



**TOWNSHIP OF MELANCTHON  
COMMITTEE OF THE WHOLE ELECTRONIC MEETING  
THURSDAY, JULY 15, 2021 – 6:30 P.M.**

Join Zoom Meeting

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Meeting ID: 869 9941 3913

Passcode: 135207

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Passcode: 135207

**AGENDA**

- 1. Call to Order**
- 2. Additions/Deletions/Approval of Agenda**  
**Motion - that the Agenda be approved as \_\_\_\_\_.**
- 3. Disclosure of Pecuniary Interest**
- 4. Adoption of Draft Minutes – June 3, 2021**  
**Motion: that the minutes of the Committee of the Whole Meeting held on June 3, 2021 be approved as circulated.**
- 5. Business Arising from the Minutes**
- 6. Correspondence**
- 7. General Business**
  1. Unfinished Business
    1. Discuss By-law 44-2012 – On Farm Business Uses By-law – Councillor Comments
      1. County of Brant – On-Farm Diversified Use Project
      2. Ottawa – Provisions for On-farm Diversified Uses ( Section 79)
    2. Other/Addition(s)
- 8. Delegations**
- 9. Adjournment and Date of Next Meeting**  
**Motion: that we adjourn Committee of the Whole at \_\_\_\_\_ p.m. to meet again on \_\_\_\_\_ at \_\_\_\_\_ p.m. or at the call of the Chair.**

**Or**

**That we adjourn Committee of the Whole at \_\_\_\_\_ p.m. to meet again at the call of the Chair.**

BY-LAW NO. 44-2012

OF THE CORPORATION OF  
THE TOWNSHIP OF MELANCTHON

WHEREAS By-law No. 12-79 as amended is the main governing Zoning By-law of the Corporation;

AND WHEREAS the Council of the Corporation of the Township of Melancthon has determined that By-law No. 12-79 should be amended to include provisions concerning on-farm business uses;

AND WHEREAS authority is granted under Section 34 of the Planning Act, to enact such amendments;

NOW THEREFORE be it enacted as a By-law of the Corporation of the Township of Melancthon the following:

1. Section 4, General Agricultural (A1) Zone, of By-law 12-79, as amended, is hereby further amended by adding the following after item h) in subsection 4.2.

“i) an on-farm business use, subject to the provisions of subsection 4.6.”

2. Section 4, General Agricultural (A1) Zone, of By-law 12-79, as amended, is hereby further amended by adding the following subsection after subsection 4.5 and renumbering subsection 4.6 as 4.7.

“4.6 ON-FARM BUSINESS USES PROVISIONS”

The following provisions shall apply with regard to an on-farm business use as permitted in the General Agricultural (A1) zone under the provisions of section 4.2.

- a) In this section, the words “secondary uses to agriculture” mean uses accessory to agriculture that support, promote, or sustain agricultural operations and production.
- b) The following uses may be permitted as on-farm business uses that are secondary uses to agriculture.
  - i. Dry manufacturing, trades and repair services other than an automobile repair shop or public garage
  - ii. Welding and machine shops.
  - iii. Wood working shops
  - iv. Band saw mills with covered storage of saw logs
  - v. Greenhouses and market gardens
  - vi. Garden centres
  - vii. Tree nurseries

- viii. Compatible commercial or retail uses including but not limited to storage and refrigeration of regional agricultural products, and production, sales and marketing of value added agricultural products derived from regional sources
  - ix. Supplemental sources of on-farm income that support and sustain on-farm agricultural operations and production
  - x. Support services that facilitate the production, marketing and distribution of agricultural products
  - xi. On-farm and off-farm sales and marketing of predominantly regional agricultural products and experiences
  - xii. Locally made arts and crafts
  - xiii. Ancillary retail sales and service activities
- c) Ancillary retail commercial sales and service activities, including accessory retail sale of products produced by the on-farm business use, shall be limited to a maximum of 10 percent of the gross floor area of the building.
  - d) Any permitted use shall require a Change of Use Certificate from the Township.
  - e) Only one permitted use is allowed on any qualifying lot.
  - f) The lot shall be eligible for the Farm Property Class tax rate and must be used for a farming business that has a current and valid Farm Business Registration number.
  - g) The minimum lot area shall be 20.23 hectares.
  - h) The minimum lot frontage shall be 150 metres.
  - i) The use and all associated facilities including parking areas shall not exceed a maximum area of 0.4 hectares.
  - j) The use shall be located in a separate building or buildings that are not associated with any other use on the lot.
  - k) All buildings and structures shall be set back a minimum of 22.8 metres from any lot line, 121.9 metres from the closest lot line of a vacant lot having a maximum size of 4.1 hectares, and 121.9 metres from a dwelling on a separate lot.
  - l) The minimum separation distance between on-farm business uses shall be 500 metres.
  - m) The maximum combined total floor area of all buildings shall be 418.06 square metres.
  - n) All buildings shall have a peaked roof and the maximum building height shall be 9.2 metres measured vertically from the abutting finished ground level to the peak of the roof.

