

## **SECTION 5 - AGRICULTURE**

### **5.1 INTRODUCTION**

Agricultural land use activities have been and continue to be the predominant land use activity in Perth County. These agricultural activities and the industry associated with same are of major importance to the local municipal and County economies. Perth County's good land base for agriculture, its favourable climatic conditions, and its skilled farm work force are all contributing factors to the importance of agriculture in Perth County.

*ADDED BY* The importance of agriculture in the County is evidenced by the following:  
*OPA No. 47*

- (a) 90 percent of the County's total land area is classified as having Class 1, 2, or 3 soil capability for agriculture.
- (b) approximately 93 percent of the County's total land area was farmed in 2001.
- (c) the 2,570 farms in the County in 2002 produced total gross farm receipts of 506.1 million dollars.
- (d) Perth County continues to rank high compared to other agricultural areas with respect to hog production, dairy production, poultry production, and crop production.

*ADDED BY* Municipally, there has been a strong support for agricultural land use activities and the agricultural industry in Perth County. Previous Official Plan documents for each of the County's former eleven townships placed a high priority on the protection and preservation of agricultural lands. This commitment to and support for agricultural activities is carried forward into this County Official Plan document. The Plan contains policy aimed at protecting and preserving the physical resource base, supporting farm operators and farm operations, and minimizing land use incompatibilities in agricultural areas. It provides a very clear direction that Perth County's good agricultural resource base must be protected and preserved to ensure future food and fibre production by present and future generations of farmers in Perth County.

### **5.2 GOALS**

The following goals are established for the "Agriculture" designation:

- (a) To ensure that prime agricultural lands in Perth County are protected and preserved for the production of food, fibre and fuel;
- (b) To provide agriculture with an area free from conflicting and/or incompatible land use activities, particularly non-farm related development;

- (c) To support the needs of agriculture and the agricultural community by permitting land use activities that are complementary to and supportive of agriculture;
- (d) To ensure maximum flexibility for farmers to engage in differing types of agricultural operations;
- (e) To prevent the break-up of farms into smaller holdings for non-farm use;
- (f) To encourage the carrying out of good farm management and land stewardship practices on farm properties; and
- (g) To state a strong municipal commitment to agriculture as the predominant land use activity in Perth County and a major economic importance to the County.

### 5.3 **LAND USE DESIGNATION AND MAPPING**

The policies for the "Agriculture" designation shall apply to the areas shown as "Agriculture" on Schedule "A" (Land Use Plan) to this Official Plan.

The areas shown as "Agriculture" on Schedule "A" contain those lands in the County that are most suitable for agricultural usage. The areas as shown are intended to identify and protect broad agricultural areas of high agricultural capability (e.g. Class 1, 2, or 3 soil capability for agriculture) notwithstanding that at a parcel scale a particular property or part thereof may have lower agricultural capability (e.g. Class 4, 5, 6, or 7 soil capability for agriculture).

For the purpose of this Plan, the Canada Land Inventory mapping at a scale of 1:50,000 has been used.

### 5.4 **DEFINITION/PERMITTED USES**

The "Agriculture" designation shall mean that areas so designated will be used and developed for farming uses of all types. Farming uses shall include, but are not necessarily limited to, general farming, animal or poultry operations including intensive livestock farms, animal breeding, cash crop farming, specialty cropping, woodlots/forestry, market gardening, aquaculture, orchards, apiaries, greenhouses, horticulture, nurseries, and agricultural research uses.

Other uses permitted include secondary farm occupations, home occupations, and bed and breakfast/farm vacation operations that are complementary to and conducted on farm properties; small scale commercial and industrial activities that are primarily and directly related to agriculture and necessary in proximity to farming operations; wayside permit aggregate operations; portable asphalt plants; and limited institutional uses as permitted by specific policies of this Plan.

5.5 **POLICIES**

5.5.1 **Farm Unit**

The predominant type of development permitted in the "Agriculture" designation shall be the farm unit. The farm unit consists of the land base, the principal farm residence, supplementary farm residences that are required for the farm operation, and barns, silos, drivesheds, manure storage facilities and other farm buildings/structures that support the farm operation. Secondary farm occupation uses, home occupation uses, and bed and breakfast/farm vacation uses, where they exist, are considered as part of the farm unit. Woodlots which are located on farm properties shall be considered as part of the farm unit.

For the purposes of this Plan, only individual farm properties shall be considered as farm units. Where a farmer owns two or more farm properties and where those farm properties are separate lots for Planning Act purposes, each of the farm properties shall be considered as a separate farm unit.

5.5.2 **Farm Parcel Size**

*ADDED BY OPA No. 47* It is a policy of this Plan that farm parcel size be large enough to facilitate flexible and efficient farm operations over the long term. The size of individual farm operations should be large enough to permit the carrying out of a wide range of agricultural activities. The splitting up of original farm units (e.g. 40.5 hectare/100 acre units) into smaller farm parcels will be discouraged.

5.5.3 **Minimum Distance Separations**

In order to minimize land use incompatibilities in the "Agriculture" designation, the minimum distance separation provisions of MDS I and MDS II shall apply in respect to all new development in the "Agriculture" designation. The minimum distance separation provisions of MDS II shall also apply to the expansion or enlargement of existing livestock and poultry operations. Specific provisions/requirements for MDS I and MDS II will be set forth in the implementing Zoning By-laws for each of the Townships in the County.

Notwithstanding the above, variances to the MDS II distances may be approved in accordance with the applicable provisions of the Planning Act provided that the variances are minor in nature (no unacceptable adverse impact) and/or provided the subject building proposal mitigates an environmental impact associated with the subject farming operation.

