



Statutory Plans: Statements and Policies for Protecting Farmland

David J. Connell, PhD RPP
University of Northern British Columbia



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Introduction

This document includes samples of statements that pertain to farmland protection and sections on agricultural land policy from five statutory plans (e.g., Official Community Plan, Municipal Plan). The samples are based on the case studies completed in sites across Canada for the national project¹ and are compiled here as a reference to support the assessment process. The report has two components.

1. Summary of statements about protecting farmland

As a collection, the statutory plans provide a range of statements about protecting farmland, as summarised in Table 1. A local government's commitment to protecting farmland can be stated in clear simple terms, such as "protect agricultural land base" (policy, Delta, BC) Or, statements of goals and objectives can be less direct, such as, "Help minimize adverse impacts on agriculture operations" (principle, Rocky View County, AB). Such statements can appear as part of a local government's vision, principles, goals, objectives, and policies. The terms used and the placement of the statements can be interpreted as either strong or weak, as indicated in Table 1.

2. Sections from statutory plans on agricultural land policy

The bulk of this document is excerpts from the statutory plans summarised in Table 1. For each plan we include the context for land use planning in each site. This context is comprised of statements made in the respective plans followed by the full text of the section on agriculture policy. For some sites, additional statements from the vision or plan goals that refer to protecting farmland are also included for context. The excerpts are presented in the same order as listed in Table 1.

¹ Protecting Farmland in Canada, <http://blogs.unbc.ca/agplanning>

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Table 1. Statements related directly to protecting farmland

Location	Strength	Goals (and context statements, e.g., introduction to section)	Objectives	Policies
Delta OCP, BC	Very strong	<p>Goal: Delta will protect the natural environment, agricultural lands, and heritage features.</p> <p>1.6 Regulatory Context</p> <p>1.6.2. Support a Sustainable Economy Including protection and support of the land and transportation systems needed for a healthy business sector, regional employment and economic growth, and industrial and agricultural land.</p> <p>Regional Context Statement</p> <p>Strategy 2.3 Protect the supply of agricultural land and promote agricultural viability with an emphasis on food production</p>	<p>Protect the Agricultural Land Base</p> <p>Objective: Protect the agricultural land base and lands included in the Agricultural Land Reserve.</p>	<p>Protect the Agricultural Land Base</p> <p>2.5.1 Recognize farming as the primary use of agricultural land.</p> <p>2.5.3 Support initiatives that reinforce farm use of agricultural land and the continued development of a viable agricultural industry.</p> <p>2.5.4 Use Agriculture Impact Assessments to quantify the impacts of a proposed development, rezoning subdivision or non-farm use on the ALR, farmed lands or lands adjacent to farmed lands. Require mitigation for possible impacts.</p>
Central Huron, ON	Strong	<p>The fundamental principle of this Plan for rural areas of the Municipality of Central Huron is to promote and protect the long-term future of agriculture... The policies of this Plan aim to protect the land base and promote the creation of an environment conducive to an integrated agricultural community and economy.</p> <p>3.2 Goals</p> <ul style="list-style-type: none"> • To prevent class 1,2 and 3 soils from being used for non-agricultural purposes; • To recognize that large areas of non-prime agricultural lands in Central Huron are being used for agriculture purposes, and to protect this use; 		<p>3.3.11 Mineral Aggregates</p> <p>The protection of prime agricultural land and natural environment features is a high priority of this Plan.</p> <p>3.3.13 Removal of Agricultural Lands from Agriculture Designation</p> <p>While it is the intent of this Plan to protect agricultural areas and prohibit development, applications for a change of land use may be considered subject to the following policies. In evaluation of these applications, the impact on agriculture will be considered carefully.</p>

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Location	Strength	Goals (and context statements, e.g., introduction to section)	Objectives	Policies
Brandon and Area Planning District Development Plan, MB (2013)	Moderate	<p>1.1.6 ...other fringe areas will be preserved in large agricultural parcels and land fragmentation is not encouraged until further study is completed.</p> <p>1.1.7 An appropriate amount of non-agricultural development in the rural areas will be balanced with the goal of preserving prime agricultural land</p> <p>1.2 The BAPD will: e) Protect valuable agricultural lands for continued agricultural enterprise.</p>	<p>General Objectives To protect and to strengthen agriculture and its related activities as a major economic activity and use of land</p> <p>8.1 The agricultural area objectives are as follows:</p> <p>b) To preserve prime agricultural lands (CLI Class 1, 2 and 3 soils), for farming activities, and to preserve those lower class lands where farming is dominant or is potentially viable.</p> <p>c) To protect agricultural lands and activities from encroachment and fragmentation by nonfarm uses which would be detrimental to long-term farming operations.</p>	<p>8.2.1 Location (a)...prime agricultural land should not be developed for non-agricultural land uses, unless the development meets an important public need.</p> <p>8.2.2 Land Preservation Policy: Lands that have the capability to support a full range of agricultural activities should be preserved in large parcels including those lands where agricultural activities are on prime agricultural land (C.L.I. Class 1, 2 and 3 soils), and viable lower class lands.</p>
Rocky View County Plan, AB (2013)	Weak	<p>Principles Help minimize adverse impacts on agriculture operations and support agriculture diversity through land use policy.</p>		<p>Land Use Agriculture viability and diversity requires the recognition of different types and scales of agriculture operations; and the need to allow operators to go about their day-to-day business without new land uses adversely impacting their operation.</p>
Central Antigonish, NS	Weak	<p>Council shares this view [of the SPI Agriculture] ... Council's intention is that, where possible, agricultural practices are to be protected.</p>		

British Columbia: The Corporation of Delta

The following information is extracted from:

The Corporation of Delta Official Community Plan (1985; Consolidated 2015)

<https://delta.civicweb.net/filepro/documents/37999>

Context

Delta is a suburban municipality located in the southwest portion of the Greater Vancouver region. Delta is made up of three urban communities – Ladner, Tsawwassen and North Delta. Almost half of Delta is farmland and one-fifth is Burns Bog. The Musqueam First Nation also have a land reserve in Delta.

[T]here are 10,085 hectares (24,929 acres) in the Agricultural Land Reserve (ALR), which is a provincial designation that recognizes agriculture as the priority use. All land within the Agricultural Land Reserve (ALR) is subject to the provisions of the Agricultural Land Commission Act as well as regulations and orders of the Agricultural Land Commission. The Act and regulations generally prohibit or restrict non-farm use and subdivision of ALR lands, unless otherwise permitted or exempted.

Significant issues facing the farm community include the long-term viability of agriculture, preservation of farmland for farming, conflicts between urban and rural activities, the rising cost of farmland, conversion of farmland to hobby-farm use and the interrelationship between farm fields and wildlife habitat.

Protect the Agricultural Land Base

Objective:

Protect the agricultural land base and lands included in the Agricultural Land Reserve.

Policies:

- 2.5.1 Recognize farming as the primary use of agricultural land.
- 2.5.2 Maintain the parcel size of Delta's agricultural land and encourage consolidation of agricultural parcels to increase parcel size, rather than fragmentation of agricultural lands.
- 2.5.3 Support initiatives that reinforce farm use of agricultural land and the continued development of a viable agricultural industry.
- 2.5.4 Use Agriculture Impact Assessments to quantify the impacts of a proposed development, rezoning subdivision or non-farm use on the ALR, farmed lands or lands adjacent to farmed lands. Require mitigation for possible impacts.
- 2.5.5 Consider alternate non-agricultural sites when recreational, institutional, industrial, commercial uses or utility facilities are proposed for agricultural areas.
- 2.5.6 Continue to work with the Ministry of Agriculture, Food and Fisheries, the Provincial Agricultural Land Commission and other appropriate stakeholders and organizations to determine the maximum threshold for greenhouses and other non-soil dependent farming operations that preserves a critical mass of land for soil-based agriculture.
- 2.5.7 Encourage non-soil dependent farm operations to locate in areas of poorer soils and minimize the impacts of these operations (e.g. air and light pollution).

Urban-Rural Conflict

Objective:

Minimize conflicts at the urban-rural interface.

Policies:

- 2.5.8 Encourage farmers to undertake the highest standard of management practices for activities that may result in noise, dust, smell, light or other nuisances, particularly if located near the urban boundary.
- 2.5.9 Undertake a public awareness program to inform non-farm residents about normal farm practices and urban activities that may result in difficulties for farmers.
- 2.5.10 Consider urban-rural edge planning initiatives, such as Development Permit Guidelines for the urban side.

Agricultural Economic Diversification

Objective:

Diversify farm operations to support agricultural viability and sustainability.