- o) All business operations, storage and loading spaces shall be located within fully enclosed buildings.
- p) There shall be a landscaped buffer strip provided between the use and the nearest open public road. The landscaped buffer strip shall consist of either a minimum 2 metre wide continuous strip of land containing or planted with at least one row of coniferous trees having a minimum height of 2 metres and spaced at a maximum of 3 metre centres or containing a continuous 2 metre high tight board fence. Where necessary, driveways and walkways may cross this landscaped buffer strip. Where existing vegetation provides the equivalent of this buffer, no further planting or fencing is required.
- q) The use shall comply with the applicable noise emission standards of the Ministry of the Environment and, where necessary, acoustic fencing, berms or other mitigation measures shall be provided to ensure that off-site sound levels generated by the use meet those standards.
- r) The use shall be operated by the owner of the lot and a maximum of four employees.
- s) The use shall be not be offensive, obnoxious or dangerous to the neighbours or the area by reason of: the emission of light, heat, fumes, noise, vibration, gas, dust, smoke, fire, odour, air or water borne waste or pollution; interference with radio or television; or the significant increase in vehicle traffic due to frequency of deliveries by commercial carriers or patron parking.
- t) There shall be no advertising other than a non-illuminating sign having a maximum size of 1 square metre.
- u) Any permitted on-farm business use shall operate only during any part of the following time periods: between 7:00 a.m. and 7:00 p.m. on Mondays to Fridays and between 8:00 a.m. and 5:00 p.m. on Saturdays."

3. This by-law shall take effect and shall come into force pursuant to the provisions of and regulations made under the Planning Act.

READ A FIRST AND SECOND TIME THIS 6th DAY OF December, 2012,

Bill Hill  
MAYOR

Jeanie S. Palmer  
CLERK

READ A THIRD TIME AND FINALLY PASSED THIS 10th DAY OF January, 2013

Bill Hill  
MAYOR

Jeanie S. Palmer  
CLERK

## Denise Holmes

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**From:** Denise Holmes  
**Sent:** Friday, July 9, 2021 1:13 PM  
**To:** Denise Holmes  
**Subject:** FW: By-law 44-2012

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**From:** James McLean <jmclean@melancthontownship.ca>  
**Sent:** Friday, July 9, 2021 12:49 PM  
**To:** Denise Holmes <dholmes@melancthontownship.ca>  
**Subject:** Re: By-law 44-2012

Here are my comments:

**Section 4.6 (e):** It seems odd that we would restrict owners to only one business use when a few operations - greenhouse/market gardens, garden centres and tree nurseries - are all of the same nature and could be incorporated into one business venture.

Is this clause here because of fear that an owner may engage in two or more noisier operations (i.e., wood working and band saw mills)?

If so, maybe we need two classifications - one for louder operations and one for quieter ones.

**Section 4.6 (m):** How did we arrive at this number?

**Section 4.6 (n):** Why are we requiring peaked roofs on buildings? Suggest removing it.

**Section 4.6 (o):** For markets in particular, some business operations occur outside/not within fully enclosed buildings (e.g., Lennox's market)

**Section 4.6 (u):** This should be amended. I'm not sure why we would restrict businesses from operating on Sundays.

**Denise Holmes**

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**From:** Wayne Hannon  
**Sent:** Friday, July 9, 2021 8:09 AM  
**To:** Denise Holmes  
**Subject:** On farm

I am looking to change the parcel sizes that would be eligible for a business and the set backs between Mennonites. But all aspects of the bylaw should be looked at and updated where necessary.

Wayne Hannon

Sent from my Samsung Galaxy smartphone.

## Denise Holmes

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**From:** Margaret Mercer  
**Sent:** Friday, July 9, 2021 11:12 AM  
**To:** Denise Holmes  
**Subject:** On farm uses bylaw

Hi Denise,

I'd like to review the entire bylaw, specifically the percentage of property that can be used, and the uses themselves.

Thank you,  
MMercer

Sent from my iPad



**Denise Holmes**

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**From:** Denise Holmes  
**Sent:** Monday, July 12, 2021 8:28 AM  
**To:** Denise Holmes  
**Subject:** Committee of the Whole

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**From:** David Besley <dbesley@melancthontownship.ca>  
**Sent:** Monday, July 12, 2021 7:35 AM  
**To:** Denise Holmes <dholmes@melancthontownship.ca>  
**Subject:** Re: Committee of the Whole

Good morning Denise  
Sorry I didn't get this to you Friday.  
I have two proposed changes to the bylaw that I would like to put forward  
4.6 g. change to 15 hectares  
    l. change to 250 metres

Dave Besley, Deputy Mayor

Township of Melancthon

Cow GB#7-1.1  
JUL 15 2021

# Planning your Agriculture-Related Use or On-Farm Diversified Use Project

1



Agricultural  
Uses

2



Agriculture-  
Related Uses

3



On-Farm  
Diversified Uses

cow 60# 7.1.1.1  
JUL 15 2021

# Planning Your Agricultural-Related Use or On-Farm Diversified Use Project

## Disclaimer

The information contained in this guide was compiled based on information available at the time of production. While this guide can be used as you plan your On-Farm Diversified Use project, the information herein, including regulations and costs is subject to change and it is in the best interests of property owners and applicants who wish to pursue an On-Farm Diversified Use project to confirm all information in this planning guide prior to proceeding. For more information or assistance with your project, please contact the County of Brant Development Services Department.