ADDED BY OPA No. 47

5.5.4 **Livestock and Poultry Operations and Nutrient Management**

The following policies shall apply in respect to livestock and poultry operations and Nutrient Management associated with farming operations:

- (a) Livestock and poultry operation shall have sufficient land base on which to properly spread all manure generated by that operation. The Province's guide to agricultural land use and the provisions of the MDS documents shall be used to determine the amount of land base required for a particular livestock or poultry operation. The land base may be owned by the farm operator, leased/rented by the farm operator under a proper agreement, and/or accessible under some other acceptable contact arrangement. It is the responsibility of the farmer/farm operator to ensure that the required land base is available at all times for the spreading of manure from the livestock/poultry operation;
- (b) Proposals for new and/or expanded livestock and poultry operations shall be carefully reviewed in respect to their manure storage and management components. Prior to issuing a building permit for a new and/or expanded livestock/poultry barn, the proponent must satisfy the local municipality that there is adequate manure storage capacity at the site of the livestock/poultry barn and that there is an adequate land base on which to spread the manure generated by the new and/or expanded operation. Where it is determined that there is insufficient storage capacity or where there is insufficient land base, no building permit will be issued;
- (c) The policies and provisions of the Provincial Nutrient Management Act and regulations made thereunder shall apply in respect to all new and/or expanding livestock and poultry operations (e.g. all large, intensive livestock and poultry operations of 300 NU and greater; new livestock and poultry operations involving more than 5 NU; expansions of existing greater than 5 NU livestock and poultry operations) and other matters regulated thereunder;

The various issues addressed through both the Provincial and the local municipal nutrient management regulations shall be reviewed from time to time by the County in consultation with the Ministry of Agriculture, Food and Rural Affairs to assess whether changes to the policies of the Official Plan are required;

- (d) All new and/or expanded livestock and poultry operations are required to satisfy the MDS II requirements of Section 5.5.3 above;
- (e) All manure storage facilities (e.g. liquid manure storage, dry manure storage, run-off collection) shall be properly located, constructed, and maintained so as to not impact negatively on ground water resources, surface water resources, and surrounding lands. The minimum distance

separation provisions of MDS II shall apply to all new and/or expanded manure storage facilities, except in those situations where a variance from the MDS requirements has been approved. Specific provisions regulating manure storage facilities shall be contained in the local municipality's implementing Zoning By-law; and

- (f) "Best Management Practices" farming practices are to be used in the management of manure storage facilities and the spreading of manure. The Ministry of Agriculture, Food, and Rural Affairs "Best Management Practices" publications are to be used in the determination of best management farming practices.

Early in 1997, the County established an Agricultural Review Committee for the purpose of dealing with complaints concerning farm management practices as they relate to manure issues associated with livestock and poultry operations throughout the County. This Committee is comprised of members from various farm groups in the County and it operates as a "peer review" group. Where there is legitimacy to a complaint and the Committee provides suggestions as to how the farmer can deal with the issue, the farmer is encouraged to act on the suggestions in an effort to satisfactorily resolve the issue.

#### 5.5.5 **Woodlots**

All woodlots located on farm properties in the "Agriculture" designation shall be considered to form part of the farm unit. It is a policy of this Plan that all woodlots be retained and that the clearing of woodlots will not be permitted with the exception of any clearing permitted in accordance with the provisions of the County of Perth's Tree Cutting By-law. Where clearing of a woodlot or part of a woodlot area is permitted under the Tree Cutting By-law, it is a policy of this Plan that, at a minimum, an area equivalent in size to that cleared be planted and maintained as woodlot.

Freestanding woodlot properties shall also be considered as a farm unit. Woodlots/forestry uses are considered to be a farming use and are permitted uses under Section 5.4 of this Plan.

*Paragraph deleted by OPA No. 47.*

#### 5.5.6 **Additional Farm Residences**

Farm residences in addition to the principal farm dwelling may be permitted on a farm property in the following cases:

5.5.6.1 **Farm Family or Labourers**

Where a farm operation is such that it requires an additional farm residence for the accommodation of farm family or labourers working on the farm operation, an additional residence in the form of a non-permanent dwelling that can be easily removed once the need for the additional farm residence has been fulfilled (e.g. mobile home) shall be permitted. The establishment of such additional farm residence shall be subject to the following criteria:

- (a) The type, nature, size, and scale of the farm operation is such that the need for an additional farm residence is warranted;
- (b) The additional farm residence is to be a non-permanent dwelling that can be easily removed once the need for the additional farm residence has been fulfilled (e.g. mobile home);
- (c) The additional farm residence is considered as a part of the farm unit and consent to sever that residence from the farm unit shall not be permitted;
- (d) As a general rule, not more than one additional farm residence shall be permitted on a farm unit. Notwithstanding this, it is recognized that some agricultural operations and practices in certain parts of the County may warrant more than one additional farm residence on a farm unit. In such cases, the local municipality may choose to permit more than one additional farm residence on a farm unit provided that its implementing Zoning By-law contains specific provisions and/or criteria to regulate such residences;
- (e) The additional farm residence must be located in proximity to the principal farm residence and farm buildings and must use the existing driveway for access, unless an alternative access is approved;
- (f) The additional farm residence shall meet the MDS I requirements or be no closer to neighbouring livestock and/or poultry operations than the existing dwelling;
- (g) Prior to establishing an additional farm residence, the local municipal Council may choose to require a written agreement with the owner(s) of the subject property to address the non-permanent aspects of the additional farm residence; and
- (h) The subject farm property must be suitable for accommodating the water supply and sewage treatment for the additional dwelling. Wherever possible, water supply and sewage service shall be from the well and sewage service for the principal farm dwelling.

### 5.5.6.2 **Farm Retirement Dwellings**

Where a farmer is retiring from his/her farm operation and wishes to remain close by that farm operation, a farm retirement dwelling in the form of a non-permanent dwelling that can be easily removed once the need for the farm retirement dwelling has been fulfilled (e.g. mobile home) shall be permitted for the purpose of accommodating the retiring farmer. The establishment of such farm retirement dwelling shall be subject to the following criteria:

- (a) The farm retirement dwelling is to be a non-permanent dwelling that can be easily removed once the need for the farm retirement dwelling has been fulfilled (e.g. mobile home);
- (b) The farm retirement dwelling is considered as a part of the farm unit and consent to sever that residence from a farm unit shall not be permitted;
- (c) Not more than one farm retirement dwelling shall be permitted on a farm property;
- (d) The farm retirement dwelling must be located in proximity to the principal farm residence and farm buildings and must use the existing driveway for access, unless an alternative access is approved;
- (e) The additional farm residence shall meet the MDS I requirements or be no closer to neighbouring livestock and/or poultry operations than the existing dwelling;
- (f) Prior to establishing a farm retirement dwelling, the local municipal Council may choose to require a written agreement with the owner(s) of the subject property to address the non-permanent aspects of the farm retirement dwelling; and
- (g) The subject farm property must be suitable for accommodating the water supply and sewage treatment for the additional dwelling. Wherever possible, water supply and sewage service shall be from the well and sewage service for the principal farm dwelling.

### 5.5.6.3 **Garden Suites**

Where a garden suite dwelling is proposed for a farm property, such garden suite dwelling may be permitted subject to the following criteria:

- (a) An amendment to the local municipality's implementing Zoning By-law, in the form of a temporary use Zoning By-law Amendment, is required; and
- (b) The provisions of Section 5.5.6.2, with the necessary change in reference from "farm retirement dwelling" to "garden suite dwelling", shall apply.