Policies:

- 2.5.11 Support economic diversification initiatives accessory to and compatible with farming that add value to locally produced farm products.
- 2.5.12 Work with the Ministry of Agriculture, Food and Fisheries, the Provincial Agricultural Land Commission and other farm stakeholders to determine and encourage appropriate economic diversification initiatives.
- 2.5.13 Ensure agricultural processing industries that locate in agricultural areas are consistent with the Ministry of Agriculture, Food and Fisheries and the Provincial Agricultural Land Commission legislation, regulations or policies.
- 2.5.14 Encourage businesses that support and service farming to locate in Delta.

Houses on Farm Land

Objective:

Ensure the appropriate size and siting of farmhouses and additional farmhouses in agricultural areas.

Policies:

- 2.5.15 Develop zoning regulations that minimize the negative impacts of dwellings on farmland and locate them to minimize servicing costs and promote clustering.
- 2.5.16 Ensure additional farm houses are necessary for farm use or retired farmers, as permitted in Agricultural Land Commission legislation, regulations, or policies.
- 2.5.17 Consider incentives that encourage the preservation of heritage buildings on the same site.

Farmland and the Environment

Objective:

Balance the interests of agriculture, the protection of the environment and the co-operative management of the Fraser River delta ecosystem.

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Policies:

- 2.5.18 Encourage cooperative decision making for agricultural-environmental issues.
- 2.5.19 Encourage initiatives, including best management practices, that support both farming and wildlife, protect against soil erosion and degradation, and maintain water quality and hydrological functions on agricultural land.
- 2.5.20 Support and if appropriate participate in studies to determine the impacts of greenhouses and other agricultural and non-agricultural development on the Pacific Flyway, and study the impacts of waterfowl on agricultural lands.
- 2.5.21 Recognize and protect environmentally significant areas of farmland, including hedgerows, stands of trees, old fields, watercourses and other sensitive areas.
- 2.5.22 Continue to support programs that mitigate and compensate for crop damage from migratory birds and onfarm stewardship activities such as setasides, and hedgerows.
- 2.5.23 Minimize the negative impacts on farming and wildlife habitat when new agri-tourism, transportation and utility corridors, regional recreational opportunities and other economic initiatives are being developed.
- 2.5.24 Encourage farmers to prepare Best Management Practice Plans and Environmental Farm Plans.
- 2.5.25 Encourage other levels of government and non-government agencies to implement habitat initiatives on agricultural land in cooperation with farmers.

Farmland and Recreational Uses

Objective:

Recognize recreational uses that are compatible with agriculture.

Policies:

- 2.5.26 Work with the GVRD, user groups, and stakeholders to educate recreational users of private property rights, the implications of trespassing on farmland, nuisance activities for farming, and security concerns of the farm community.
- 2.5.27 Support planning initiatives that minimize conflicts between recreational and farm users.
- 2.5.28 Encourage the equestrian community and commercial stables to provide training and other initiatives for horse riders using public roads to reduce possible conflict with farm and non-farm vehicles.

Strategic Planning for Agriculture

Objective:

Continue to strategically plan for agricultural land use.

Policies:

- 2.5.29 Consider updating the Delta Rural Land Use Study (1994).
- 2.5.30 Continue efforts to provide up-to-date agricultural regulations that support farming in Delta.
- 2.5.31 Support efforts to coordinate federal, provincial and municipal agricultural regulations.

Ontario: Municipality of Central Huron

The following information is extracted from:

Municipality of Central Huron Official Plan (2015)

<https://centralhuron.civicweb.net/filepro/documents/2124?preview=36630>

Context

The 2014 update to the Central Huron Official Plan has been undertaken in order to:

- Be consistent with the Provincial Policy Statement
- Conform with the County of Huron Official Plan

2 Basic Principles of the Plan

The Municipality of Central Huron consists of prime agricultural areas, Clinton and the hamlets of Londesborough, Holmesville, Kinburn and Auburn, settlement areas adjacent to Goderich, Bayfield, Blyth and Benmiller many unique heritage buildings, attractive golf courses and trailer parks, the scenic Lake Huron shoreline, and valuable natural areas. The population of Central Huron in 2011 was 7,591.

It is the intent of this Plan that the urban area of Clinton, and the area South and East of Goderich will function as the major urban service centres in Central Huron. The former Townships of Hullett and Goderich will remain predominantly rural, and will include agricultural activities, mineral aggregate operations and healthy natural environment areas. This Plan also recognizes the numerous small urban areas located in the former Townships. A key objective of this Plan is to establish land use policies that support the principles of promoting the long-term future and flexibility of agriculture, strengthening the economy, protecting the health of the natural environment and the community.

It is well known that there is potential for conflict and competition between land uses. To establish appropriate direction for Central Huron, a series of basic principles have been developed as follows:

- To promote community development through economic stability and growth;
- To promote, protect and enhance the environment for overall community health;
- To foster a strong sense of community and neighbourhood;
- To facilitate public involvement in land use planning;
- To provide a basis for the Municipality's Zoning By-law, community development programs and public works;
- To promote agricultural development and support those land uses compatible with and supportive of agriculture.

2.1 Agriculture

Central Huron has a nationally significant agricultural resource base. The former townships of Hullett and Goderich are predominantly agricultural areas. Since the area was first developed, agriculture has been important and has benefited from good quality agricultural lands, and the protection of important natural areas. The existing small hamlets were initially established to serve the farming community. The constant factor in the history and development of Central Huron has been the richness of the land for agriculture. More than 85% of the land area is rated class 1, 2 or 3 in the Canada Land Inventory recognizing its agricultural capability. The skill and innovation of the community has resulted in a strong agricultural economy.

The land use plan is a key tool to achieve and secure the long-term future of agriculture. Actions by a wide array of government ministries and agencies, private groups and organizations, and decisions of the private sector must also support the Plan.

In the rural areas, protecting the long-term future and flexibility of agriculture is a fundamental principle of the Plan and the one to which the Plan's goals and policies are directed.

3 AGRICULTURE

The fundamental principle of this Plan for rural areas of the Municipality of Central Huron is to promote and protect the long-term future of agriculture. Almost 86% of the land in the Municipality is rated class 1, 2 or 3 in the Canada Land Inventory of agricultural capability. Also, the community has developed a high degree of skill, innovation and leadership in farming. The policies of this Plan aim to protect the land base and promote the creation of an environment conducive to an integrated agricultural community and economy. To achieve this, the majority of the rural area of the Municipality has been designated "Prime Agricultural Land" and Nonprime Agricultural Land".

3.1 Definitions

In the Prime Agricultural Land and Non-prime Agricultural Land designations the predominant uses of land will be:

- farming operations of all types, sizes and intensities;
- agriculturally related industrial and commercial uses;
- natural environment features which enhance the area for agriculture, including woodlot and forestry uses, which are considered to be a farming use.

Prime agricultural land means Class 1, 2 or 3 soils, or specialty crop lands as identified in the Canada Land Inventory.

Non-prime agricultural land means land that includes Canada Land Inventory 4, 5 and 6 soils. The following on-farm diversified uses are permitted as accessory to a farming operation, subject to the relevant policies in Section 3:

- residential uses;
- home occupation;
- home industry;
- value added agriculture activities; and
- group home.

3.2 Goals

The following goals for the Agricultural designation are adopted:

- To ensure maximum flexibility for farm operators to engage in differing types, sizes and intensities of agricultural operations;
- To encourage management practices that protect and enhance natural environment features;
- To relate development in Agricultural areas to the needs of agriculture and respect the farmer's ability to farm;

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- To prevent class 1,2 and 3 soils from being used for non-agricultural purposes;
- To recognize that large areas of non-prime agricultural lands in Central Huron are being used for agriculture purposes, and to protect this use;
- To protect natural environment features and encourage the retention of woodlots and the conversion of non-prime agricultural land not currently covered in trees to a natural environment use, and wetlands recognizing their importance of woodlots and wetlands to agriculture and the natural environment;
- To discourage uses which are not primarily related to agriculture from establishing in the agricultural area;
- To support farm operations through the provision of value added on-farm businesses, such as home occupations, home industries and agri-tourism;
- To support wineries in the agricultural area as secondary uses which support and are related to the agricultural production of fruit;
- To support sustainable, healthy, robust and diversified local economies;
- To support initiatives to allow young farmers opportunities to enter agriculture.

3.3 Policies

To achieve these goals, the following policies are adopted.

3.3.1 Agriculture Operations

i) Farm Unit

In areas designated Prime Agricultural Land and Non-Prime Agricultural Land, the predominant use of land will be farming and the predominant type of development will be the “farm unit”. The farm unit consists of the farm residence, accessory buildings required for additional farm labourers, barns and other buildings that support the farm operation. Woodlots which are located on farm properties shall be considered part of the farm unit.

The structures that make up the farm unit will be part of the farm and not on separately titled lots.