## Contents

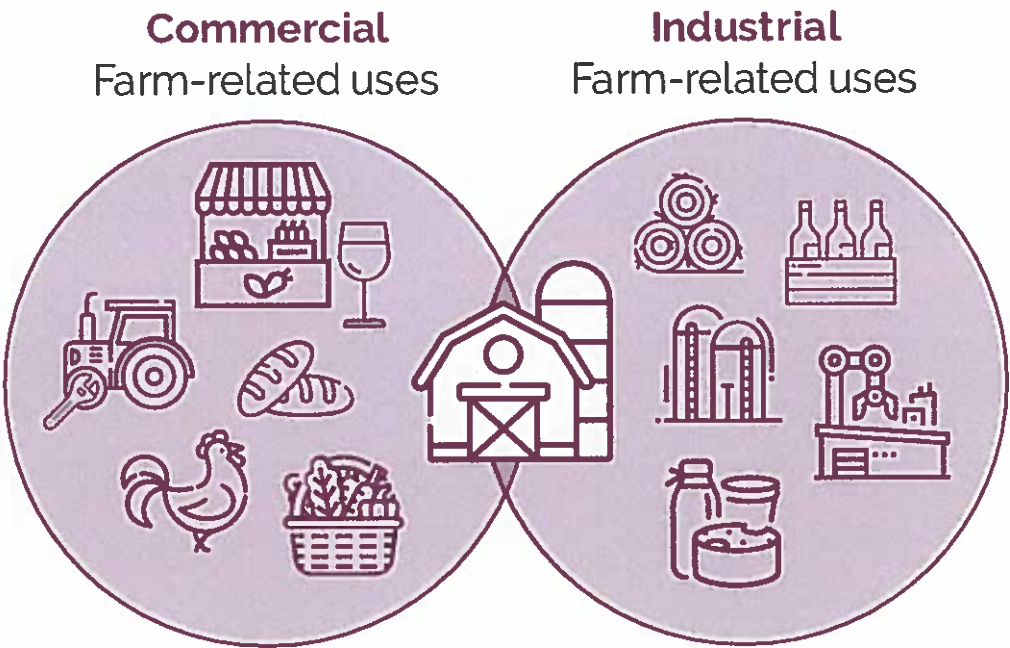
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**What is an Agriculture-Related Use or On-Farm Diversified Use?**

An Agriculture- Related Use is a farm-related commercial or farm-related industrial use that is directly related to the farming operation and provides products and/or services to farm operations as a primary activity. **Some Examples of Agriculture-Related Uses are**

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

**Farm-related industrial uses** include uses such as industrial operations that process farm commodities from the area such as abattoirs, feed mills, grain dryers, cold/dry storage facilities, fertilizer storage and distribution facilities, food and beverage processors (e.g., wineries and cheese factories) and agricultural biomass pelletizers if they meet all the criteria for this category of uses. Many of these uses add value to the agricultural commodities produced in the area.





An On-Farm Diversified Use is a use or uses that are accessory to the principal farming operation or agricultural use of the property and are limited in area. **Some examples are:**



Value-added agricultural uses such as Agriculture-Related Uses and On-Farm Diversified Uses, are limited in scale, directly related to a farm operation, and compatible with surrounding agricultural operations. These types of uses maintain a viable agricultural and agri-food economy while protecting and mitigating negative impacts on the agricultural lands such as removal of lands from agricultural production.

Uses generating significant traffic, such as large food processors or full-scale banquet halls, would not meet the intent of the *Provincial Policy Statement* definition for an Agriculture-Related Use or On-Farm Diversified Uses and will therefore not be permitted.

**Where are Agriculture-Related Uses or On-Farm Diversified Uses Permitted?**

Agriculture-Related Uses or On-Farm Diversified Uses are permitted within the agricultural areas of the County of Brant accessory to a farming operation. Farming operations are lands that are assessed as farmland, have a valid Farm Business Registration number and are used for the purpose of agricultural activities (as established within the County of Brant Zoning By-Law) but does not include cannabis facilities or cannabis uses.

**Does my project qualify as an Agriculture-Related Use or On-Farm Diversified Use?**

To see if your project qualifies as an Agriculture-Related Use or On-Farm Diversified Use, the main factors that will need to be considered are use, size and scale of the proposal. A list of requirements for both Agriculture-Related Uses and On-Farm Diversified Uses have been included within this Guide for reference. Please note that the information below is provided as a summary of the overall requirements and certain properties may have specific requirements that are not listed below.