5.5.6.4 **Converted Dwellings**

The conversion of the principal residence to contain an additional dwelling unit to serve any of the above purposes may be permitted subject to the following criteria:

- (a) The principal dwelling shall be large enough to accommodate both the principal dwelling and the additional dwelling;
- (b) The principal dwelling shall be structurally suitable for the conversion;
- (c) On-site servicing (e.g. water, sewage) must have sufficient capacity for the additional dwelling unit;
- (d) As a general rule, not more than one additional dwelling shall be permitted through this converted dwelling policy. Notwithstanding this, it is recognized that some agricultural operations and practices in certain parts of the County may warrant more than one additional farm residence on a farm unit. In such cases, the local municipality may choose to permit more than one additional farm residence on a farm unit provided that its implementing Zoning By-law contains specific provisions and/or criteria to regulate such residences; and
- (e) Notwithstanding the policy of clause (a) above, a local municipal Council may choose to permit an addition to an existing dwelling for the purpose of accommodating the additional dwelling unit. In such cases, the local municipality's implementing Zoning By-law shall contain specific provisions and/or criteria to regulate such dwelling units.

*ADDED BY OPA NO. 142*

5.5.6.5 **Second Dwelling Units**

Second Dwelling Units described in Section 6.3A are permitted subject to the following criteria:

- (a) Notwithstanding the policies of Section 6.3A to the contrary, a Second Dwelling Unit may be permitted on a lot where another additional farm residence exists and may be located within a building accessory to the farm regardless of the date of construction;
- (b) The additional farm residence is considered as a part of the farm unit and consent to sever that residence from the farm unit shall not be permitted;
- (c) The additional farm residence must be located in proximity to the principal farm residence and farm buildings and must use the existing driveway for access, unless an alternative access is approved;
- (d) The additional farm residence must meet the MDS I requirements or be no closer to neighbouring livestock facilities than the existing dwelling; and

- (e) The subject farm property must be suitable for accommodating on-site servicing (e.g. water, sewage) for the additional dwelling. Wherever possible, water supply and sewage service shall be from the well and sewage service for the principal farm dwelling.

*ADDED BY OPA NO. 47*

*AMENDED BY OPA Nos. 94 & 103*

5.5.7 **Secondary Farm Occupations**

A secondary farm occupation may be permitted on a farm property as a part of the farm unit. Secondary farm occupation uses are intended to provide the farmer/farm family members with an additional means of income. They are to be small-scale in nature and they must be secondary to the principal use of the farm property for farming purposes. Secondary farm occupation uses shall be subject to the following criteria:

- (a) A secondary farm occupation use must be secondary to the principal use of the farm property for farming purposes, with the principal farming use being conducted by the farm family residing on the farm property and who are actively involved in the farming operation on the farm property. The secondary farm occupation use must be established as and continue to operate as a part of the farm unit. Secondary farm occupation uses are not permitted as separate or independent uses from a farm operation. They must be located within the farm building cluster and be served by existing farm driveways. The severance of a secondary farm occupation use from a farm property shall not be permitted;
- (b) A secondary farm occupation use shall be conducted only by the farmer/farm family members residing on the farm property and who are actively involved in the farming operation on the farm property. Notwithstanding this, a local municipality may, through specific provisions in its implementing Zoning By-law, permit a secondary farm occupation use to have up to a maximum of two off-farm resident employees (i.e. two full-time equivalents);
- (c) Secondary farm occupation uses shall be limited to those uses which fall into one or more of the following categories:
  - (i) related to agriculture and farming;
  - (ii) value-added processing or packing operations;
  - (iii) the manufacture or fabrication of goods;
  - (iv) a shop for a trade occupation (e.g. electrician, plumber, carpenter, painter, welder); or
  - (v) a craftsperson or artist;

- (d) A secondary farm occupation use shall be conducted inside of buildings and/or structures, with the exception that a minimal amount of outdoor storage area is permitted. The maximum floor area of all buildings and/or structures used for a secondary farm occupation use may vary from local municipality to local municipality and shall be regulated through specific provisions in the respective implementing Zoning By-laws; however, the maximum floor area permitted shall not exceed 375 square metres (4,036 square feet);
- (e) A secondary farm occupation use must not interfere with the ability of the farmer/farm family members to conduct the farming operation and must be compatible with and not hinder surrounding farm operations;
- (f) Not more than one secondary farm occupation use is permitted on a farm property at any one time;
- (g) Secondary farm occupation uses shall be considered as permitted uses in the "Agriculture" zones(s) of the local municipality's implementing Zoning By-law and shall not be placed in a separate zone category. The implementing Zoning By-law shall set out specific zone provisions for secondary farm occupation uses that are consistent with the criteria in this Plan;
- (h) Secondary farm occupation uses must be such that they can be served by private water supply and sewage disposal services. Secondary farm occupation uses that involve high water usage shall not be permitted;
- (i) A local municipality may, in its implementing Zoning By-law, establish specific provisions to permit trades occupation uses (e.g. electrician, plumber, carpenter, painter, welder) to be conducted on existing non-farm dwelling lots in the "Agriculture" zones in their Zoning By-law, subject to satisfying the applicable criteria and provisions set out in this section of the Plan; and
- (j) The property on which a secondary farm occupation is located or is proposed to be located must be eligible for the Farm Property Class Tax Program or have a valid Farm Business Registration Number in order for secondary farm occupation to continue and/or be established; and
- (k) Local municipalities are responsible for monitoring secondary farm occupation uses to ensure that they continue to operate as secondary farm occupation uses in accordance with the criteria set out in this Plan. It is a policy of this Plan that any secondary farm occupation use that develops or grows beyond the secondary farm occupation use criteria established by this Plan shall be required to cease at its farm property location and should be encouraged to re-locate in a nearby settlement area (e.g. hamlet, village, serviced urban area).

Where the policies of Clauses (b) and (d) above provide a local municipality with flexibility in establishing specific provisions regulating the number of off-farm resident employees and the maximum floor area of a secondary farm occupation use, the policies of this Official Plan shall not be applied or used so as to prevent a local municipality from establishing specific provisions in its implementing Zoning By-law that permit a lesser number of off-farm resident employees and/or a lesser maximum floor area than the maximums set forth in this Official Plan. Where a local municipality chooses to establish provisions permitting a lesser number of off-farm resident employees and/or a lesser floor area maximum than the maximums permitted by this Official Plan, the local municipal Zoning By-law establishing such lesser requirements shall be considered to be in absolute compliance with the policies of Clauses (b) and (d) above.