Residential uses are part of the farm unit and will be considered secondary to the farm in accordance with the following policies:

- A residence will be allowed provided it is an accessory use to a ‘commercial scale farming’ operation. By ‘commercial scale farming’, it is meant that the residents of the property will be directly involved in farming with a clear intent to produce crops/livestock, with substantial interest in generating products for sale. Having a “Farm Business Registration Number” would assist in demonstrating commercial scale agriculture. Original lots will be allowed a residence. (Amended by OPA 11, Municipality of Central Huron By-law 44-2008).
- Where the type and size of a farm operation warrants the need for an additional farm residence, one mobile home may be permitted as a secondary residence for the accommodation of farm family or labourers working on the farm operation. The mobile home is to be removed once the need for the additional farm residence has ceased. The mobile home shall meet MDS requirements, be situated in proximity to the existing cluster of buildings, provide adequate sewage treatment to the satisfaction of the Huron County Health Unit, and use the existing driveway for access. The subject farm property must be suitable for accommodating water and septic services before a mobile home is

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considered and where possible these services should be obtained from existing systems on the farm.

- A mobile home may be considered a principal residence or a secondary residence as established in the Zoning By-law.
- The conversion of the principal farm residence to contain one additional dwelling unit may be permitted subject to the following criteria:
 - The principal dwelling is adequate in size and structurally suitable to accommodate two dwelling units;
 - On-site servicing (e.g. water, sewage) must have sufficient capacity for the additional dwelling unit.

ii) Farming Practices

Normal farm practices, as defined in the Farming and Food Production and Protection Act, as amended, will be promoted, and protected.

Council may, through the Zoning By-law, establish regulations to minimize the impact of agriculture on the environment.

iii) Nutrient Management

Nutrient Management Plans and Strategies shall be completed for agricultural operations in accordance with the Nutrient Management Act.

All livestock and poultry operations shall have a sufficient land base available on which to properly apply all manure generated by the operation.

iv) Greenhouses

The Municipality shall establish development standards in the Zoning By-law to address maximum lot coverage, minimum lot size, and minimum distance to neighbouring residences. New large development as defined in the Zoning By-law shall be compatible with the surrounding area and shall insure minimal impact on ground and surface water quality and quantity.

The location of greenhouses within the agricultural area shall take into consideration the proximity of existing, adjacent residential and non-farm uses. Greenhouses may be subject to site plan control. Greenhouses may be subject to the regulations of the Nutrient Management Act.

Additional dwellings for seasonal labour are considered an accessory use for greenhouse operations

3.3.2 Residences in Agricultural Areas

There are several lots of record in the Agriculture designation which are both vacant and smaller than the minimum lot area requirements of this Plan. It is the general intent of this Plan that such lots be developed and used for farming uses or other uses permitted in the Agricultural designation.

The conservation of existing rural housing is supported. New residences in agricultural areas are permitted according to the following policies.

Residences in agricultural areas are permitted under the following categories:

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1. Residence Accessory to Agriculture on lots greater than 4 hectares
 - All existing lots greater than 4 hectares shall be entitled to a residence without rezoning
 - The requirements of (3) below are met.
2. Existing Lots less than 4 hectares
 - Where agricultural uses or other permitted uses are not possible and the vacant existing lot is 4 hectares or less, it may be used for a single detached dwelling not accessory to agriculture following a Zoning By-law Amendment. Prior to such rezoning, Council shall be satisfied that the requirements of (3) below are met.
3. Requirements for a Residence
 - Comply with either (1) or (2) above.
 - Comply with Minimum Distance Separation (MDS) requirements.
 - The soil is suitable for sewage disposal and an adequate supply of potable water is available. The suitability of the soils and the adequacy of the water supply shall be in accordance with Section 8 of the Ontario Building Code, as amended.
 - The site is suitable for residential construction.
 - The site satisfies all requirements of the Conservation Authority including applicable regulations to the Conservation Authorities Act.
 - The site satisfies the adjacent land requirements of Section 4.3.4.2.
 - The property abuts a publicly owned road. Council will require a development agreement to bring unopened roads to municipal standard prior to changing the zoning on a property to permit a residence.

3.3.3 Agriculturally Related Commercial or Industrial Operations

Commercial and industrial uses that process agricultural products or service farms will be permitted in agricultural areas provided they are directly related to farm operations, support agriculture, and are required in close proximity to farm operations.

Agriculturally related Commercial and Industrial operations will be permitted in the Agricultural designation by rezoning provided:

- The use relates to commercial scale agriculture and not to goods or services that are normally required by the general public;
- The use is required in proximity to farms;
- Where possible, the use locates in or near settlement areas, locates in groups, and avoids prime agricultural land;
- Any accessory residence remains part of the use and not on a separately titled lot;
- Applicable Provincial requirements are met (e.g. certificate of approval, compatibility with neighbouring sensitive uses, etc.);
- The use can be adequately serviced, obtain safe access from an open public road and demonstrate adequate drainage and storm water management;
- Additional requirements are addressed through site plan control.

3.3.4 Home Occupations and Home Industries

On-farm business activities that are secondary to the farm and compatible with neighbouring uses are encouraged. Home occupations and small-scale home industries are permitted in the Prime Agricultural Land and Non-Prime Agricultural Land designations provided they:

- Are secondary to the principal use of the property as a farm operation/dwelling
- Are operated by persons residing on the farm/small holding

- Do not remove large amounts of farmland from production
- Do not cause traffic or safety concerns
- Have suitable access onto an open public road
- Can be serviced by the water supply and sewage disposal system on the property
- Do not conflict with neighbouring uses
- Comply with the zoning by-law which may regulate these uses.

‘Bed and Breakfasts’ are considered home occupations and are regulated in the Zoning By-law. Bed and Breakfasts must demonstrate that a potable water supply and adequate sewage disposal area available and adhere to relevant provincial regulations.

3.3.5 Group Homes in Agricultural Areas

Group homes are defined in Section 5.3.1.2. Group homes which are licensed or approved by the province are permitted in the agricultural designation subject to the residence requirements of Section 3.3.2 Residences in Agricultural Areas.

3.3.6 Minimum Distance Separation I & II

Livestock facilities as well as other uses permitted by this plan on land designated agriculture, whether farm or non-farm will comply with the Minimum Distance Separation (MDS) I and II formulae.

The MDS formula is a tool used to determine the recommended distance between a specific livestock facility and another land use. The objective of applying MDS is to prevent land use conflicts and minimize nuisance complaints from odour. The distance calculated using MDS will vary according to a number of variables including type of livestock, size of the farm operation, type of manure system and the form of development present or proposed.

MDS I provides minimum distance separation for new development from existing livestock facilities. MDS II provides minimum distance separation for new or expanding livestock facilities from existing or approved development.

These calculations also create an area of increased separation distance around the towns, villages and hamlets, recreational and lakeshore residential areas. Within these areas there are enhanced separation distances which vary according to the size and type of livestock operation.

Minimum Distance Separation shall be implemented in accordance with the MDS Implementation Guidelines prepared by the Ontario Ministry of Agriculture, Food and Rural Affairs.

Notwithstanding any other Policies of this Official Plan, expansion of a livestock operation on the north half Lot 20, Huron Road Concession, West Ward, shall be a permitted use as provided for in the zoning by-law. (As amended by OPA 1 OMB Files PL040101 & PL040118 and adopted by Municipality of Central Huron By-law 35-2005).

3.3.7 Well Head Protection Areas

Drinking water shall be protected in accordance with the Clean Water Act and its associated Source Water Protection Plans. Policies are being developed as required by the Clean Water Act and will be incorporated into this plan where appropriate. Land uses with a potential risk to impact water quality or quantity may be restricted or prohibited in wellhead protection areas. In

the interim, agricultural development will proceed according to the policies in Section 4.3.2 of this plan.

Wellhead protection mapping is included in Appendix 1 for information purposes.

3.3.8 Non-Farm Development

Agricultural land designated on Schedule “B” shall be protected for agricultural uses. Non-agricultural development, including non-farm residential development shall be directed to settlement areas.

3.3.9 Lot Size

Lot sizes shall be based on the long-term needs of agriculture and shall ensure lands remain flexible for all forms of agriculture as promoted by this Plan. Lands must be used for the production of food, fibre, or livestock. All severances will respect the farmer’s ability to farm.

A minimum lot size of 30 hectares shall apply to all new lots being created and is based on the long-term needs of agriculture. Notwithstanding the 30 hectare minimum, there may be instances where a smaller lot size may be permitted; refer to Section 11.3.1 Land Division Policy.

(Amended by OPA #2, Municipality of Central Huron By-law 9-2005).

3.3.10 Natural Environment

The protection of provincially and locally significant wetlands and the preservation, protection and enhancement of natural environment features by using wise stewardship practices is a priority. Existing farm woodlots will remain part of the farm holding.