## Requirements for an Agriculture-Related Use

### 6.3 Agriculture-Related Use

**Agriculture-Related Uses to principle farming operations may be permitted subject to the following criteria:**

1. The Agriculture-Related Use shall not be permitted in natural heritage features or wetlands identified in Schedule 'B' or Schedule 'C' or as per Section 2.3.2.1 of the County of Brant Official Plan except for expansions to existing buildings and structures where it is demonstrated that there is no alternative, the expansion into the feature is minimized and is directed away from the feature to the maximum extent possible and the impact is minimized and mitigated to the maximum extent possible.
2. A vegetation protection zone is to be maintained as natural self-sustaining vegetation that is no less than 30 metres for wetlands, permanent and intermittent streams, fish habitat and significant woodlands.
3. The maximum lot coverage for an Agriculture-Related Use shall not exceed thirty percent (30%) of the total lot area of the subject lands.
4. The majority of the product processed, preserved, packaged and/or stored shall be from the farm operation on the subject lands, including crops used to produce wines, beers, spirits or similar products.
5. If a value-retaining use provides support to surrounding farm operations within a reasonable distance of the subject lands, it shall be considered an Agriculture-Related Use.
6. An Agriculture-Related Use may be subject to the Province of Ontario's Minimum
7. Distance Separation (MDS) Guidelines for compatibility between livestock facilities and sensitive land-uses.
8. The Agriculture-Related Use shall be secondary to the principle farm operation on the subject lands.
9. Prior to an Agriculture-Related Use being established on a property, a site plan control shall be applicable to mitigate the impacts of items such as but not limited to traffic, parking, emissions, noise, water and waste water usage, relevant environmental approvals, landscaping, buffering, size and scale in relation to the applicable requirements of By-Law 61-16.
10. Wineries may be an Agriculture-Related Use subject to the requirements as set out within the County of Brant Zoning By-Law.



#### Did you know?

Ontario allows for 3 general uses of agricultural lands:

- Agricultural Uses (crops, livestock, greenhouse etc.)
- Agriculture-Related Uses (farm supplies, farmer's markets, wine and cider production etc.)
- On-Farm Diversified Uses (bakeries, petting zoo, wineries, farm-related offices etc.)

## Requirements for an On-Farm Diversified Use

### 6.4 On-Farm Diversified Use

On-Farm Diversified Uses accessory to principle farming operations may be permitted subject to the following criteria:

1. An On-Farm Diversified use shall only be permitted accessory to a farm operation on the same lot.
2. On-Farm Diversified Use(s) shall not exceed a combined total of either one (1) hectare or two percent (2%) of the area of the lands on which the use is proposed, whichever is lesser.
3. The gross floor area of all buildings or structures used for an On-Farm Diversified Use shall not exceed twenty percent (20%) of the land area, as stated in clause 2 above.
4. The land area and the area of existing buildings or structures used for an On-Farm Diversified Use may be discounted at the rate of fifty percent (50%). Where an On-Farm Diversified Use uses the same footprint as a demolished agricultural building, the land area for the On-Farm Diversified Use may be similarly discounted by fifty percent (50%).
5. One hundred percent (100%) of the area needed for parking areas and outdoor storage for the On-Farm Diversified Use shall be included in the area calculation.
6. Where an On-Farm Diversified Use uses an existing farm laneway or parking area, the area of the laneway or parking area shall not be included in the area calculations.
7. Services required for the use proposed are provided on the same lot, to the satisfaction of the County of Brant, and shall not have any negative impacts on neighboring and surrounding land uses.
8. On-Farm Diversified Uses that include agri-tourism and farm experience activities shall be directly related to the principle agricultural use.
9. Production lands which are used for the growing of crops and are simultaneously used as part of an activity area, such as a corn maze, shall not be included in the area calculations for the On-Farm Diversified Use. However, these activity areas shall not exceed five percent (5%) of the total lot area of the subject lands.
10. An On-Farm Diversified Use shall be subject to the Minimum Distance Setbacks Guidelines, except where an On-Farm Diversified Use does not generate a significant amount of visitors and does not include agri-tourism or food services or provide accommodations on site.
11. The On-Farm Diversified Use must meet all applicable requirements of the Ontario Building Code, the Ontario Fire Code, Municipal Implementation Guidelines, and requires an approved building permit to legally establish the use.
12. The On-Farm Diversified Use shall not be permitted in natural heritage features or wetlands identified in Schedule 'B' or Schedule 'C' or as per Section 2.3.2.1 of the County of Brant Official Plan except for expansions to existing buildings and structures where it is demonstrated that there is no alternative, the expansion into the feature is minimized and is directed away from the feature to the maximum extent possible and the impact is minimized and mitigated to the maximum extent possible.
13. A vegetation protection zone is to be maintained as natural self-sustaining vegetation that is no less than thirty (30) metres for wetlands, permanent and intermittent streams, fish habitat, and significant woodlands.
14. Prior to an On-Farm Diversified Use being established on a property, a Site Plan Control shall be applicable to mitigate the impacts of items such as but not limited to traffic, parking, emissions, noise, water and waste water usage, relevant environmental approvals, landscaping, buffering, size and scale in relation to the applicable requirements of By-Law 61-16.