#### 5.5.8 **Home Occupations**

Home occupations that comprise a secondary use carried on entirely within a farm dwelling or an existing dwelling in the "Agriculture" designation may be permitted. Such home occupations must be small-scale in size; shall be conducted only by the farm dwelling residents; must clearly be secondary to the main use of the dwelling as a private residence and shall not change the character of the dwelling as a private residence. Not more than one home occupation per dwelling shall be permitted. The local municipality's implementing Zoning By-law will permit home occupations within the "Agriculture" zones and shall contain provisions to regulate the kinds of activities to be permitted, size of home occupation areas, parking, signage or other evidence of the business activities.

#### 5.5.9 **Bed And Breakfast/Farm Vacation Operations**

Bed and breakfast/farm vacation operations carried on within principal farm dwellings in the "Agriculture" designation may be permitted. Where permitted, a bed and breakfast/farm vacation operation must clearly be secondary to the main use of the dwelling as a private residence and it shall not change the overall character of the dwelling as a private residence. Bed and breakfast/farm vacation operations must satisfy all applicable requirements of the Perth District Health Unit, particularly in respect to sewage disposal and water supply. The local municipality's Zoning By-law may contain provisions to regulate size of operation, licensing requirements, parking, signage, or other matters.

#### 5.5.10 **Farm-related Commercial And Industrial Activities**

*ADDED BY* Farm-related commercial and industrial uses that offer services in which the predominant amount of activity is primarily and directly related to meeting agricultural/farming requirements and which are necessary in close proximity to farm operations may be permitted in the "Agriculture" designation.  
*OPA No. 47*

This Plan recognizes that the agricultural community requires farm-related commercial and industrial uses which are supportive of agricultural/farming

activities. Prior to the establishment of such uses, the proponent/developer must first satisfy the local municipality that a location in the "Agriculture" designation is necessary and appropriate. Consideration must be given to the availability of alternative locations in nearby settlement areas, the availability of alternative locations having poor soil capabilities for agriculture, and the possible reuse of other non-farm use properties in the vicinity. Where a proponent/developer satisfies Council in respect to the above-noted need and location issues, the farm-related commercial and industrial use may be permitted subject to the following criteria:

- (a) The loss of productive farmland shall be discouraged. Such uses shall be encouraged to locate on lands having lower soil capabilities for agriculture (e.g. Classes 4, 5, 6 or 7) or on lands that have proven to be unsuitable for farming due to their small size and/or irregular shape;
- (b) The amount of land for the use shall include only the minimum necessary to support the use and its servicing needs;

*ADDED BY  
OPA No. 47*

- (c) While such uses should generally be small-scale in nature, it is acknowledged that some larger uses such as feedmills, grain storage and drying operations, livestock assembly yards, livestock trucking operations, and farm equipment sales and service operations, are appropriate in the "Agriculture" designation due to the nature of their operation and land use compatibility conflicts that may occur in settlement areas;
- (d) Farm-related commercial and industrial uses are encouraged to locate in groups, where possible, rather than spread out in a scattered manner;

*ADDED BY  
OPA No. 6*

- (e) The minimum distance separation provisions of MDS I shall apply in respect to all new farm-related commercial and industrial uses. Where an existing farm-related commercial or industrial use is being expanded through a building expansion, the building expansion shall either satisfy the MDS I distances or be located no closer to neighbouring farm operations than the existing farm related commercial or industrial use building;
- (f) A use must be one that does not require municipal water or sewage services and the method of water supply and sewage disposal must satisfy all applicable requirements concerning same. Generally, any permitted farm-related industrial use should be a "dry" operation where waste water discharges are minimal and which meets the applicable regulations of the appropriate regulatory authority;
- (g) Access shall be available from a public road of reasonable construction, year-round maintenance, and capable of accommodating the nature of traffic generated by the use. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. All access, development and signage must meet the applicable requirements of the appropriate approval

authority;

- (h) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on ground and surface water quality and quantity, both upstream and downstream and on adjacent properties and roadways. Where such potentially deleterious materials as liquid fertilizers are stored and handled on-site, appropriate spills containment and contingency plans shall be required;
- (i) All new and/or expanded farm-related commercial and industrial uses shall be subject to site plan approval to address site plan details such as setbacks, building location, on-site parking, loading and unloading areas, and access;
- (j) An amendment to the local municipality's implementing Zoning By-law shall be required for all new farm-related commercial and industrial uses permitted in accordance with this section. An exception to this policy shall apply where a property is already zoned for farm-related commercial and industrial use in a local municipality's implementing Zoning By-law; and
- (k) Permitted farm-related commercial and industrial uses may be permitted a maximum of one accessory residence in the form of a mobile home dwelling provided that the following criteria are satisfied:
  - (i) The mobile home dwelling location must satisfy the minimum distance separation provisions of MDS I;
  - (ii) Where the accessory mobile home dwelling is being established in conjunction with a new farm-related commercial and industrial use, the proponent/developer must enter into an agreement with the local municipal Council stating that the commercial/industrial use is to be substantially completed prior to the establishment of the accessory residence or the implementing Zoning By-law must contain provisions for this purpose; and
  - (iii) An accessory mobile home residence shall continue to be an accessory part of the farm-related commercial/industrial activity and consent to sever such residence from the commercial/industrial activity shall not be permitted. Access to an accessory mobile home residence must be from the existing access driveway. No new access driveway shall be permitted for the accessory dwelling.
- (l) Adequate distance separation and buffering shall be provided from adjacent residential areas or other sensitive uses such as seniors housing or hospitals. Distance separation shall be addressed though the local municipal zoning by-law while buffering (e.g. fencing, landscaping) shall be considered at the site plan stage.

5.5.11 **Institutional and Public Uses**

The establishment of new institutional uses and public uses, with the exception of landfill sites and sewage treatment facilities, shall not be permitted in the "Agriculture" designation. New institutional uses shall be permitted to locate in settlement areas subject to the applicable "Settlement Area" policies of this Plan.

Existing institutional uses and public uses in the "Agriculture" designation are recognized as permitted uses. Limited expansion of buildings and structures may be permitted provided that the applicable requirements of the implementing Zoning By-law are met and provided that such expansion satisfies the minimum distance separations of MDS I. Limited expansion of land area may be permitted provided that there is a demonstrated need for the additional land area, that there are no reasonable alternative locations which avoid prime agricultural lands or which have lower soil capabilities for agriculture, that the minimum amount of land comprises the enlargement, and that the expansion will not adversely affect neighboring livestock and/or poultry operations.

