

# Planning Rationale and Justification

## Agricultural System Policy Changes – OPA3D25

This attachment provides detailed planning rationale and justification for the key directional policy changes introduced through Official Plan Amendment OPA3D25. The intent is to explain why these changes are necessary, how they respond to observed implementation challenges under the current Official Plan (2023), and how they strengthen the County’s systems-based approach to agricultural land use planning.

This attachment focuses on policy changes that would materially affect development applications. Technical refinements, reorganization of existing policies, and wording clarifications intended solely to improve readability are not discussed in detail.

### 1. Objective Limits, Use Scale, and System Protection

#### **Use of Objective Limits in Prime Agricultural Areas**

The introduction of objective, high-level limits within the Official Plan is intended to improve consistency in decision-making and prevent the incremental erosion of the agricultural system over time. In areas where long-term protection is critical, particularly within the agricultural system and natural heritage systems, the Official Plan establishes thresholds to clearly define what may be considered appropriate.

Detailed development standards continue to be implemented through the Zoning By-law, providing a buffer between zoning permissions and Official Plan limits. This layered framework preserves flexibility for site-specific consideration while ensuring that proposals exceeding an acceptable scale cannot be approved through interpretation alone, requiring an amendment to the Plan.

#### **Exclusion of Large-Scale and High-Intensity Uses from Prime Agricultural Areas**

Large-scale and high-intensity non-farm uses were never intended to locate in prime agricultural areas, even where they are adjacent to agricultural operations. Continued speculation on agricultural lands and pressure to reinterpret these permissions has demonstrated the need for clearer parameters.

The updated policies reinforce long-standing agricultural protection objectives by explicitly excluding uses that, by scale or function, are incompatible with farming. This clarity ensures that agricultural lands are protected from gradual conversion toward commercial, institutional, or industrial functions under the guise of farm adjacency.

## 2. Location, Servicing, and Infrastructure as Threshold Considerations

### **Servicing and Infrastructure Demand as a Qualifying Test**

Servicing and infrastructure demand are now treated as threshold considerations when evaluating proposed uses within the agricultural system. Agriculture, Countryside and Rural Lands designations are intended to remain rural in nature, function, and servicing expectation.

Uses that require municipal water or wastewater systems, expanded road infrastructure, provincial approvals, or other urban-scale services are fundamentally inconsistent with this intent. Treating servicing demand as an early qualifying factor provides a clear, practical mechanism to redirect inappropriate development pressure away from farmland and toward settlement areas where infrastructure is designed to support people-focused uses.

### **Reinforcing Agricultural Viability and Fiscal Responsibility**

Directing higher-intensity and infrastructure-dependent development to settlement areas reinforces long-term agricultural viability while supporting fiscally responsible growth patterns that align with the County's overall Growth Management Strategy (Part 4 of the Official Plan). These policies recognize that limited, small-scale opportunities should remain available for appropriate farm-supportive uses, while confirming that the agricultural system is not intended to absorb growth that is better served by urban infrastructure and services.

## 3. Functional Integrity and Cumulative Impact

### **Moving Beyond Lot Size as the Primary Test**

Experience under the current Official Plan has shown that minimum lot size alone is insufficient to protect agricultural viability. The County's agricultural land base has already experienced fragmentation over time, and rigid reliance on lot size does not adequately reflect functional realities on the ground.

The proposed policies shift emphasis toward maintaining functional farm units, allowing flexibility for existing conditions established decades ago without undermining the broader goal of protecting agricultural system integrity for the future.

### **System Outcomes as the Preferred Planning Test**

Evaluating proposals based on functional integrity and agricultural system outcomes is a more effective planning approach than relying solely on parcel-based metrics. Farm operations vary widely in size, configuration, and operational focus, and this approach acknowledges that diversity while maintaining a consistent policy objective.

By focusing on system outcomes, the policies retain flexibility in implementation while ensuring that individual decisions collectively support long-term agricultural viability.

Where an application requests that it be evaluated outside this systems approach by characterizing the proposal as an exception, minimizing its significance, or arguing that agricultural policies should not apply due to its perceived small scale, or other reasons, this should be viewed as an indication that the proposal may not be well suited to achieve agricultural system objectives. A systems-based framework relies on consistent application to ensure that all decisions, regardless of scale, contribute positively to the overall function, resilience, and long-term integrity of the agricultural system.

### **Addressing Cumulative Impacts**

Cumulative impacts must be considered to prevent the gradual degradation of the agricultural system through a series of modest approvals. Without this perspective, negative impacts can emerge through a “death by a thousand cuts,” where system harm becomes evident only after it is difficult or impossible to reverse.

These negative impacts on the agricultural system are already evidenced in areas where land fragmentation has taken place. The updated policy framework provides clearer authority to evaluate these cumulative effects alongside site-specific impacts in development review.

## **4. Expansion of Non-Agricultural Uses**

Setting clear limits for the expansion of lawfully established non-agricultural uses provides clarity about what the County considers appropriate within the agricultural system. Experience has shown that allowing gradual, incremental expansion over time can erode agricultural function and land use compatibility.

