new business and to assist with navigating the pre-consultation application process.
- > The Townships consider a standardized pre-application process for all agriculture-related use and on-farm diversified use applications, through which the Township can determine which requirements the proposed development may be subject to or otherwise exempt from.
- > The Region of Durham provide a “one-window” approach as a first point of contact for applicants prior to making an application, and to support the Township planners applicable agencies or authorities.
- > That the Townships amend their respective official plans, zoning by-laws, and site plan control by-laws, to establish the following broad land use planning direction:
  - The recommended language works together to provide clear and consistent definitions and regulations for Agriculture-related Uses and On-Farm Diversified Uses that are consistent with the PPS, 2024 and other Provincial plans and policies.
  - Agriculture-related uses and on-farm diversified uses are to be permitted as-of-right in agricultural and rural zones subject to the policies and requirements of the official plan and zoning by-law, as well as provincial plans, policies and requirements.
  - Pre-application meetings are encouraged for all agriculture-related uses and on-farm diversified use applications to help the Township’s authorized person understand the application and guide the applicant through the next steps in the application process.
  - Proposed on-farm diversified uses and agriculture-related uses may be subject to a minor site plan control application, which is to have a reduced fee and tailored application requirements, identified in the official plan policy and at the discretion of the Authorized Person. The Authorized Person has discretion to exempt on-farm diversified uses and agriculture-related uses on farms where the planner is satisfied that the proposed use

would satisfy the policies and requirements of the official plan and zoning by-law.

- > That the Townships update their fees and charges by-laws to reflect the recommendations related to pre-consultation applications and site plan control for agriculture-related uses and on-farm diversified uses. It is recommended that the Townships work towards aligning their fees to reduce or eliminate different fees and costs between the Townships for development applications that are otherwise similar (e.g., an agriculture-related use or on-farm diversified use).
- > That the Townships consider implementing or updating events by-laws to augment the recommended policies.
- > The Region of Durham, in partnership with the Townships, implement an education and awareness program to educate the public on the recommended changes as they are ultimately implemented by the Townships.

## 7 Next Steps

This Report will be presented to the Councils of Brock, Scugog, Uxbridge and Durham Region. Following this, it will be the responsibility of each of the Townships to implement these recommendations through their local land use planning frameworks. To implement the recommendations, the Townships will need to draft amendments to their official plans, zoning by-laws, and site plan control by-laws, as well as fees and charges by-laws, and events by-laws.

Lastly, the Region of Durham will need to finalize the Toolkit to reflect how the recommendations are implemented in the Townships. The Toolkit and marketing strategy will need to follow the complete implementation of the recommendations, or it could introduce confusion in the Townships that have not yet implemented the land use framework.