Selective harvesting of woodlots and woodlands will be permitted in accordance with the Huron County Forest Conservation By-law.

The Natural Environment Policies in Section 4 of this Plan should be consulted for further direction especially as it affects adjacent lands to significant Natural Environment features and earth science ANSIs.

3.3.11 Mineral Aggregates

The establishment of new mineral aggregate operations in the Prime Agricultural Land and Nonprime Agricultural Land designation shall require an amendment to the Official Plan and Zoning By-law.

Aggregate operations are subject to the Mineral Aggregate policies of Section 9 of this Plan. The protection of prime agricultural land and natural environment features is a high priority of this Plan.

The establishment of new Commercial Water-Taking operations in the Prime Agricultural Land and Non-prime Agricultural Land designations shall require an amendment to the Official Plan and Zoning By-law. Proposals for Commercial Water-Taking operations shall be subject to the policies of Section 10.4.8.

3.3.12 Community Facilities

Existing community facilities are recognized and may be permitted to expand subject to the Zoning By-law. New community facilities will locate in urban settlement areas subject to the policies in Section 5.7 of this Plan.

It is recognized that a constitutional right exists for those communities using horse-drawn transportation and that this form of transportation may require the establishment of schools and churches in rural areas. Such uses may be permitted by rezoning without amendment to this Plan.

3.3.13 Removal of Agricultural Lands from Agriculture Designation

While it is the intent of this Plan to protect agricultural areas and prohibit development, applications for a change of land use may be considered subject to the following policies. In evaluation of these applications, the impact on agriculture will be considered carefully.

Land may only be removed from prime agricultural areas for the:

- expansion of a settlement area boundary through a supportive comprehensive review;
- extraction of aggregate resources as an interim use, provided progressive and final rehabilitation is undertaken where feasible, subject to the policies in Section 9 of this Plan, and
- limited non-residential uses, provided:
 - a) There is a demonstrated need for the proposed use;
 - b) Reasonable alternative locations are not available which avoid prime agricultural areas;
 - c) Reasonable alternative locations are not available in prime agricultural areas with lower priority agricultural lands; and
 - d) The land does not comprise a specialty crop area.

Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands should be mitigated to the extent feasible.

3.3.14 Development of Non-Prime Lands

In Central Huron there are limited areas of non-prime agricultural lands as shown on Schedule “B”, which have poorer quality soils and limited agricultural potential. These lands are identified as Class 4, 5 and 6 in the Canada Land Inventory and will be encouraged to be used for agriculture and supportive uses. In some situations, it may be appropriate to confirm the accuracy of the mapping. This can be done by a professional engineer in accordance with Terms of Reference for such a review, as prepared by the Ministry of Agriculture and Food.

An amendment to this Plan may be considered for development applications relating to tourism and recreation opportunities, natural environment protection, natural resource development or not more than one residential unit on the existing lot. Such development may only be permitted by amendment, where the development does not impact on the agricultural community, complies with Minimum Distance Separation requirements, is low density in nature, protects the natural environment and can be serviced with adequate and appropriate sewer and water systems.

3.3.15 Alma Corners

Alma Corners is located on Part of Lot 6, Concession 1, East Ward and consists of an 1857 Plan of Subdivision. In recent years a number of these lots have been utilized for residential purposes even though they are located in an Agriculture designation. This Plan recognizes the cluster of

houses at Alma Corners. Each lot may be zoned to a special agricultural zone permitting a single residence and accessory buildings.

3.3.16 Site Plan Requirements

Pursuant to Section 41(2) of the Planning Act (RSO 1990), any lands within the Prime Agricultural Land and Non-prime Agricultural Land designations are hereby established as a proposed site plan control area. Site plan approval will satisfy the policies of Section 12.1.8. of this Plan

3.4 Location

The location of the land designated “Prime Agricultural Land” and “Non-Prime Agricultural Land” is shown on the Land Use Map (Schedule “B”).

Manitoba: Brandon and Area Planning District

The following information is extracted from:

Brandon and Area Planning District Development Plan (2013; amended 2015)

<http://www.brandon.ca/images/pdf/AdminReports/2015-developmentPlan.pdf>

Context

1.1 BAPD Future Direction

The Brandon and Area Planning District (BAPD) represents Manitoba's second largest city and the two rural municipalities that surround it. As a regional service centre, the strength and vitality of this area is important to the regional and provincial economy. Over the past five years, the BAPD has changed in terms of its population and economy but many of the goals and objectives have remained including an interest in affordable housing, environmentally sensitive development, economic development, and agricultural protection. The City of Brandon has an interest in a stronger presence near the Trans-Canada highway in order to better reflect the 'real' Brandon. To support this goal, additional development, in particular residential, will be directed to vacant lands in the northern portion of the City generally between the Trans-Canada highway (No. 1) and the Assiniboine River, 1st and 18th Streets which will require an investment in the extension of municipal water and wastewater services.

Also, there is a desire to increase the intensity of development on the commercial corridor along 18th Street, generally between Richmond Avenue and the Assiniboine River. This corridor should support the incorporation of mixed-use developments, higher-density commercial uses and have a stronger reliance on transit service. The future growth for the City of Brandon will be managed by a Growth Strategy.

1.1.6 Future Growth Areas of Brandon

Future fringe area land uses in the vicinity of the City that will be easily converted to urban type lots when urban development expands into this area, are identified. In particular, the area to the northwest side of Brandon in the RM of Cornwallis will support rural residential development in designated areas as long as the development is configured in a way that supports future intensification and urban municipal services. On the other hand, other fringe areas will be preserved in large agricultural parcels and land fragmentation is not encouraged until further study is completed. Representatives of the three municipalities making up the BAPD will be studying how the future region will grow through the establishment of a Growth Management Strategy committee that will complete a Master Growth Plan for the City-region and include a boundary adjustment strategy.

1.0 BAPD BACKGROUND INFORMATION

1.1 BAPD Future Direction

The Brandon and Area Planning District (BAPD) represents Manitoba's second largest city and the two rural municipalities that surround it. As a regional service centre, the strength and vitality of this area is important to the regional and provincial economy. Over the past five years, the BAPD has changed in terms of its population and economy but many of the goals and objectives have remained including an interest in affordable housing, environmentally sensitive development, economic development, and agricultural protection.

The City of Brandon has an interest in a stronger presence near the Trans-Canada highway in order to better reflect the ‘real’ Brandon. To support this goal, additional development, in particular residential, will be directed to vacant lands in the northern portion of the City generally between the Trans-Canada highway (No. 1) and the Assiniboine River, 1st and 18th Streets which will require an investment in the extension of municipal water and wastewater services. Also, there is a desire to increase the intensity of development on the commercial corridor along 18th Street, generally between Richmond Avenue and the Assiniboine River. This corridor should support the incorporation of mixed-use developments, higher-density commercial uses and have a stronger reliance on transit service. The future growth for the City of Brandon will be managed by a Growth Strategy.

1.1.1 Special Development Sites

There is a need to accommodate certain areas in the City of Brandon as Special Development Sites. The development and expansion of major institutions and development areas can often have significant effects on neighbouring communities and the City as a whole. These areas will require the development of a concept master plan in cooperation with the City in order to effectively plan and integrate future uses.

1.1.2 The HUB

Downtown Brandon will be supported and enhanced as a neighbourhood of choice for residential, commercial and institutional development. A Secondary Plan for The HUB includes more detailed policies focused on protecting the historical integrity and supporting the redevelopment and revitalization of the area.

1.1.3 Population Growth

A steadily increasing population will be planned for and supported. The Maple Leaf processing facility stimulated local economic development and has generated immigration from a variety of countries. Population statistics for 2009 indicate that the City of Brandon currently has an immigrant population of 1,149, which is almost double 2007’s population. In addition to these immigrants, many of whom originally arrived on temporary work visas, an additional 4,000 family members are expected to join over the upcoming years. The success of Manitoba’s Provincial Nominee Program continues to project thousands of immigrants to Manitoba annually, which will affect the growth of the city and surrounding municipalities.

1.1.4 Brandon Airport

Brandon Municipal Airport must be protected from encroaching development (rural and urban) that may impact the future growth of the airport from becoming a regional service provider in the future. Development and services that complement an airport may be situated on lands near the terminal building.

1.1.5 Flood Prone Areas

Rigorous development regulations will be implemented within flood-prone areas. The Development Plan includes a new flood map for Brandon that includes higher flood elevations than past development plans. Intensive development shall be directed away from the flood prone areas depicted in the maps and allow only limited development for the areas protected by dykes.