- 15. Wineries, craft breweries, cideries and distilleries are considered On-Farm Diversified Uses and shall be subject to the requirements of Subsection 6.4 of the County of Brant Zoning By-Law.
- 16. An agricultural event is considered an On-Farm Diversified Use and shall be subject to all requirements within Subsection 6.4 of the Zoning By-Law. Agricultural events that are beyond the scale of an On-Farm Diversified Use shall only be permitted on a temporary basis through a Temporary Zoning By-Law Amendment.

Keep in mind that that each property is different and there may be other factors that impact the size you can build, such as the area of the property, setbacks from your property lines or from your well and septic. The information below is provided to give a starting point and when staff reviews the proposal, we'll be able to help figure out exactly what permissions will apply to your property to help move your project forward.



**Did you know** that 77% of the lands in the County of Brant are considered prime agricultural land by the Province of Ontario?

**Parking Requirements**

**Parking requirements for an Agriculture-Related Use or On-Farm Diversified Use are as follows:**

Type of use	Minimum required off-street parking Regulations (per gross floor area)
<i>Agriculture-Related Uses</i>	1 per 100m <sup>2</sup>
<i>On-Farm Diversified Uses</i>	1 per 100m <sup>2</sup>

For a full list of requirements relating to parking and loading please refer to Section 5 of the County of Brant Zoning By-Law. To reference the County of Brant Zoning By-Law please visit [www.brant.ca/investinbrant](http://www.brant.ca/investinbrant) , or email [planning@brant.ca](mailto:planning@brant.ca) or contact Planning Staff for assistance.



**How do I know if my zoning permits an Agriculture-Related Use or On-Farm Diversified Use?**

Your property’s zoning helps lay out what uses are permitted on your property and where structures can be placed. The zoning will help you figure out what requirements will apply to your Agriculture-Related Use or On-Farm Diversified Use project for things like maximum floor area, height, and required setbacks from your property lines.

**Below are the requirements for the Agricultural (A) Zone to assist in planning for your project:**

Street Setback, Minimum (metres)	25.0 metres
Interior Side Yard Setback, Minimum (metres)	15.0 metres
Rear Yard Setback, Minimum (metres)	15.0 metres
Lot Coverage, Maximum	30%
Landscaped Open Space, Minimum	30%
Building Height, Maximum (metres)	10.0 metres

*\*Please note that any openings such as windows and doors may impact the location of a building or structure proposed for an Agriculture-Related Use or On-Farm Diversified Use. These details are governed by the Ontario Building Code.*

When reviewing Minimum Distance Setbacks Guidelines for an Agriculture-Related Use or On-Farm Diversified Use, if a greater distance than that of the Zoning By-Law (as outlined within the chart above) is required, the more restrictive setback shall apply.

If you need help finding out what your property is zoned, you can visit [www.brant.ca/OFDU](http://www.brant.ca/OFDU), email the County of Brant Development Planning department at [planning@brant.ca](mailto:planning@brant.ca) or contact Development Planning Staff for assistance at 519.44BRANT.

*In the County of Brant, we want to diversify agricultural lands for different uses, to help promote and protect our agricultural lands.*



### **What if I am utilizing an existing building?**

As the existing building would have been established for a previous use, County of Brant staff will review the existing building under the current requirements of the Zoning By-Law, Minimum Distance Setbacks Guidelines, Ontario Building Code and Ontario Fire Code to ensure that the building complies. A Change of Use Permit or Record of Site Condition may be required in order to legally change the existing use of a building on a property. This will be reviewed by County of Brant staff through the Minor Site Plan Control process.

### **Size and Scale Calculations for On-Farm Diversified Uses**

To determine the size and scale calculations for your On-Farm Diversified Use program, you will first need to add together the area of all structures to be utilized, parking areas and open storage areas. On-Farm Diversified Uses must not exceed a combined total of either one (1) hectare or two percent (2%) of the area of the lands on which the use is proposed, whichever is lesser. The total gross floor area of all buildings or structures used for an On-Farm Diversified Use shall not exceed twenty percent (20%) of the land area. The area of existing buildings or structures used for an On-Farm Diversified Use may be discounted at the rate of fifty percent (50%). Where an On-Farm Diversified Use uses the same footprint as a demolished agricultural building, the land area for the On-Farm Diversified Use may be discounted by fifty percent (50%). One hundred percent (100%) of the area needed for parking areas and outdoor storage for the On-Farm Diversified Use shall be included in the area calculation. Where an On-Farm Diversified Use uses an existing farm laneway or parking area, the area of the laneway or parking area shall not be included in the area calculations.

