

Township of Melancthon

Review of Zone Regulations for On-Farm Diversified Uses

September 16, 2021



Overview

1. Provincial policy and guideline for OFDU
2. Summary of Melancthon zone regulations
3. Analysis of provincial policy and guidelines against Municipal regulations
4. Framework to update zone regulations



Agricultural Uses

Under Provincial Policy municipalities are required to:

1. Identify “prime agricultural areas”;
2. Within this area only the following uses are permitted:
 - a) “Agricultural uses”
 - b) “On-farm diversified uses”
 - c) “Agricultural related uses”

Agricultural Uses – Definitions

Agricultural uses

- nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production;
- *value-retaining facilities; and,*
- accommodation for full-time farm labour.


On-farm diversified uses

- **Secondary** to the principal agricultural use of the property,
- **Limited** in area.
- Include, but are not limited to, home occupations, home industries, agri-tourism uses, *and uses that produce value-added agricultural products.*

Therefore:

-Agricultural Uses-

(On-farm diversified uses)



Publication 851 – Guidelines on Permitted Uses in Agricultural Areas

Value-Retaining Uses

“Value-retaining facilities located on farms serve to maintain the quality of raw commodities produced on the farm to ensure they remain saleable...includes refrigeration, controlled atmosphere storage, freezing, cleaning, grading, drying...minimum amount of processing, such as grading eggs. Agricultural commodities undergoing value retain processes are often shipped in bulk to value-added operations.”

Value-Added Uses

“Value-added facilities differ from value-retaining facilities...they process agricultural commodities into new forms or products to enhance their value...chopping, canning, bottling, wine-making, packaging for retail use..Value-added uses do not meet the definition of agricultural uses but may satisfy the definition for agricultural-related or on-farm diversified uses.”



Value-Retaining Facilities

Characteristics

- maintain the quality of agricultural commodities (i.e., prevent spoilage) or provide a minimum amount of processing to make an agricultural commodity saleable
- agricultural commodities are produced on the farm

Examples

- controlled-atmosphere storage, cleaning, grading, drying, sorting, evaporating maple sap into syrup, honey extraction, simple (bulk) packaging

Type of Use

- *agricultural uses or agriculture-related uses*

Value-Added Facilities

Characteristics

- process agricultural commodities into new forms that enhance their value
- may add off-farm inputs

Examples

- pressing apples and bottling cider, wine-making, grain milling, cherry pitting and preserving, chopping and canning carrots, grain roasting for livestock feed, retail-oriented packaging

Type of Use

- *agriculture-related uses or on-farm diversified uses*



On-Farm Diversified Uses – Criteria Pub. 851

1. Located on a farm (**F**)
2. Secondary to the principal ag. use of the parcel (**S**)
3. Limited in area (**L**)
4. Includes home occupations, home industries, ag-tourism uses and uses that produce value-added ag. products (**HBB-V**)
5. Shall be compatible with and shall not hinder surrounding agricultural operations (**C**)



By-law 33-2017 (originally 44-2012)

Originally established to permit and regulate on-farm diversified use (industrial workshops)

Component Parts:

1. Definition
2. Permitted Uses
3. Regulations



The Definition

means a use, occurring entirely and exclusively within a detached building that is secondary and subordinate to the active and principle agricultural use occurring on a property. Such uses shall be integrated within a farm cluster of buildings which must include a dwelling, and may include, but are not limited to, uses that produce value added agricultural products or provide a service that is supportive of regional agri-business.