1.1.6 Future Growth Areas of Brandon

Future fringe area land uses in the vicinity of the City that will be easily converted to urban type lots when urban development expands into this area, are identified. In particular, the area to the northwest side of Brandon in the RM of Cornwallis will support rural residential development in designated areas as long as the development is configured in a way that supports future intensification and urban municipal services. On the other hand, other fringe areas will be preserved in large agricultural parcels and land fragmentation is not encouraged until further study is completed. Representatives of the three municipalities making up the BAPD will be studying how the future region will grow through the establishment of a Growth Management Strategy committee that will complete a Master Growth Plan for the City-region and include a boundary adjustment strategy.

1.1.7 Balancing Development Pressures in Rural Areas

An appropriate amount of non-agricultural development in the rural areas will be balanced with the goal of preserving prime agricultural land and ensuring compatible land uses. Intensive uses will generally be directed away from prime agricultural lands.

1.1.8 Rural Residential Development

The Rural Municipality of Cornwallis has designated rural residential land uses, many of which have been expanded in order to cluster these uses and reduce the effect on agricultural activities.

1.1.9 Accommodating Livestock Operations

Agricultural preservation, non-farm development and livestock operations in the rural areas will be accommodated where appropriate.

1.1.10 Enhancing Rural Settlement Centres

Directing development to the settlement centres is important to strengthening and growing these communities. The Rural Municipality of Elton is planning to expand the wastewater lagoon in Forrest to support additional development. The Rural Municipality of Cornwallis does not have a municipal wastewater treatment system and is actively exploring the incorporation of municipal wastewater services to support the sustainable growth of their communities.

1.2 Purpose of the Brandon and Area Planning District

The Brandon and Area Planning District (BAPD) is a partnership between the City of Brandon, the Rural Municipality of Cornwallis and the Rural Municipality of Elton. The major purpose of the BAPD is to provide for co-ordination and co-operation among the participating municipal corporations, primarily with regard to land use and land development issues. The BAPD will:

- e) Protect valuable agricultural lands for continued agricultural enterprise.
- g) Control potential adverse impacts of non-farm development on agricultural activities, and to manage certain types of agricultural activities in the vicinity of non-farm developments to achieve compatibility among various land uses.

1.6 About This Development Plan

1.6.2 General Objectives

Statutory Plans: Statements and Policies

The following objectives are established to provide direction to growth and development in the BAPD. These objectives form the basis for land use planning and development decisions and a basis for the actions of the public and private agencies in making location, investment and other development decisions.

- b) To protect and to strengthen agriculture and its related activities as a major economic activity and use of land within the BAPD and to preserve the rural character of the Rural Municipalities of Cornwallis and Elton.

8.0 AGRICULTURAL AREA POLICIES

Agriculture has traditionally been the cornerstone of the BAPD's economy. Protection of this valuable industry is necessary for the ongoing success of the municipalities, and for the City of Brandon. While it is recognized that non-agricultural rural development is present in the municipalities, high quality agricultural lands must be protected from the encroachment of incompatible uses. This protection must be balanced with the opportunity to expand development of settlement centres, and rural residential areas at appropriate locations.

8.1 Objectives

The agricultural area objectives are as follows:

- a) To encourage the development and diversification of farm operations as a major sustainable economic activity within appropriate areas of the BAPD.
- b) To preserve prime agricultural lands (Canada Land Inventory [C.L.I.] Class 1, 2 and 3 soils), for farming activities, and to preserve those lower class lands where farming is dominant or is potentially viable.
- c) To protect agricultural lands and activities from encroachment and fragmentation by nonfarm uses which would be detrimental to long-term farming operations.
- d) To prevent the development of incompatible agricultural uses in close proximity to other existing developments that would be adversely affected.
- e) To encourage agricultural practices and improvements which conserve valuable soil and water resources on all agricultural lands. f) To encourage development of a conservation or recreational nature on those lands where the benefit will exceed that of agriculture.
- f) To provide for non-agricultural developments, including non-farm residential development, certain types of agriculturally oriented businesses and industries and recreational or public works facilities at appropriate locations.
- g) To provide for appropriate types of agricultural activities within undeveloped areas of Brandon.
- h) To ensure that development occurs in accordance with the appropriate siting and setback distances to livestock operations.

8.2 Policies

The following policies shall apply to the use and development of all areas of the Rural Municipalities of Cornwallis and Elton, which are designated as AGRICULTURAL on MAP TWO.

Policies 8.2.14 and 8.2.15 apply to all undeveloped areas within the City of Brandon that are currently used for agricultural purposes.

8.2.1 Location

Development in the designated AGRICULTURAL area as shown on MAP TWO should be undertaken in accordance with the following criteria:

- c) A diversity of agricultural activities will be encouraged in the designated Agricultural Area, particularly on prime agricultural lands and at locations where conflicts with nearby development can be minimized. Conversely, prime agricultural land should not be developed for non-agricultural land uses, unless the development meets an important public need. Such non-agricultural land uses should be directed away from prime agricultural land or viable lower class land in agricultural use.
- d) Where non-agricultural developments are being considered for approval in the designated AGRICULTURAL AREA, sites should not be located on prime agricultural land, and should not interfere with farming operations in the area. Such non-agricultural developments should occur in a manner which will not create unacceptable hazards or risks for nearby rural residents or the natural environment. Non-agricultural development should be undertaken in a manner that will ensure the protection of natural resources such as groundwater resources, and aggregate deposits.
- e) New residences in the designated AGRICULTURAL AREA, including new farm residences, accessory housing, and additional dwelling units, will be adequately separated from developments which would represent a nuisance or hazard to future occupants of the residence, such as large livestock production operations, wastewater treatment lagoons, waste disposal sites, and chemical processing or storage facilities. Exceptions to these special separation requirements may be made in the case of residences which are directly associated with the farming operation.
- f) Rural Commercial and industrial developments which serve or support resource-related activities, or which process or store resource-related products, may be allowed within the designated AGRICULTURAL AREA, as provided for in this Section.

Other References: Sections 3.4, 4.3 and 11.2.4.

Brandon and Area Planning District Development Plan 2013, Amended January 2015 DP

8.2.2 Land Preservation

Intent: To encourage continuous blocks of agricultural land, which will enhance the benefits of farm consolidation and diversification, and to minimize fragmentation and encroachment by nonfarm uses.

Policy: Lands that have the capability to support a full range of agricultural activities should be preserved in large parcels including those lands where agricultural activities are on prime agricultural land (C.L.I. Class 1, 2 and 3 soils), and viable lower class lands.

Other References: Reference Map 9 Soil Capability for Agriculture.

8.2.3 Specialized Agricultural Activities

Intent: To provide for specialized agricultural activities while minimizing any interference with traditional farming operations in the area, and minimizing the fragmentation of prime agricultural lands.

Policy: Certain specialized or small-scale agricultural activities such as but not limited to nurseries, horticulture, and beekeeping, should be directed to appropriate locations. Such uses should be considered as conditional uses, subject to conditions of approval that Council may

deem appropriate to minimize any potential nuisance factors for nearby developments or any potentially adverse environmental impacts. Council should determine if an agricultural activity is specialized and viable, with the potential of becoming an established and feasible enterprise.

8.2.4 Conservation Practices

Intent: To encourage sustainable agricultural practices.

Policy: Farm operations and practices which incorporate sound soil and water conservation techniques will be encouraged. On the other hand, farm operations and practices which accelerate the destructive processes of soil erosion and soil degradation will be discouraged, particularly in areas where factors such as poor soil characteristics, adverse topography, or erosion significantly reduce the capability for a sustained level of agriculture.

8.2.5 Livestock Operations

Intent: To allow livestock operations to situate in the Rural Municipalities of Cornwallis and Elton.

Policy: Livestock operations shall be directed to designated AGRICULTURE areas in the Rural Municipalities of Cornwallis and Elton. No person shall establish or expand a livestock operation unless it has been reviewed and approved by the member municipality Council of the BAPD. A livestock operation is a permanent or semi-permanent facility (or non-grazing area) where at least 10 animal units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities.

8.2.6 Location

Intent: Direct livestock operations to appropriate areas within the BAPD to allow producers some security to sustainably develop and expand their businesses while reducing the potential for nuisance and protecting the environment.

Policy: Livestock operations should be directed to appropriate areas and guided by the following considerations:

- a) Livestock operations shall be directed to areas that have soils with agricultural capability of C.L.I. Class 1 to 5.
- b) No new livestock operations shall be established within one mile of the City of Brandon (excluding the Brandon Airport) and existing livestock operations within this buffer may expand to 100 animal units.
- c) No new livestock operations shall be established within one mile of the settlement centre designation of Forrest. However, existing livestock operations may expand to 50 animal units within this one mile buffer.
- d) New or existing livestock operations in the Rural Municipality of Cornwallis may establish or expand in accordance with the mutual setback and siting provisions from individual dwellings not associated with the livestock operation, existing recreational uses, designated rural residential areas, settlement centres and the City of Brandon, which are consistent with provincial standards and outlined in the Zoning By-law.
- e) New or existing livestock operations in the Rural Municipality of Elton may establish or expand with twice the mutual setback distance for individual residences and existing recreational uses and one and a half times the provincial standard for designated areas (including rural residential, settlement centres and the City of Brandon), which are outlined in the Zoning By-law. These setback distances can easily be met and land

fragmentation is limited in Elton with many large parcels present, therefore the impact of this provision is minimal.