Notwithstanding the above, new schools, churches, and cemeteries are permitted within the "Agriculture" designation where such schools, churches, cemeteries service the immediate rural community which relies on horse drawn vehicles as their primary means of transportation subject to the following criteria:

- (a) Reasonable justification in support of the selected site must be provided. Such justification must give consideration to alternative sites on non-prime farmland areas and hamlet areas in the vicinity;
- (b) Permitted land areas for these uses shall be as follows:
  - (i) not more than 1 1/2 acres for a freestanding school;
  - (ii) not more than 2 1/2 acres for a church cemetery; and
  - (iii) not more than 3 1/2 acres for a combined school, church and cemetery;
- (c) The schools, churches, and cemeteries are required to satisfy the minimum distance separation provisions of MDS I. To assist in meeting the provisions of MDS I, a school and/or church may be located on a farm property as a part of a farm building cluster and served by the principal farm access driveway. Where a church is to be located on a farm property and adjacent to a cemetery on a separate lot, the access to the church may be by the access driveway serving the cemetery use. Due to the passive nature of the use, a freestanding cemetery on a separate lot shall be interpreted as similar to a passive recreational use and will be a "Type "A" Land Use" for the purpose of MDS I;

- (d) In the case of schools, the use of long term leases as opposed to land severances, shall be encouraged;
- (e) In respect to cemeteries, acceptable arrangements must be made for the perpetual care of the cemetery; and
- (f) An amendment to the local municipality's implementing zoning by-law and a site plan agreement shall be required for such schools, churches and cemeteries.

#### 5.5.12 **Aggregate Operations**

The following aggregate operations and related processing activities are permitted in the "Agriculture" designation:

##### 5.5.12.1 **Wayside Permit Aggregate Operations**

Aggregate extraction operations under the authority of a wayside permit issued by the Ministry of Natural Resources pursuant to the provisions of Part 3 of the Aggregates Act, R.S.O. 1990 shall be permitted in the "Agriculture" designation.

The local municipality's implementing Zoning By-law shall permit wayside permit aggregate operations in the "Agriculture" zones and shall set forth regulations concerning same.

It is a policy of this Plan that wayside permit extraction areas be rehabilitated to agricultural use once the aggregate material has been removed or when the wayside permit expires, whichever occurs first. Further, substantially the same acreage and average soil capability for agriculture as existed previous to the extraction shall be restored.

##### 5.5.12.2 **Portable Asphalt Plants**

Portable asphalt plants, used by a public road authority or its agent, are permitted throughout the "Agriculture" designation without the need to amend this Plan or the local municipality's implementing Zoning By-law. Portable asphalt plants are subject to the following criteria:

- (a) A certificate of approval for each plant must be obtained from the Ministry of Environment and Energy;
- (b) Each plant shall comply with minimum separation distances established by the Ministry of Environment and Energy;
- (c) Plant sites shall not be permitted in natural environment or environmentally sensitive areas within the "Agriculture" designation;
- (d) Sites having previously been in agricultural use shall be rehabilitated back to their former agricultural use;

- (e) Each plant shall be removed from the site upon completion of the public project; and
- (f) Prior to locating a portable asphalt plant on productive agricultural land, consideration shall be given to the use of existing asphalt plants in the area, locating the portable asphalt plant in a licensed pit or a wayside pit, and locating the plant on lesser quality or inactive agricultural lands.

5.5.12.3 **On-Site Farm Use**

The removal of aggregate material from a farm property by the farm owner for use on that property shall be permitted by the Plan.

5.5.13 **Natural Environment Features**

It is a policy of this Plan that agricultural and farming activities be conducted in a manner which preserves, protects, and enhances the remaining natural environment features in the "Agriculture" designation.

5.5.14 **Significant Areas of Natural and Scientific Interest (ANSI's) - Earth Science**

The "Agriculture" designation includes a number of significant areas of natural and scientific interest (ANSI's) which have been identified by the Ministry of Natural Resources. These ANSI's have been classified as earth science ANSI's and they include seven specific areas which are known as the Wartburg Road Cut, the Staffa Kame Complex, the North Thames Valley, the Lucan Moraine, the Carlingford Spillway, the Harmony Cut, and the St. Marys Cement Company South Quarry. The size of the identified ANSI's varies considerably, the smallest being approximately 1 hectare in size and the larger being approximately 1,400 hectares in size.

Development and site alteration may be permitted within an earth science ANSI provided that such development will not negatively affect the overall character of the geological feature that formed the basis for its classification. An environmental impact statement or other appropriate study may be required to assess the impact of the development or site alteration. The advice and assistance of the Ministry of Natural Resources regarding these studies may be sought in regard to such matters.

5.5.15 **Existing Lots Of Record**

It is recognized that there are several existing lots of record in the "Agriculture" designation which are both vacant and smaller than the minimum lot area requirements for farm use as set out in the local municipalities implementing Zoning By-law. It is the general intent of this Plan that such lots be developed and used for farming uses or other uses permitted in the "Agriculture" designation by this Plan; however, it is also recognized that this may not always be possible and/or practical. Where farming uses or other permitted uses are

not possible and/or practical, the vacant existing lot of record may be used for a single-detached dwelling through a site specific Zoning By-law Amendment for the purpose of permitting such use. When considering site specific Zoning By-law Amendments for this purpose, the following criteria apply:

- (a) The proponent must satisfy the local municipal Council that farming or other permitted uses are not possible or practical on the subject existing lot of record;
- (b) The lot is suitable for the construction of a single-detached dwelling;
- (c) The lot must be located such that it will have no adverse affect on surrounding livestock and/or poultry operations and for this purpose the minimum distance separation provisions of MDS I must be met;
- (d) The location of the proposed single-detached dwelling should, wherever possible, be such that it does not preclude the use of the balance of the existing undersized lot for agricultural purposes;
- (e) All applicable requirements concerning water supply and sewage disposal are satisfied;
- (f) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on adjacent properties and roadways;
- (g) The lot must front onto and have access onto a public road of reasonable construction and year-round maintenance. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. Approval of the appropriate road authority for the proposed access shall be required. Approval of the appropriate road authority shall be required for access and building issues;
- (h) Notwithstanding any provisions of this Plan to the contrary, the enlargement of an existing lot of record for the purpose of permitting the establishment of a single-detached dwelling shall not be permitted; and
- (i) Notwithstanding the above noted policies, a local municipal Council shall be under no obligation to approve a Zoning By-law amendment request to permit a single-detached dwelling use.