Analysis:

- F, S, L – yes
- HBB-V, C - discuss



The Permitted Uses

- i) *Dry manufacturing, trades and repair services other than an automobile repair shop or public garage; (HBB-V, C)*
- ii) *Welding and machine shops; (HBB-V,C)*
- iii) *Wood working shops; (HBB-V,C)*
- iv) *Band saw mills with covered storage of saw logs; (discuss)*
- v) *Greenhouses and market gardens; (discuss)*
- vi) *Garden centres; (discuss)*
- vii) *Tree nurseries; (discuss)*
- 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; (discuss)*



Permitted Uses

- ix) *Supplemental sources of on-farm income that support and sustain on-farm agricultural operations and production; (discuss)*
- x) *Support services that facilitate the production, marketing and distribution of agricultural products; (discuss)*
- xi) *On-farm and off-farm sales and marketing of predominantly regional agricultural products and experiences; (discuss)*
- xii) *Locally made arts and crafts; and, (discuss)*
- xiii) *Ancillary retail sales and service activities. (discuss)*



Permitted Uses - Analysis

- 3 of the uses capture the principle types of OFDUs that have been approved in the Township (manufacturing, welding, wood working)
- 3 of the uses may be agricultural uses (greenhouses, garden centres, tree nurseries)
- 1 of the uses could be a home occupation or secondary uses to agriculture (support services for production, marketing, and distribution)
- 3 of the uses address retail, off-farm sales and supplemental sources of on-farm income.



The Regulations

- i) *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. (L, C)*
- ii) *Any permitted use shall require a Change of Use Certificate from the Township.*
- iii) *Only one permitted use is allowed on any qualifying lot. (L, C)*
- iv) *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. (F)*
- v) *The minimum lot area shall be 20.23 hectares. (F, S)*
- vi) *The minimum lot frontage shall be 150 metres. (C)*
- vii) *The use and all associated facilities including parking areas shall not exceed a maximum area of 0.4 hectares. (L, C)*
- viii) *The use shall be located in a separate building or buildings that are not associated with any other use on the lot. (S, C)*



The Regulations

- ix) 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. **(C)**
- x) The minimum separation distance between on-farm business uses shall be 500 metres. **(L), (C)**
- xi) The maximum combined total floor area of all buildings shall be 418.06 square metres. **(L), (C)**
- xii) 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. **(C)**
- xiii) All business operations, storage and loading spaces shall be located within fully enclosed buildings. **(L), (C)**
- xiv) There shall be a landscaped buffer strip provided between the use and the nearest open public road... **(C)**



The Regulations

- xv) Compliance with noise emission standards. (C)
- xvi) Operated by the owner and a maximum of four employees. (L), (C)
- xvii) Not be offensive, obnoxious or dangerous...(C)
- xviii) No advertising other than a small sign. (C)
- xix) Hours of operation (C)
- xx) Neither a home occupation or a home industry shall be permitted uses in conjunction with an on-farm diversified use. (L), (C)



Regulations - Analysis

20 regulations

- 17 of the regulations address compatibility requirements
- 8 of the regulations address the limited area requirement
- 2 of the regulations address the need to locate on a farm
- 2 of the regulations address the secondary nature
- 1 of the regulations is a policy
- 1 of the regulations is administrative



Context

- Approximately 650 parcels with lot areas of 20.23 ha
- 39 on-farm business have been established in the Township
- All of these uses are manufacturing businesses



Observations

- OFDU buildings are characterized by quality construction
- Businesses have been well-kept
- Not aware of complaints (noise, odour)
- Truck traffic is a concern
- Regs need to be consistent with PPS
- Regs need to conform with the Official Plan
- Regs need to be fair and reasonable
- Agriculture needs to be the priority use
- OFDU needs to be a secondary use
- Zoning cannot require prime farmland to be kept in production nor can it require farmers to own it



Framework to Update the By-law

- The definition and permitted uses could be consolidated to more clearly articulate what is permitted and what is not permitted as an OFDU to align with the PPS
- Accessory retail should be a regulation and hours of operation should be removed
- Better distinction between value-retaining uses and value-added uses
- Alignment with existing uses and regs in the A1 Zone
- Separation from sensitive uses could be simplified
- No definitive basis to reduce or eliminate the separation requirement



Next Step

- Prepare draft zoning by-law amendment
- Public consultation/public meeting
- Council consideration and approval