Other References: Provincial Planning Regulation, *The Planning Act* and Livestock Mortalities and Manure Management Regulation, *Water Protection Act*, Nutrient Management Regulation.

8.2.7 Areas Not Appropriate for Livestock Operations

Intent: To ensure that livestock operations do not establish in inappropriate areas.

Policy: Livestock operations shall not locate (or existing operations may not expand):

- a) On soils with agricultural capability of Class 6 and 7 or unimproved organic soils (if detailed soil survey information is not available in an area where a new or expanded livestock operation is proposed, the applicant may be required to provide a soil survey for the site that is acceptable to the Province at a scale of 1:50,000 or better).
- b) In the City of Brandon but not including the Brandon Airport (for the purpose of this policy, the Brandon Research Station activities and the Maple Leaf processing facility are not considered livestock operations).
- c) In Rural Settlement Centre designations.
- d) In Rural Conservation, Recreation and Open Space designations.
- e) In Rural Highway Commercial designations.
- f) In Rural Residential designated areas that have less than a maximum lot size of five acres (see local Zoning By-laws).
- g) In Rural Commercial designations.
- h) In flood prone areas as identified by the province.
- i) In groundwater hazard areas identified by the Province that would pose a risk to aquifer contamination.

8.2.8 Ensuring Compatibility

Intent: To reduce the potential effect of livestock operations on nearby development.

Policy: In addition to any conditions recommended by the provincial technical review committee, a municipality may require that a shelterbelt be established as part of a livestock operation or require a cover to be installed on a manure storage facility to help reduce potential odours from a livestock operation. Livestock operations of over 200 animal units shall be subject to a conditional use process. All livestock operations of 300 animal units or more must be reviewed by a provincial technical review committee.

As a condition of approval, a Municipality may require an applicant to enter into a development agreement regarding such matters as:

- a) The timing of construction.
- b) The control of traffic.
- c) The construction and maintenance of roads, fencing, landscaping, shelter belts or drainage works.
- d) The payment of a sufficient sum of money to be used to construct any of the items mentioned in clause (c) above.

8.2.9 Livestock Operation Considerations

Intent: To establish criteria to be considered when reviewing new or expanding livestock operation.

Policy: When evaluating the establishment, expansion or boundary adjustment of livestock operations, the following will be considered:

- a) Type and size of livestock operation.
- b) Compliance with provincial regulations and the requirements of this Development Plan.
- c) Available land base and proximity to environmentally sensitive areas.
- d) For expansion proposals, past record of the livestock operation (e.g., nuisance complaints, and environmental concerns).
- e) Conformance with municipal development by-laws and/or building permit requirements.
- f) Technical Review Committee report, when required or requested.
- g) Manure storage system (size and location).
- h) Proximity to and condition of the road systems, if proposed near the provincial highway system, the proposal will be reviewed by Manitoba Infrastructure and Transportation.
- i) Nature of surroundings and neighbouring land uses.
- j) The water usage requirements and proximity to and capacity of municipal water supply wells.

8.2.10 Farm Dwelling Location Criteria

Intent: To locate farm dwellings and supplementary farm dwellings on non-productive agricultural land, where possible.

Policy: A new farm dwelling or supplementary farm dwelling should be located, where possible, on a site with one or more of the following features:

- a) An area of land that is substantially unproductive agricultural land.
- b) A remnant area of land that has been physically isolated by such things as a transportation route or water course Included but not limited to a constructed drainage system, and which makes farming physically impractical.
- c) An existing parcel of land, such as an abandoned utility site or abandoned gravel pit.
- d) In addition to criteria a), b) and c) above, a farm dwelling or a supplementary farm dwelling:
 - i. Must be located within the confines of the farm-yard as part of the farm unit; and,
 - ii. Must be occupied by individuals actively participating in the operation of the farm with the intent of deriving a significant income from it; and, iii. Should be a mobile home that can be removed when not required.

8.2.11 Rural Industrial Subdivision Policy

Intent: To encourage rural industrial development to locate in clusters in order to minimize highway access points, and limit scattered development.

Policy: Where a rural industrial subdivision is being proposed, it should be located adjacent to existing commercial or industrial developments, and should be encouraged to utilize a common highway access location.

Other References: Section 4.3

8.2.12 Recreational Developments

Intent: To provide for recreational opportunities on lower class agricultural land in designated AGRICULTURAL areas, that are of a recreational nature and are of a character that is suitable for a rural area rather than an urban area, and that cannot be accommodated in designated RURAL CONSERVATION and RECREATION areas.

Policy: Recreational uses may be considered in the designated AGRICULTURAL area, on non-productive land, as a conditional use subject to the policies set out in Section 2.4.9 and subject to the following:

- a) Areas where there is a significant risk of surface water or groundwater contamination will be avoided, unless adequate provisions are taken to mitigate the risk.
- b) Developments will be of a type that can be serviced with on-site water supply and sewage disposal systems, and will not require the extension of any piped services from Brandon unless an agreement is reached between, and to the satisfaction of the City of Brandon and the Rural Municipality.
- c) Developments proposed within these areas will be compatible with livestock operations and other agricultural uses.
- d) The area will be planned and developed in a manner which will minimize traffic impacts on adjoining roadways.
- e) In the case of development areas adjacent to significant tourist routes, highways and major roads, a high standard of site development and landscaping will be encouraged including special buffering features, such as appropriate separation distances, and/or perimeter shelterbelts, and well managed display areas and concealed storage and service areas.
- f) Special buffering features, such as appropriate separation distances, and/or perimeter shelterbelts should be required between the proposed developments and nearby developments, highways, and major roads.

Other References: Section 2.4.9

8.2.13 Community Expansion

Intent: To provide for the logical expansion of the City of Brandon or any of the rural settlement centres. Where the growth of the City of Brandon or of a rural settlement centre warrants the expansion onto adjacent agricultural lands, the land requirements of these communities will take precedence over any existing agricultural use of these lands.

Policy: Where it is necessary to expand the boundaries of the City of Brandon or an existing rural settlement centre, community expansion should occur on a logical basis and should be well integrated with the existing community structure, and wherever possible, should be directed away from prime farmland and livestock operations. The need for community expansion should be demonstrated, to the satisfaction of the Board, including information such as the existing and projected supply of developable land, and the projected demand for developable land based on demographic and economic information.

8.2.14 Urban Agricultural Areas

Intent: To provide for agricultural activities and other types of compatible development as interim and uses within undeveloped areas of Brandon.

Policy: Land areas should remain in large acreages in order to facilitate future land assembly and development proposals, and agricultural activities will be of a type which will not create any unacceptable nuisance factors or hazards. The location and type of agricultural buildings and structures should be located in a manner that minimizes obstacles for future urban development.

8.2.15 Brandon Research Station

Intent: To provide for the expansion of the Brandon Research Station in a manner that is compatible with adjacent urban land uses.

Policy: The Brandon Research Station is an institutional use and not considered a livestock operation; therefore it is not subject to the livestock operation provisions in this Development Plan or zoning by-law. The expansion of various research and administration facilities at the Brandon Research Station will be encouraged, with the provision that any additional livestock confinement structures should be located as far as possible from designated residential development areas.

Alberta: Rocky View County

The following information is extracted from:

Rocky View County County Plan (2013)

<http://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/CountyPlan/RVC-County-Plan.pdf>

Context

To describe Rocky View County is to paint a picture of regional and community diversity. Agriculture dominates the landscape. To the west, at higher elevations, a moist climate and a shorter growing season result in coniferous forests that quickly change to grassy rolling hills. Larger ranches, haying, and cattle dominate the western landscape. Moving east, the foothills soon give way to prairie grasslands and major wetland complexes. With a dryer climate and longer growing season, eastern Rocky View is heavily cultivated; producing cereal and oilseed crops.

Scattered across the landscape are farm homes and isolated dwellings interspersed with small hamlets and rural towns. Hamlets in the County mostly originated alongside railway stops as places to provide services to the surrounding agricultural area. Some hamlets remain small, having experienced very little growth, while others have grown over time. The most recent additions to the rural landscape are country residential acreages. These acreages have grown rapidly in number over the last 40 years and have evolved as distinct communities.