ADDED BY OPA No. 47

5.5.15.1 **Conversion of Existing and Former Institutional Uses**

There are several existing or former institutional uses in the “Agriculture” designation. Where farming uses or other permitted uses in the “Agriculture” designation are not possible or practical on these lots, the existing or former institutional use lot may be used for residential purposes, through a site specific Zoning By-law Amendment for the purpose of permitting such use. When considering such a Zoning By-law Amendment Application for this purpose, the following criteria shall apply:

- (a) The existing building is suitable for the conversion to a residential dwelling;
- (b) The use must be located such that it will have no adverse affect on surrounding livestock and/or poultry operations and for this purpose the minimum distance separation provisions of MDS I must be met;
- (c) Wherever possible, the balance of the existing lot should be used for agricultural purposes;
- (d) All applicable requirements concerning water supply and sewage disposal are satisfied;
- (e) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on adjacent properties and roadways;
- (f) The lot must front onto and have access onto a public road of reasonable construction and year-round maintenance. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. Approval of the appropriate road authority for the proposed access shall be required. Approval of the appropriate road authority shall be required for access and building issues;
- (g) Notwithstanding any provisions of this Plan to the contrary, the enlargement of an existing or former institutional use lot for the purpose of permitting the establishment of a residential dwelling shall not be permitted; and
- (h) Notwithstanding the above noted policies, a local municipal Council shall be under no obligation to approve a Zoning By-law amendment request to permit a residential use.

*AMENDED BY OPA No.153*

5.5.16 **Non-farm Residential Development**

New non-farm residential development, excepting single-detached dwelling uses that may be permitted by Section 5.5.15 or created by the provisions of Section 5.6.3.1 of this Plan, shall not be permitted in the "Agriculture" designation. Consents involving the creation of new non-farm residential building lots shall not be permitted, with the exception of surplus farm dwelling severances permitted under Section 5.6.3.1 of this Plan.

5.5.17 **Topsoil Preservation**

*ADDED BY OPA No. 47* This Plan encourages the use of appropriate farming/farm management practices to ensure the continued preservation of topsoil. The provisions of any Topsoil Preservation By-laws shall apply in respect to the removal of topsoil throughout the County.

5.5.18 **Potential Future Development Areas**

*AMENDED*

*BY OPA*

*Nos.34 & 60*

This Plan identifies one potential future development area adjacent to the former Town of Listowel. The property is an approximate 5.07 hectare property described as part of Lots 41 and 42, Concession 1 in former Township of Elma.

The land use designation for this property under this Official Plan is "Agriculture" and agricultural uses, with the exception of intensive livestock and/or poultry operations, are permitted uses on these lands. The subject lands has been identified as "Potential Future Development Areas" on Schedule "A" to indicate that it may be a logical area for future growth and development associated with the adjacent serviced urban centre.

An amendment(s) to the County Official Plan will be required to redesignate the subject lands to an appropriate land use designation prior to any future development of urban type uses. Demonstration of proven need for proposed development and a municipal servicing strategy for such development will be prerequisites to considering any future official plan amendments for these lands.

*ADDED BY OPA No. 47*

5.5.18(A) **On-Farm Energy Sources**

On-farm electrical generation facilities (e.g. wind power generation systems, methane digesters) are permitted on farms as a part of a farm unit subject to the policies of Section 17.4 and 17.9 of this Plan and all other applicable regulations.

5.5.19 **Site Specific Amendments**

The following policies from site specific amendments to previous Official Plan Amendment documents and/or from Official Plan documents are being carried forward into this Official Plan and shall apply as follows:

*Explanatory Note: The OPAs Nos. referenced in this Section correspond with the OPA numbers from the former local Official Plans and Not the County Official Plan.*

- (1) Part of Lot 10, Concession 16, Blanshard (OPA No. 8):

A single-detached dwelling shall be permitted on an approximate 1.6 hectare property. The second dwelling is to form a part of the use of the subject property and consent to sever either of the two dwellings on this property shall not be permitted.

- (2) Part of Lot 6, North Boundary Concession, Blanshard (OPA No. 12):

Notwithstanding the policies of Sections 5.5.3 and 5.5.4, the modernization of an existing mink operation on the subject land shall be permitted subject to the following:

- (a) Modernization consists of replacement of eleven complete mink sheds and two partial mink sheds, all of which presently exist on the subject property, with five new mink sheds and the erection of an addition to an existing mink shed;
- (b) No certificate of compliance is required for this modernization;
- (c) The number of livestock units for this modernized mink operation shall not exceed 37.5 units; and
- (d) Specifics for the location of the five new mink sheds shall be addressed in Blanshard's implementing Zoning By-law.

**AMENDED BY (3)** Part of Lot 7, Concession 16 in the Blanshard Ward of the Township of  
**OPA No. 124** Perth South:

Uses described as a business and professional office, a seminar and lecture room facility, and an existing dwelling unit shall be permitted within an existing mill building located on the subject property. The water supply and sewage disposal system for these uses must be approved by the appropriate regulatory bodies and an amendment to the Township of Perth South's Zoning By-law shall be required in order to zone the subject property appropriately for these permitted uses.

- (4) Part of Lots 3 & 4, Concession 14, Downie (OPA No. 3):

An agricultural use described as a fish farm and accessory uses, excluding any accessory residential use, is permitted on the subject approximate 2.4 hectare property.

- 5.5.19 (5) Part of Lot 11, Concession 8, Downie Township:

A use described as a nursery and landscaping business and accessory uses, including accessory retail use, shall be permitted on a 7.3 hectare property at the subject location.

- (6) Part of Lot B, Concession 8, Gore of Downie Township:

A use described as a nursery and garden center business and accessory uses, including accessory residential and accessory retail use, shall be permitted on a 4 hectare property at the subject location.

- (7) Part of Lot 7, Concession 1, Downie Township:

Commercial uses specifically described as a medical office and a decorating business, both on the main floor of the main building, and a residential use in the remainder of the main building shall be permitted on a 2.83 hectare property at this location subject to the following:

- (a) Uses do not require municipal water or sewage services and require approvals of appropriate regulatory agency is required;
- (b) Access is to be from Highway 8 and Ministry of Transportation approval is required;
- (c) An amendment to the Township's implementing Zoning By-law is required; and
- (d) A site plan agreement is required.