Establishing defined limits improves predictability for applicants while encouraging relocation or consolidation in more appropriate locations where long-term impacts on agriculture can be avoided. These clear limits also provide policy tests that can be used to determine if the protective measures put in place are working to meet the County’s objectives.

## **5. Livestock Operations and Agricultural Primacy**

### **Supporting Livestock Expansion**

Livestock expansion is a critical component of a resilient and viable agricultural sector. While crop production remains important to the County of Brant, maintaining flexibility for livestock operations allows farms to adapt, diversify, and respond to changing markets.

The updated policies prioritize continued opportunities for livestock facilities and expansion to ensure the agricultural system supports a full range of farming activities over the long term.

### **Residential Sensitivity and Agricultural Priority**

Within the agricultural system, farming is the primary land use. While interactions between agricultural and residential uses are inevitable, residential sensitivity should not pre-empt future farm expansion.

The policies acknowledge the potential for compromise and mitigation where appropriate but reaffirm agricultural primacy as the guiding principle for decision-making in prime agricultural areas. Policy application must consider the potential impacts on surrounding farm operations and long-term agricultural viability and should not be driven by arguments that a proposal is easier, less costly, or more convenient to implement, particularly where the application introduces or intensifies non-agricultural uses that are not the priority within the agricultural system.

## **6. Agricultural Impact Assessments (AIAs)**

Strengthened Agricultural Impact Assessment requirements are necessary to fully implement a systems-based approach and align with the recently released guidance from the Province. Recent provincial guidance through [Publication 861](#) has clarified expectations for these studies, emphasizing comprehensive assessment of agricultural systems rather than narrow site-specific compatibility.

The updated policies align local practice with this guidance by requiring AIAs to assess land base continuity, long-term farm viability, and cumulative impacts at a system scale.

## **7. On-Farm Diversified Uses**

### **Establishing Policy “Bumpers”**

Reliance on case-by-case judgment alone has proven insufficient to consistently deliver agricultural protection outcomes. The updated framework establishes clear policy parameters within which appropriate proposals can be evaluated, while explicitly excluding uses that, based on guidance and experience, are fundamentally incompatible with the agricultural system.

### **Intensity, Frequency, and Public Draw**

Intensity of use, frequency of activity, and degree of public draw are critical factors in assessing compatibility. These characteristics often create the most significant real-world impacts on agricultural operations, infrastructure, and rural character.

Settlement area infrastructure is designed to accommodate people-focused uses, while rural infrastructure is primarily intended to support farming. Recognizing this distinction

ensures appropriate alignment between land use function and servicing capacity. For example, a use that generates regular public visitation, extended hours of activity, or high levels of recurring traffic demand may create pressures and impacts disproportionate to its physical footprint in an active agricultural area.

### **Distinguishing Commercial and Institutional Functions**

While Provincial guidance provides general direction, municipalities are responsible for establishing appropriate thresholds based on local context. Through implementation experience, the County has identified recurring use proposals that functionally resemble commercial or institutional development despite being presented as farm-related or secondary.

The proposed policy refinements formalize these distinctions, based on common practice and observed outcomes, to improve clarity and reduce interpretive uncertainty.

## **8. Surplus Farm Dwelling Severances**

### **Farm Consolidation Requires Merging Properties**

The refined surplus farm dwelling severance policies ensure that this limited form of lot creation supports farm consolidation and agricultural system integrity and does not facilitate incremental rural residential development.

Surplus dwelling severances will be permitted only where remnant agricultural lands are retained and merged with an abutting farm parcel under the same ownership. This will prevent the creation of isolated or “orphan” parcels, and supports larger, more efficient farm units. A review of the County’s agricultural zoning shows over 4000 hectares of land have already been made isolated farm parcels (see Figure 1). The refined approach aligns with provincial direction whereby “lot creation in prime agricultural areas is discouraged”, while restricting the creation of isolated parcels, and still maintaining flexibility for farmers to dispose of dwellings no longer required for their operations.

### **Eligibility Limited to Farming Operations**

Eligibility is limited to those with a farm business registration number or lands under binding purchase agreements where at least one party has a farm business registration number, ensuring the policy functions as a true consolidation tool for agricultural purposes rather than a speculative mechanism. These limitations are intentionally applied to prevent the policy from becoming an easily repeatable pathway for individual benefit, which, if normalized, will continue to erode the purpose and undermine the integrity and long-term function of the agricultural land base.

### Addressing Prior Land Fragmentation

To address cumulative impacts, properties from which a residential lot appears to have previously been severed will not be eligible for an additional surplus dwelling severance. This one-time limitation will now rely on a historic review that is not limited by a certain period of time, rather it ensures that surplus severances are an exception to the rules rather than an ongoing entitlement. This is consistent with the approach of the Provincial Planning Statement whereby Policy 4.3.3.1(c) notes that “one new residential lot per farm consolidation” may be permitted.



Figure 1 - Isolated Farm Parcels