Rocky View County is unique as a rural municipality, but it grapples with a challenge common to all rural municipalities located on the edge of a large urban centre - growth pressure. Over a 20 year time period (1991 to 2011), the County's population grew by 93 per cent as people moved into the Calgary region. Rocky View residents recognize the reality of regional growth and are willing to accept a moderate level of growth if natural landscapes, rural character, agriculture and finances can be sustained. The County Plan lays out a framework for balancing these various and sometimes competing challenges.

2.0 VISION AND PRINCIPLES

The County Plan's vision and principles serve as a guide for county development and the future aspirations of county residents.

Vision

Rocky View is an inviting, thriving, and sustainable county that balances agriculture with diverse residential, recreational, and business opportunities.

Principles

3. Agriculture

Rocky View County respects, supports, and values agriculture as an important aspect of the County's culture and economy.

The County will:

- Facilitate diverse and sustainable agriculture operations and agriculture businesses.
- Support partnerships and education to increase operator knowledge and opportunities.

Statutory Plans: Statements and Policies

- Help minimize adverse impacts on agriculture operations and support agriculture diversity through land use policy.

5.0 Managing Residential Growth

Policy

Agricultural Area

- 5.10 Residential development in the agricultural area shall be guided by the goals and policies of this Plan.
- 5.11 Support first parcel out residential and agricultural subdivision in the agricultural area as per the policies of this Plan (section 8).
- 5.12 Where appropriate, direct new multi-lot residential development to the Towns of Crossfield and Irricana, and the Village of Beiseker.

8.0 AGRICULTURE

Agriculture has been a mainstay of the County's economy and has guided its settlement pattern since the early 1900's. Most of the hamlets in the county started as places to trade livestock and grain and provide service to the surrounding area. Traditional agriculture still dominates the rural landscape, but in recent times new agricultural ventures are emerging.

The County Plan envisions Rocky View as a community where:

- traditional farming and ranching continues to be valued and respected;
- agriculture flourishes through innovation and diversification; and
- agriculture is promoted and recognized as vital to the County's social, economic, and environmental integrity.

Achieving this vision requires a comprehensive approach to education, the business of agriculture, and land use planning. The County can assist by providing services, encouraging business opportunities, and supporting the diversity and flexibility of agriculture operations.

GOALS

- Foster an agriculture sector that is diverse, sustainable, and viable.
- Promote partnerships and education initiatives that support the agriculture sector and contribute to increased operator knowledge and opportunities.
- Support individual agriculture producers and related business to help them be successful.
- Support agriculture operators in going about their day-to-day business with minimum adverse impacts from non-agricultural land uses.
- Encourage and support new forms of agriculture innovation and diversification through land use policy.

POLICY

Partnering, Education, and Food Production

Maintaining a viable and sustainable agricultural sector requires practical hands-on support to educate agricultural producers and county residents, and facilitate the broadening of agriculture markets and regional food production.

- 8.1 Partner and co-operate with other municipalities, levels of government, industry, and non-governmental organizations to:
- a. develop a regional approach to food production, marketing, and distribution;

Statutory Plans: Statements and Policies

- b. build linkages from producer to consumer that increase local food consumption and crop diversification;
 - c. educate agricultural operators and the public; and
 - d. support initiatives identified in the Agriculture Service Board Strategic Plan.
- 8.2 Support and encourage operators involved in regional and local food production, marketing, distribution, diversification, and food security as per the Agriculture Master Plan.
- 8.3 Facilitate education and provide advice in such areas as:
- a. beneficial land management practices to address high risk environmental issues and to reduce the impact of farm operations on the environment;
 - b. new agricultural opportunities, technology, and diversification;
 - c. trends and research on crops, livestock, and range and pasture management;
 - d. agricultural business management and farm succession; and
 - e. environmental stewardship.
- 8.4 Facilitate education and provide advice to all county residents and developers regarding:
- a. weed control and pest management;
 - b. planting and landscaping recommendations and requirements;
 - c. basic agricultural principles, practices, and neighbour relations;
 - d. environmental stewardship on small parcels;
 - e. land management and stewardship; and
 - f. challenges and threats to agriculture.
- a. 8.5 Increase public awareness and understanding of agriculture by promoting the importance of the agriculture industry for food, jobs, trade, economics, and the environment.
- 8.6 Raise public awareness about the rewards and challenges of living in a rural area.

Business

Agricultural operators and the entire agricultural sector make an important contribution to the economy and employment levels in the County.

- 8.7 Support and encourage agriculture operations and agricultural related economic activity.
- 8.8 Support and encourage *small scale, value-added agriculture* and *agriculture services* to locate in proximity to complementary agricultural producers.
- 8.9 Direct large scale value-added agriculture and agriculture services to develop in identified and comprehensively planned business centres.
- 8.10 Provide a road network that allows for the safe and timely movement of agricultural equipment and goods.
- 8.11 Provide for increased home based business opportunities.
- 8.12 Support the province in recognizing, preserving, and accounting for the *natural capital* of land.
- 8.13 Support and encourage the use of agricultural land for small scale production of renewable sources of energy.

Land Use

Agriculture viability and diversity requires the recognition of different types and scales of agriculture operations; and the need to allow operators to go about their day-to-day business without new land uses adversely impacting their operation.

Statutory Plans: Statements and Policies

- 8.14 Support traditional agriculture and new, innovative agricultural ventures.
- 8.15 Support and encourage the viability and flexibility of the agriculture sector by allowing a range of parcel sizes, where appropriate.
- 8.16 All redesignation and subdivision approvals shall address the development requirements of section 29.

Farmstead

- 8.17 Redesignation and subdivision to create a *farmstead* should be supported if the following criteria are met:
 - a. the proposed site meets the definition of a farmstead;
 - b. the proposed site is a minimum of 1.6 hectares (3.95 acres) and a maximum of 7.99 hectares (19.7 acres);
 - c. access to the proposed site is acceptable to the County;
 - d. there are no *physical constraints* to subdivision; and
 - e. the balance of the quarter section is maintained as an agricultural land use.

Agriculture First Parcel Out

- 8.18 First parcel out subdivision of a minimum of 20.23 hectares (50.00 acres) of land designated for agricultural use should be supported without redesignation if:
 - a. the proposed site meets the definition of a first parcel out; and
 - b. access to the proposed site is acceptable to the County.
- 8.19 First parcel out subdivision of *isolated land* designated for agricultural use should be supported without redesignation if:
 - a. it meets the definition of a first parcel out;
 - b. the parcel size is greater than or equal to 8.10 hectares (20.01 acres);
 - c. a minimum of 2 acres of developable land exists; and
 - d. access to the proposed site is acceptable to the County;

Residential First Parcel Out

- 8.20 A first parcel out residential redesignation and subdivision of a parcel of land between 1.60 hectares (3.95 acres) and a maximum of 2.50 hectares (6.18 acres) in size should be supported if the proposed site:
 - a. meets the definition of a first parcel out;
 - b. is redesignated to a residential land use whose minimum parcel size allows only one lot to be created at subdivision;
 - c. is located at least 300 metres from the right-of-way of a highway, or as otherwise allowed by the Province;
 - d. has direct access to a developed public roadway;
 - e. has no physical constraints to subdivision;
 - f. minimizes the need for new public infrastructure;
 - g. minimizes adverse impacts on agricultural operations by meeting agriculture location and agriculture boundary design guidelines; and
 - h. the balance of the *un-subdivided quarter section* is maintained as an agricultural land use.
- 8.21 A residential first parcel out redesignation and subdivision greater than 2.50 hectares (6.18 acres) in size to a maximum of 7.99 hectares (19.7 acres) may be supported if:

- a. a proposed agricultural use requires additional area;
- b. meets the criteria of policy 8.20;
- c. setbacks, topography, or natural features require a larger parcel size; or
- d. it is isolated land.

Redesignation and Subdivision for Agricultural Purposes

The following policies provide for a variety of parcel sizes to accommodate a wide range of agricultural pursuits by acknowledging that emerging trends in agriculture may be successfully developed on smaller parcels of land.

- 8.22 Redesignation and subdivision to smaller agriculture parcels as a new or distinct agricultural operation may be supported. Proposals will be evaluated on the following criteria:
- a. A similar pattern of nearby small agricultural operations;
 - b. A planning rationale justifying why the existing land use and parcel size cannot accommodate the *new or distinct agricultural operation*;
 - c. A demonstration of the need for the new agriculture operation;
 - d. An assessment of the proposed parcel size and design, to demonstrate it is capable of supporting the new or distinct agricultural operation. Site assessment criteria include:
 - i. suitable soil characteristics and topography;
 - ii. suitable on-site infrastructure for the proposed use. Required infrastructure may include access areas, water wells, irrigation and sewage infrastructure, and manure management capability; and
 - iii. compatibility with existing uses on the parent parcel and adjacent lands;
 - e. An assessment of the impact on, and potential upgrades to, County infrastructure; and
 - f. An assessment of the impact on the environment including air quality, surface water, and groundwater.
- 8.23 The approval of discretionary agriculture land uses, or land uses related to agriculture, is supported where there are existing or potential concentrations of agricultural resources, markets, animal types, agriculture related industries, or other discretionary land uses, as identified in the Land Use Bylaw.