When calculating the size and scale of the proposal, keep in mind that the property also has a maximum lot coverage (30%) and landscaped open space (30%) that applies, including any existing buildings not part of this proposal (ex. Existing dwelling or barns). In most cases, you'll hit the maximum 2% or 1 hectare size limitation before you'll hit your total lot coverage, but in some cases the overall size of the property may be smaller and cause one or both requirements to be exceeded. If this is the case then the proposal may need to be adjusted to comply with the requirements. Applications may be considered for amendments to the overall lot coverage and will be reviewed by County of Brant staff on a site-specific basis. Amendments to the overall size limitations of 2% or 1 hectare will not be supported, as these requirements are stipulated within the Provincial Policy framework.

If you have questions about whether your proposal complies, County of Brant staff will review your calculations when you submit the Minor Site Plan Control application and are also available to assist with any questions about determining your specific requirements before your submission.

### **Are there height limitations for agricultural buildings?**

There are exemptions relating to height restrictions within the County of Brant Zoning By-Law for barns or silos for an agricultural use as defined within the By-Law, and grain elevator and drying facility through Section 4.15 Height Restrictions. Any structure proposed for an Agriculture-Related Use or OFDU within the Agricultural Zone would be subject to the restrictions of the Agricultural Zone of ten (10) metres.

### **My project doesn't quite qualify, so what can I do?**

If your project doesn't meet the requirements needed to make it eligible or doesn't meet some of the criteria, you may be able to pursue an application to ask permission from our Committee or Council

to have your Agriculture-Related Use or On-Farm Diversified Use project move forward. Dependent on what requirements your project doesn't meet, you'll need to let us know that your project will not have negative impacts on things like surrounding agricultural operations and uses, the existing farming operation, preservation of agricultural land, parking, water quality and quantity, septic attenuation, the character of the neighbourhood and the privacy of neighbouring properties. This justification will be dependent on what requirements are not met and the assistance of a hired professional planner and/or engineer to help prepare your application may be necessary.

Going through the application process will require time and expense, but it will ensure that the proposed project is done safely and can meet the intent of the policies in place. This a public process that allows a neighbourhood to get involved and have their input on whether they think an application is suitable or not. Committee and Council will make the decision on the application and consider granting approval if the intent of the policy framework established (as outlined within *The Provincial Policy Statement and Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas*) are maintained.

If you are considering an application for your project, it is best to talk to your neighbours to hear their feedback and address any concerns they may raise before the investment required to have the application go before Committee and Council. It is also best to contact and meet with Planning staff about your application to learn more about the submission requirements, application process, timeliness, fees and policy requirements before completing an application. For more information, please contact the Development Planning Division at [planning@brant.ca](mailto:planning@brant.ca) or 519.44BRANT.





## What is the process?

Minor Site Plan Control will be required to be completed prior to the legal establishment of an Agriculture-Related Use or On-Farm Diversified Use on a property. The Minor Site Plan Control process will ensure that the new use fits in with the agricultural character of the area and traffic and circulation impacts are minimal. The process will be used to address elements such as entrances, parking, pathways, emergency vehicle access, lighting and loading areas. With delegated authority for the site plan process, County of Brant staff in the Development Planning Division will ensure that potential impacts are addressed through an expedited process. Other items reviewed through the site plan control process will consist of proper signage on roads with frequent use by slow-moving farm vehicles and standard road designs and traffic controls to accommodate the mix of automobile traffic and slow-moving farm equipment.

Upon completion of the site plan control process a building permit may be required for your proposal. There may be different Ontario Building Code requirements for your project depending if you are renovating an old building or constructing a new building, if you're putting an addition on an existing building, or converting an existing structure. Different properties and building types may have different submission requirements and fees. If you need assistance with your building permit application, please contact the County of Brant Building Division at [building@brant.ca](mailto:building@brant.ca) or 519.44BRANT.

With respect to the County of Brant Development Charges By-Law, the creation of a new use on an agricultural property that requires a building permit for the building and/or retro-fitting of a building would require the payment of development charges. These charges provide funding for municipal services such as highway and road maintenance, recreation, administration, emergency response, and municipal water, wastewater and drainage (where applicable). These charges will also help mitigate potential impacts on our rural roads and infrastructure for uses that may see higher traffic and human densities as a result of an Agriculture-Related Use or On-Farm Diversified Use.

## What kind of fees will apply to my project?

### Development Charges

Development Charges are a one-time fee levied by municipalities on new residential and non-residential properties that help pay for a portion of the growth-related infrastructure projects. As the County of Brant allows for diversification of the agricultural areas, we need to make sure each new use is accounted for with our updated infrastructure and services. The creation of a new use on an agricultural property that requires a building permit for the building and/or retro-fitting of a building would require the payment of development charges.

