

Township of Southgate
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Staff Report PL2021-087

Title of Report: PL2021-087-On farm diversified uses and agricultural related uses.
Department: Clerks
Branch: Planning Services
Council Date: October 3, 2021

Recommendation:

Be it resolved that Council receive Staff Report PL2021-087 for information; and

That Council direct staff to work with the consultant to draft policy in the new official plan to exempt agricultural related and on farm diversified uses from the zoning by-law amendment process.

Background:

We have heard many times that Agriculture is no longer profitable and that there is no money in Agriculture. This has proven true as many small and medium farmers are no longer able to continue farming and have left farming. Similarly the next generation of young farmers are not even able to start without assistance.

Agriculture in Ontario has seen a slow continued shift from small and medium size farms to large corporate farming. The family farm is being squeezed out of the industry. Past policy has been to preserve the farmland in Ontario for continued use as a farm. There is a shift to that thinking in that it is not enough to preserve the farmland, you must also preserve the farmer.

Recently, there has been work to suggest that agriculturally related and on farm diversified uses will play a key component in preserving agriculture in Ontario. A basic tenant of the work is farm first and that by allowing small ag related and diversified uses on the farm to support the farmer it will benefit the overall farming industry. The policy would potential mean a family farm could be kept within the family by making it more profitable and allowing the flexibility to diversify. (Attachment #1)

Some farmers in Ontario have taken this approach and created everything from wood working and machine shops to creating breweries, distilleries, wine shops and restaurants. This approach has allowed the land to continue to be utilized as agriculture while providing much needed income to allow the small farmer to continue to operate and maintain the family farm.

The Province of Ontario has put out a list of example uses for Agricultural, Agriculturally related and On farm diversified uses. (attachment #2) Many of these uses have been utilized by the Mennonite community of Southgate. The requirement to rezone prior to allowing these uses is time consuming, costly and represents a real barrier to farmers being able to diversify their farms to continue to remain in the farming industry. Removing this barrier would assist farmers in making their farms more productive.

There is also another side to this discussion which is the increased bureaucracy and “red tape” that is created as a result of this requirement to rezone for Agricultural related and on farm diversified uses.

The Township has experienced a significant amount of growth over the last number of years. All aspects of the Township have been affected by this growth from increased tax revenues to the Township to increased demand for services and increased workload on municipal staff.

The chart below shows the planning application activity over the last 8 years and in 2018 there is a marked increase in development applications to the Township.

Planning Applications over the last 8 years						
	Consents	Zoning	OPA's	Minor Var	Site Plan	Totals
2014	13	20	1	0	9	43
2015	15	31	3	0	7	56
2016	9	22	1	2	16	50
2017	9	31	1	3	9	53
2018	14	37	1	0	18	70
2019	4	27	3	2	19	55
2020	14	30	4	3	21	72
2021	12	29	3	8	23	75

From 2014 to 2017 the average number of development applications received was 50.5. From 2018 to 2021 the average number of development applications is 68. That represents an approximate increase in development applications of 35%. The above figures do not include the increased subdivision activity of which we have had 9 subdivisions applications that have been received in the last 8 years. The Subdivision process also requires a significant amount of staff time to process, review. Similarly the CAO now handles Subdivision Agreements and other pre servicing agreements that have traditionally been handled by other staff. The above figures also do not include the increased interest in property development with similar increases in property inquiries to the Township which utilizes more staff time.

The increased development in Southgate has affected many services within the Township causing delays in processing time and in some cases worker burnout.

At the present time, some statutory timelines are not being met for every planning application. The simple solution as always, is to throw money at the issue and hire more staff.

In today's climate of fiscal restraint and budgetary constraints municipalities are struggling with this question of do we hire more staff and place an increased burden on the tax payer or do we cut services. Southgate is not alone in struggling with this question as many municipalities outside of the GTA are currently experiencing a significant increase in development activity.

Staff Recommendations:

Staff have another approach to this issue that would free up staff time and resources without the need to hire more staff.

At the beginning of this Council's term of office a Councillor said during budgetary discussions "What are we doing today that we could just stop or find a better way to do it without affecting services".

Staff have taken this statement to heart and examined the processes that are currently being done in Southgate to accommodate development within the Municipality.

The Proposal

The Township receives a significant number of on farm shop applications every year that takes up a significant amount of staff time and resources. All of them are recommended for approval and have been approved. Staff

believe that the Township can implement new Official Plan Policy to eliminate the need to amend the zoning bylaw every time a new on farm shop (on farm diversified use) is proposed. The Township would be permitted the uses listed in Attachment 2 as of right subject to meeting certain criteria and approval of a site plan control application.

Zoning Applications for on farm diversified and agriculturally related uses		
Year	On-farm Diversified uses and agriculturally related use applications	Total Zoning Applications by year
2017	15	31
2018	14	37
2019	15	27
2020	16	30
2021	16	29

The Township receives a significant number of on farm shop applications every year as can be seen in the chart above.

Currently all on farm shops require a Rezoning and a Site Plan Control application. That is approximately \$4800 in fees and contingency fees for each application that the Township receives and approximately 35 hours of staff time to prepare notices post signs, attend pubic meetings, draft two planning reports and two by-laws, attend Council for approval and then send out a notice of passing of the bylaw or agreement for registration.

The Township could develop policy in the new Official Plan that would control on farm diversified uses. A set of criteria for these uses to proceed without the need for a zoning bylaw amendment would be included in the new Official Plan. These criteria would include all of the current criteria that staff use to recommend approve to Council and would include the following:

1. 2% of the land area or a maximum of 8000m² for the area of land used for the on farm diversified use.
2. Minimum of 20m away from all lot lines
3. 150 m away from the nearest sensitive receptor
4. MECP D6 guidelines must be complied with,

5. MDS may be applied to those uses that are in close proximity to a large cluster or intensive sensitive use.
6. If a building cluster exists on the farm the new on farm diversified use must stay within 30m of the cluster.
7. The use would be required to undergo Site Plan Control.

If all of these criteria were met the owner would not be required to amend the Township of Southgate Zoning By-law but would still be required to undergo the Site Plan Control Process.

If a use did not meet all of these criteria it would require an amendment to the zoning by-law and therefore greater scrutiny by staff, the public and Council.

The end result of this change would be that the Agricultural related and on farm diversified uses can continue to proceed as they currently are but this new process would free up an estimated 225 hours of staff time without the need to hire additional staff. This time could be used to increase processing time of other applications allowing staff to meet statutory timelines and provide better services to Council and the public.

The additional benefit is that it supports farming and specifically the farmer by allowing them the opportunity to diversify without the need to amend the zoning by-law. The process to diversify will also be less costly as there would only be a site plan application fee associated with the proposal.

Financial Consideration

By implementing this change the Township would lose approximately \$20,000.00 in planning application fee revenue associated with reduced zoning applications. Having to process fewer zoning applications would free up staff time so that it could be redirected to other/more important matters and avoid the need to hire more staff.

Conclusions

Based on the above, the addition of policy in the new official plan to allow farmers to develop agricultural related uses and on farm diversified uses without the need to amend the zoning by-law is good planning. It supports agriculture and the farmer; it encourages expansion of the tax base and will reduce the "red tape" barrier to farmers. Lastly it will create efficiencies for staff to focus on other matters requiring staff's attention without the need to hire additional staff.

Respectfully Submitted,

Municipal Planner: *Original Signed By*
Clinton Stredwick, BES, MCIP, RPP



CAO Approval: *Original Signed By*
Dave Milliner, CAO

Attachments:

1. Slide Deck from OPPI on farm diversified uses.
2. Examples of permitted uses