- (8) Part of Lot A, Concession 5, Gore of Downie Township:

Uses described as an office, shop, and yard area associated with a sand and gravel business and a road construction business; a communication tower; and accessory uses, excluding any residential use shall be permitted on an approximate 5.8 hectare property at this location subject to the following:

- (a) The subject 5.8 hectare area shall continue to form a part of a larger 8 hectare property and no severance of these specific uses from the larger 8 hectare property shall be permitted; and

- (b) Uses do not require municipal water or sewage services and require approval of the appropriate regulatory agency.

*AMENDED BY OPA No. 136*

5.5.19 (9) Part of Lot 2, Concession 6, Downie Township:

Uses described as an auction centre use involving the sale of farm machinery, implements, agricultural related items, as well as the sale of trucks and cars in conjunction with the aforementioned agricultural related items, and a farm equipment sales and service establishment uses shall be permitted on a 1.39 hectare (3.43 acre) portion of a 40.47 hectare (100 acre) farm property at this location subject to the following:

- (a) The auction centre use and the farm equipment sales and service establishment use shall be confined to a 1.39 hectare (3.43 acre) portion of the subject property;
- (b) The auction centre use and the farm equipment sales and service establishment use shall continue to be owned in conjunction with the farm operation at this location;
- (c) The auction centre use and the farm equipment sales and service establishment use shall be secondary to the main farming use of the property and they shall be small-scale in terms of building size and number of employees;
- (d) The uses do not require municipal water or sewage services and require approval of the appropriate regulatory agencies for sewage and water services;
- (e) Road access to the auction centre use and the farm equipment sales and service establishment use shall be limited to Line 26;
- (f) An amendment to the Township's implementing Zoning By-law is required; and
- (g) A site plan agreement is required.

(10) Part of Lot 21, Concession 1, Ellice (OPA No. 8):

Notwithstanding the provisions of Section 5.5.10, an existing farm-related industrial use described as the manufacturing of farm equipment and accessory uses, which industrial use is not small-scale in nature is permitted on the southerly portion of Lot 21.

- (11) Lot 20, Concession 12 and Part of Lot 20, Concession 11, Ellice (OPA No. 22):

A third dwelling in the form of a mobile home shall be permitted as part of the agricultural use of the subject land and subject to the following:

- (a) The owner entering into an agreement with the Township governing such issues as installation, maintenance, removal, and occupancy of the mobile home as well as any security bond or other financial security Council requires;
- (b) An amendment to the Township's implementing Zoning By-law; and
- (c) Consent to sever any of the dwellings from the subject property shall not be permitted.

- 5.5.19 (12) Part of Lot 13, Concession 14, Mornington (OPA No. 6):

An existing use described as a farm equipment sales and repair business and accessory uses (excluding any accessory dwelling use) shall be permitted on an approximate 2.13 hectare area which forms part of a larger 34 hectare property at this location subject to the following:

- (a) No new buildings or structures shall be permitted;
- (b) The use does not require municipal water or sewage services and the method of water supply and sewage disposal shall meet the applicable requirements of the appropriate regulatory body;
- (c) Access to the business use shall be from Road 124 and the access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network; and
- (d) Consent to sever the approximate 2.13 hectare area from the larger 34 hectare parcel shall not be permitted.

- (13) Part of Lot 39, Concession 1, North Easthope (OPA No. 1):

Notwithstanding the policy of Section 5.4, uses described as farm-related commercial and industrial activities that process farm supplies, farm equipment or repairs or that offer services in which the predominant amount of activity is primarily and directly related to meeting on-site farming requirements; small-scale industrial uses; warehousing and storage uses; and accessory office uses shall be permitted on the approximate 2.8 hectare property at this location subject to the following:

- (a) Any industrial operation must be a "dry" industrial operation;

- (b) Access must not create nor generate conditions that are considered to be hazardous to traffic movement on surrounding road network;
- (c) Use must not adversely affect the existing drainage scheme of the surrounding lands; and
- (d) An amendment to the Township's implementing Zoning By-law is required.

*AMENDED BY* (14) Part of Lot 41, Concession 1, North Easthope Ward, Township of Perth East (previously subject, in part, to North Easthope's OPA No. 6)  
*OPA No. 23*

Notwithstanding the policy of Section 5.4, a use described as a building centre, hardware outlet, and building supply yard is permitted on an approximate 2.44 hectare area in the south-east corner of Lot 41, Concession 1 in the North Easthope Ward of the Township of Perth East subject to the following:

- (a) The use does not require municipal water or sewer services and further that the method of water supply and sewage disposal must meet the applicable requirements of the appropriate regulatory body;
- (b) Access must not create or generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. Main access shall be to Line 34 (Highway 7/8). Any access to Road 111 shall be limited to and maintained as a restricted access. All requirements of the applicable road authorities (i.e. MTO, Perth East) must be satisfied;
- (c) The use of the rear portion of the subject area (i.e. most northerly area measuring 72.1 metres by 106 metres) shall be used only for storage associated with the permitted building centre, hardware outlet, and building supply use;
- (d) An amendment to the Township of Perth East Zoning By-law shall be required in order to permit the increase in depth and area of the building centre, hardware outlet, and building supply use area; and
- (e) A new or revised site plan agreement shall be required for the subject property.

(15) Part of Lot 19, Concession 6, North Easthope (OPA No. 12):

Notwithstanding the policy of Section 5.4, an existing business described as a vehicle repair garage and farm machinery/equipment repair shop

shall be recognized as a permitted use on an approximate 0.3 hectare property at this location subject to the following:

- (a) An adequate and potable water supply shall be available to serve the use;
- (b) An adequate sewage disposal system shall be available to serve the use;
- (c) Enlargement and/or expansion of the building area associated with the repair business is permitted provided that the ground floor area for the building enlargement and/or expansion does not exceed 196 square metres; the building enlargement and/or expansion shall not exceed one storey in height of 4.3 metres or less (no loft area or second floor area is permitted), and that the southerly wall of the building enlargement and/or expansion be in line with the main southerly wall of the existing building and be no closer than 6.2 metres from the rear lot line;
- (d) Accessory uses are permitted, excluding any form of dwelling unit;
- (e) A site plan control agreement is required; and
- (f) An amendment to the Township's implementing Zoning By-law.