The cost of these charges will depend on your proposal. Areas that are on well and septic services may not be required to pay charges related to municipal water and wastewater services. For more information on Development Charges, please check out [the development charges web page](#) or contact our Building Division at [building@brant.ca](mailto:building@brant.ca) for assistance.

### Building Permit Fees

Building permit fees are subject to change. To review our current fees schedule, please visit [www.brant.ca/fees](http://www.brant.ca/fees). If you have any questions, please contact the County of Brant Building Division directly at [building@brant.ca](mailto:building@brant.ca) or 519-44BRANT.

## What documents will I need for my building permit application?

To submit a building permit application, you'll need to provide the following paperwork to help staff review your project:

- A **complete and signed permit application form**
  - Including **Designer information 'Schedule 1'** corresponding with the designer's name and BCIN on all drawings submitted with the application
- A copy of the **Property Deed**
- A copy of the **approved site plan**
- A complete set of construction drawings, drawn to scale, including applicable:
  - **Foundation Plans** (size of walls, footings, and piers)
  - **Floor Plans** (overall dimensions, room names, structure information etc.)
  - **Building Elevations** (from all sides showing wall and roof height, window, and door locations, etc.)
  - **Cross Sections** (through the wall from footings to roof noting all materials in the foundation, wall, and roof assembly)
- A **Heat Loss/Gain Calculation and Mechanical Ventilation Design Summary/Layout**
  - Provided along with calculations – Schedule 1: Designer Information
- An **Energy Efficiency Design Summary** form and applicable supporting documents
- A Copy of the **Truss Layout** for roof and/or floor layout
- A copy of the **Well and Septic Report and/or Permit**
- Other applicable approvals / supporting documentation may apply:
  - **Conservation Authority permit** or written permission (Grand River Conservation Authority / Long Point Regulatory Conservation Authority)
  - **Proof of address** for the Agriculture-Related Use or OFDU (which may require the purchase of an additional blue 9-1-1 address plate, and can be obtained by emailing [planning@brant.ca](mailto:planning@brant.ca))
  - A **Minimum Distance Separation Calculation**, as required by the Ontario Ministry of Agriculture, Food and Rural Affairs to ensure that the new use will not impact surrounding livestock facilities and vice versa. (More information on this can be found in the FAQs section of this guide)

## Frequently Asked Questions about On-Farm Diversified Uses

### What is agri-tourism?

Agri-tourism uses are farm-related tourism uses including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farming operation on the property.

### Does my project need a separate address?

Yes, please contact [planning@brant.ca](mailto:planning@brant.ca) to have an address assigned to your business. This address will be assigned as a secondary address to the property to ensure the safety of the people working or visiting the business.

### Can an Agriculture- Related Use or On-Farm Diversified Use be severed and sold separately?

No. The intent of these policies is that the use be established as an additional accessory use to a farming operation on a property within the agricultural area in order to subsidize the existing principal agricultural use. The direction from the Province of Ontario is that Agriculture-Related Uses and On-Farm Diversified Uses must remain part of the principal farming operation of which it is directly accessory to and cannot be severed and sold separately. These policies help us avoid things like fragmentation of agricultural land systems and agri-food network, and negative impacts on surrounding farm operations.

### Can I have more than one (1) Agriculture-Related Use or On-Farm Diversified Use on my property?

Yes. The Official Plan policies and Zoning By-Law requirements permit multiple Agriculture-Related Uses and/or On-Farm Diversified Uses on properties if the requirements and intent of the policies are maintained.

### Do I need insurance on my Agriculture-Related Use or On-Farm Diversified Use?

Yes. You will need to contact your individual insurance provider for quotes and information on coverage for your project.

### I need a Minimum Distance Separation Calculation for my project, where do I start?

A Minimum Distance Separation Calculation is required when your property is in a rural or agricultural area, outside of one of our settlement areas within the Official Plan. This is a requirement of the Province of Ontario to make sure that any new residential uses in these areas will not negatively impact the surrounding farm operations that have livestock. Livestock operations can involve sound, lights and smells that may generate complaints from nearby residents, a Minimum Distance Separation calculation is one way to make sure that we are appropriately separating these types of uses. Applicants are required to provide the information necessary for County of Brant Planning staff to review a Minimum Distance Separation calculation. This may include information from nearby livestock operations such as the type of livestock, capacity of the barn and type of manure system and storage.

In some instances, it may be helpful to an applicant to hire [a land-use planning consultant or a nutrient management consultant](#) to undertake the Minimum Distance Separation calculation on their behalf. The formula and guidelines are provided by the Province of Ontario to assist municipalities when dealing with non-compatible land uses, such as residential uses with livestock facilities. Some types of these uses may lead to potential conflicts with surrounding livestock facilities, such as uses that include food service, accommodations, and other uses that are characterized by a more human activity. To support the functions of normal farming practices in our agricultural areas and reduce the

change of impacts on these operations, a Minimum Distance Separation calculation will be required to establish all agriculture-related and on-farm diversified uses. When required, these proposed uses would be considered as Type A land uses, typically characterized by a lower density of human activity than within a settlement area, but with the potential to impact the expansion of farming operations. Meeting the requirements of the Minimum Distance Separation guidelines will be required for eligibility to pursue an as-of-right diversified or agriculture-related use.