Confined Feeding Operations

The Province defines, approves, and regulates confined feeding operations. Municipalities may make recommendations to the Province regarding location and operation of confined feeding operations.

- 8.24 The County should make site recommendations on all new or expanded confined feeding operations. The recommendation will consider:
- a. proximity to any County statutory planning area, adjacent municipality, existing residential developments, or residential land use;
 - b. impact on adjacent land uses;
 - c. proposed minimum distance of separation;
 - d. environmental impact;
 - e. impact on the County infrastructure; and
 - f. any other matter the County considers relevant.

Statutory Plans: Statements and Policies

- 8.25 It is recommended a confined feeding operation applicant provide nearby landowners with technical and design information, receive feedback through a public involvement process, and report back to the County on how the proposal addresses public input.
- 8.26 Confined feeding operations should be located in an area where there will be minimal conflict with non-complementary land uses.
- 8.27 Land uses incompatible with the operation of a confined feeding operation shall not be supported when proposed within the minimum distance of separation of the confined feeding operation.
- 8.28 A confined feeding operation, including its minimum distance of separation should not be located within the boundary of any intermunicipal development plan or notification zone, statutory planning area, hamlet, residential area, institutional use, or federal, provincial, or municipal park or recreation area.

Minimize Land Use Conflict

Non-agricultural development adjacent to, or near, an agricultural operation may adversely impact that operation. One way of addressing land use compatibility is to emphasize the importance of buffering and setbacks.

- 8.29 Discourage intrusive and/or incompatible land use in the agricultural area.
- 8.30 Applicants proposing new residential, institutional, commercial, and industrial land uses shall design and implement measures to minimize their adverse impacts on existing agriculture operations, based on the County's 'agriculture boundary design guidelines.'
- 8.31 Encourage houses in residential areas adjacent to agricultural land to be set back an appropriate distance from the agricultural land so as to minimize the impact on both the agriculture operations and the house owners.
- 8.32 Work with adjacent municipalities to minimize the adverse impact of new land uses within their jurisdiction on existing agriculture operations in Rocky View County. Ensure joint planning with adjacent municipalities respects and addresses the County's 'agriculture boundary design guidelines'.

ACTIONS

- Review the Land Use Bylaw home based business uses and regulations to provide greater opportunity on larger parcels of land (policy 8.11).
- Explore the use of provincial tools to compensate landowners for the natural capital of agricultural land (policy 8.12).
- Review the Land Use Bylaw to allow for the development of renewable energy sources. (policy 8.13).
- Amend the Land Use Bylaw to allow a first parcel out for an agriculture subdivision, and agriculture subdivision of isolated land without redesignation (policies 8.18 to 8.19).
- Develop a Right to Farm Policy which aligns with provincial legislation and, where feasible, enhances provincial objectives (policies 8.29 to 8.30).
- Develop and apply 'agriculture boundary design guidelines' to minimize negative impacts on agricultural land from new non-agricultural land uses, including a consideration of increased building setbacks (policy 8.31).

Nova Scotia: Central Antigonish Plan Area

The following information is extracted from:

Municipal Planning Strategy for the Central Antigonish Plan Area in the Municipality of the County of Antigonish (2013)

http://www.edpc.ca/plandocs/central_at/CentralAntigonishMPS2016.pdf

Context

The Central Antigonish Plan Area covers a wide variety of land uses, including a diverse range of rural, residential and commercial activities. A majority of the land area of Central Antigonish is comprised of low density rural development, acting as the hinterland surrounding a number of hamlet communities that developed alongside waterways and highways. These rural areas consist of low density residential development complimented by a range of other uses that include local commercial, small scale industrial, agriculture, forestry, fishing and tourism. Antigonish County Council recognizes visual and economic benefits that the natural assets of the county present to the local economy, area residents and visitors. Council also recognizes the benefits that sensible development in the rural areas can provide for area residents, and that rural areas can present development constraints and opportunities that are different than those found in more urbanized and centrally serviced areas.

In keeping with the current land use patterns and the potential for future development in rural areas of the county, it is the intention of Council to establish a Rural Development Designation that will apply to all lands outside of the established hamlets. To implement this Designation, Council intends to establish a Rural Development Zone that will permit low-impact rural development, mixed-use developments as well as developments on larger lot sizes (usually privately serviced). These would include low-density residential, forestry and forestry-related uses, fisheries and fishery-related uses, small boarding houses, recreational uses and some local commercial uses. The Rural Development designation and zoning would exclude large scale tourist commercial uses as being permitted as-of-right. Recognizing agricultural uses as a dominant land use in Antigonish County and a major local source of employment, those uses, including intensive livestock facilities and value added operations such as dairy processing facilities, will be allowed. Bed and Breakfasts shall also be permitted, but will be restricted to a maximum of 5 housekeeping units in order to ensure that the operation maintains a low-density neighbourhood scale. Higher-impact uses, including existing rural commercial and industrial developments located within the Rural Development Designation will be zoned Rural Commercial and Rural Industrial. As municipal services expand into rural areas, or as more intensive developments are proposed, Council shall require that any such development be assessed through the Land Use By-law amendment process.

3.1.6 Agriculture

Agriculture is an important industry in Antigonish County. According to the 2006 Statistics Canada Census of Agriculture, there were 226 farms in the County. Farms have traditionally played an important role in the County and continue to do so today as witnessed in the percentage of those employed in the industry and its spinoffs. The 2006 Statistics Canada Census on Labour determined that the percentage of the labour force working in Agriculture and Resource based industries in the County was 13.2% for Subdivision A and 13.9% for Subdivision B.

Statutory Plans: Statements and Policies

While Antigonish County does not have the same amount of fertile agricultural land as that found elsewhere in Nova Scotia, some areas of Central Antigonish do possess moderately good Central Antigonish Municipal Planning Strategy soils. This includes some Class 3 and 4 agricultural lands, according to the Canada Land Inventory (C.L.I.) Land Capability for Agriculture classification system. Aside from fruit farming, there is relatively little cropland in Antigonish County and the bulk of farmland is used for livestock and hay farming.

One of the issues affecting agriculture is the proximity of residential development to farm operations. In the Central Antigonish planning area there is not as much pressure from new residential subdivisions as exists in the area surrounding the Town of Antigonish. Nonetheless, Council encourages new subdivision development to occur within the Hamlet designated areas in order to avoid the potential conflicts that can occur when new residential subdivisions encroach into agricultural areas. Quite often, people move out to the countryside because of the scenic beauty and rural nature of the area, of which farms are a part. However, in some cases, rural residents may argue that the enjoyment of their property is interfered with by the noise or odour of a nearby farm operation. Particularly, intensive livestock operations that involve the keeping of large numbers of animals in a confined space, can pose such a conflict with rural residential uses. Conversely, some argue that valuable agricultural land is wasted because of encroaching residential development and that farmland should be protected from urban sprawl.

The *Municipal Government Act* identifies the protection of “agricultural land for the development of a viable and sustainable agriculture and food industry” as a vital provincial interest and any new planning documents must be reasonably consistent with this. Council shares this view and is of the opinion that farmland is a valuable asset in Central Antigonish and that the agricultural sector should be supported and remain an integral part of the region’s future. Council’s intention is that, where possible, agricultural practices are to be protected. This can be done by requiring large minimum lot sizes, which discourages intensive residential development in these areas, and creating minimum separation distance requirements between intensive livestock operations and residential uses. Nonetheless, at this time Council does not intend to prohibit all residential buildings in the Central Antigonish Plan Area on farmland, as concern has been raised about limiting the development rights of farmers who may wish to develop part of their lands in the future for uses other than agricultural ones. The issue of farmland protection is however, an important and potentially contentious subject and Council would like to consider it further, either through a County-wide planning exercise or through additional investigation into regulations or incentives.

In the meantime, Council will require that new and expanded intensive livestock operations meet the setback and separation distance standards contained within the “Nova Scotia Agriculture Manure Management Guidelines” and the “Guidelines for Siting and Management of Hog Farms in Nova Scotia”. As Council believes that intensive agriculture uses are most appropriately situated in areas with low population density, new and expanded operations will only be permitted within the Rural Development (RD-1) Zone.

Policy: L-7.1 It shall be the policy of Council to require new or expanded intensive livestock operations within the Rural Development (RD-1) Zone to be set back from all lot lines, residences, roads, watercourses and wells, and for all agriculture uses to operate in accordance with the “Nova Scotia Agriculture Manure Management Guidelines” and where applicable, the “Guidelines for Siting and Management of Hog Farms in Nova Scotia.”