### **How do I connect my Agriculture-Related Use or On-Farm Diversified Use to proper services?**

You will need to contact the appropriate service providers and in some cases, a qualified professional that can advise if your current service connections can accommodate the increase in service use or if you will need to pay to have your services upgraded. Listed below are the common service providers in the County of Brant and who should be contacted for more information:

#### **Hydro Services**

- Energy Plus (519.442.2215 or [www.energyplus.ca](http://www.energyplus.ca))
- Hydro One (1.888.664.9376 or [www.hydroone.com](http://www.hydroone.com))

#### **Well and Septic Services**

- A qualified plumbing and/or septic professional

#### **Natural Gas Services**

- Enbridge / Union Gas (1.888.774.3111 or [www.uniongas.com](http://www.uniongas.com))

### **Will an Agriculture-Related Use or On-Farm Diversified Use affect my property taxes?**

Yes. With the diversification of an agricultural uses, property value and taxation changes may occur and will be dependent on the extent of the processing and sale activities on the site as categorized by the Municipal Property Assessment Corporation. Taxation in the County of Brant is calculated based on the assessed value of a property.

The Municipal Property Assessment Corporation will generally assess a farm property based on several factors including the farmland, residence and land, farm outbuildings and other buildings to establish the property's value. The properties are assessed based on their 'active use', and not necessarily on the 'permitted uses' or potential of the property under a municipality's planning policies. To this effect, additional uses on a farm property, such as adding additional buildings or uses, could increase the current value of a property that may be reflected when a reassessment is done by the Municipal Property Assessment Corporation.

Adding additional buildings and/or uses to a property may increase the value of the property and any subsequent increase to property taxes would be phased in accordingly through the Municipal Property Assessment Corporation. If an area of the property is used for purposes other than farming, a structure thereon is valued according to the cost of replacement (taking into consideration the design, age, size, and quality of construction). These uses and alternative structures would be valued and classified according to the Municipal Property Assessment Corporation consideration of their use and may be considered commercial, industrial, agricultural or residential. More information can be found at [www.mpac.ca](http://www.mpac.ca) or by contacting the County of Brant Tax Division at [tax@brant.ca](mailto:tax@brant.ca)

In 2018 the Government of Ontario established two new industrial and commercial subclasses to promote and support small-scale farming businesses that are a direct extension of a farming

operation on a property. Alongside farm tax incentives and farm forestry exemptions, these newly introduced sub-classes can help reduce the cost of a commercial or industrial tax rate by up to 75%. More information and frequently asked questions about this incentive opportunity can be found by referencing the [Small-Scale On-Farm Business Subclasses Frequently Asked Questions](#)

If you have questions about your property assessment or if you think your property might qualify for the small-scale on-farm business subclasses, please contact our Customer Contact Centre, Toll Free at 1 866 296-6722 or TTY 1 877 889-6722 (Hours of operation: Monday to Friday – 8 a.m. to 5 p.m. EST) or visit [www.aboutmyproperty.ca](http://www.aboutmyproperty.ca)

**Need Additional Assistance?**

If you have any further questions regarding an Agriculture-Related Use, On-Farm Diversified Use or this Guide please visit [www.brant.ca/OFDU](http://www.brant.ca/OFDU) to contact County of Brant staff.



# OTTAWA

## Provisions for On-farm Diversified Uses (Section 79)

1. On-farm diversified uses are subject to the following provisions:
  1. an on-farm diversified use is permitted if there is an agricultural use on the lot;
  2. the maximum area of an on-farm diversified use is 2% of the total lot area, to a maximum of 1 ha.
  3. the maximum area of an on-farm diversified use includes:
    1. the total area of all home-based businesses on the lot, and
    2. the area of buildings or structures built prior to April 30, 2014 that are associated with an on-farm diversified use, discounted by 50%, and
    3. the area of buildings, structures, outdoor storage, landscaped areas, berms, laneways, parking and the area occupied by well and septic systems that were built on or after April 30, 2014 that are associated with an on-farm diversified use, and
    4. despite subclauses (ii) and (iii), the area of agri-tourism uses associated with activities such as wagon rides or corn mazes on lands producing harvestable crops are not included in the area calculations, and
    5. if there is more than one on-farm diversified use on a lot the combined area of all on-farm diversified uses is included in the total;
  4. the total area of buildings used for on-farm diversified uses may not exceed 20% of the total area used for on-farm diversified uses on the lot;
  5. the maximum area of a building occupied by an on-farm diversified use, limited to a place of assembly is 150 square metres. (By-law 2019-41)

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