5.5.19

- (16) Part of Lot 41, Concession 1, North Easthope (G.E.V. Management Ltd. OPA):

Notwithstanding the policy of Section 5.4, uses described as an automobile repair shop including the repair, maintenance and storage of vehicles, products or equipment related to the permitted use, but excluding a body or metal fabricating shop; an automobile sales establishment including small engine sales and motorized snow and water recreational vehicle sales but excluding boat sales (includes retail store for these purposes); an airport transit/motor vehicle charter service licensed under a Federal or Provincial statute but excluding a taxi cab business (includes a personal service shop related to this use); an office use; a single financial institution; and accessory uses, excluding any accessory residential use shall be permitted on an approximate 1.4 hectare property at this location subject to the following:

- (a) A maximum gross floor area for the specific retail store noted above, the specific personal service shop noted above, office use, and financial institution shall not exceed 511 square metres;
- (b) Unless communal services are available, permitted uses shall be served by a private on-site well and sewage treatment facility

and such shall be in accordance with the applicable regulations of the appropriate regulatory agency. Uses involving high water usage are not permitted;

- (c) A site plan agreement is required; and
- (d) An amendment to the Township's implementing Zoning By-law is required.

- (17) Part of Lot 11, Concession 1, North Easthope  
Part of Lot 20, Concession 1, North Easthope (OPA No. 14):

Notwithstanding the policy of Section 5.5.11, the relocation of two existing church uses (Shakespeare Presbyterian Church at Lot 20, Concession 1 and the Linglebach United Church at Lot 11, Concession 1) from their current sites to new locations in the "Agriculture" designation may be permitted subject to the following:

- (a) Location on good agricultural land shall be permitted only where there is no other suitable alternative location in designated settlement areas or other non-farm use properties. Where good agricultural land is involved, only the minimum amount of land required may be used;
- (b) The amount of land required for the use shall include only the minimum necessary to support the use and its servicing requirements;
- (c) MDS I separation distances must be met;
- (d) The uses do not require municipal water or sewage services. Method of water supply and sewage disposal shall satisfy the applicable regulations of the appropriate regulatory body;
- (e) Access must be available from a public highway or public road of reasonable construction and year-round maintenance. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (f) If consent to sever land is required, the applicable policies of this Plan must be satisfied;
- (g) An amendment to the Township's implementing Zoning By-law as required.

- (18) Part of Lot 35, Concession 1, South Easthope (OPA No. 3):

Notwithstanding the policy of Section 5.4, uses described as a golf driving range, a miniature golf course, and accessory uses (excluding any

dwelling use) shall be permitted on an approximate 8 hectare area at this location subject to the following:

- (a) Adequate and acceptable water supply and sewage disposal services for the permitted uses;
- (b) Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (c) A minimum of 644 feet between the Sebben livestock barn on abutting property and the tee-off area of the golf driving range and miniature golf facility; and
- (d) Construction or erection of new commercial/recreation buildings or structures, other than for the miniature golf and driving range facilities, shall be prohibited.

(19) Part of Lot 46, Concession 3, South Easthope (OPA No. 5):

Notwithstanding the policy of Section 5.4, permitted uses on an approximate 3.6 hectare property at this location shall be farm-related commercial and industrial uses that provide services to the farm community and three commercial uses described specifically as a fruit and vegetable produce outlet, a bakery, and a meat and cheese store. Permitted uses shall be subject to the following:

- (a) Permitted uses do not require municipal water or sewer services. The method of water supply and waste disposal shall meet the applicable regulations of the appropriate regulatory agency;
- (b) Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (c) Farm-related commercial and industrial uses must be compatible with existing uses in the surrounding area;
- (d) The three specific commercial uses permitted above shall be located in a single building with a gross floor area of not greater than 840 square metres, with no individual use having a gross floor area of greater than 420 square metres;
- (e) An amendment to the Township's implementing Zoning By-law is required; and
- (f) A site plan control agreement is required.

(20) Part of Lot 46, Concession 3, South Easthope (OPA No. 11):

Notwithstanding the policy of Section 5.4, a non-farm residential use consisting of one single-detached dwelling shall be permitted on an approximate 0.22 hectare property at this location.

- (21) Part of Lot 1, Concession 13, Elma (OP):

A use described as an automobile salvage and wrecking yard shall be permitted on an approximate 4.9 hectare property at this location.

- (22) Part of Lot 26, Concession 9, Elma (OP):

A use described as a truck transport terminal shall be permitted on the subject property subject to the following:

- (a) Amount of land devoted to the activity includes only the minimum necessary to support the activity and its servicing requirements;
- (b) Location must have no detrimental affect on any existing farm;
- (c) Activity is small-scale in terms of building size and shall not exceed 230 square metres;
- (d) Must be "dry" in nature and will not require municipal water or sewer services; and
- (e) An amendment to the Township's implementing Zoning By-law is required.

- (23) Part of Lots 28 & 29, Concession 1, Elma (OP):

An institutional use described as a church and accessory uses shall be permitted on the subject land provided that all buildings are a minimum of 131 metres from neighbouring livestock barns located at Lot 28, Concession 1. Such institutional use shall be subject to site plan control provisions.

- (24) Part of Lots 41 & 42, Concession 1, Elma (OP):

An existing poultry operation involving broiler chickens shall be permitted on an approximate 12 hectare property at this location subject to the following:

- (a) Only one poultry barn, approximately 1,120 square metres in size, is permitted;
- (b) The permitted poultry barn should be located not less than 300 metres from the nearest dwelling on adjacent property; and

- (c) The capacity of the permitted barn shall not exceed 100,000 birds per year.

(25) Part of Lots 39 & 40, Concession 1, Elma (OP):

An institutional use consisting of a church, a daycare facility, and a park and recreational area shall be permitted on an approximate 6.9 hectare property at this location subject to the following:

- (a) Amount of land devoted to the activity includes only the minimum necessary to support the activity and its servicing requirements and uses as little agricultural land as possible. Location shall have no detrimental effect on any existing farm;
- (b) Activity is small-scale in terms of building size and number of employees;
- (c) Activity does not require municipal water or sewer services. Water supply and waste disposal systems must be approved by the appropriate regulatory bodies;
- (d) Access must not result in traffic hazards due to poor site lines or proximity to an intersection;
- (e) An amendment to the Township's implementing Zoning By-law is required.

(26) Part of Lot 24, Concession 3, Wallace (OP): A use described as a gift craft shop is permitted on an approximate 0.4 hectare property at this location.

(27) Part of Lot 13, Concession 2, Wallace Township:

A use described as an asphalt manufacturing plant shall be permitted on a 1.6 hectare property at this location subject to the following:

- (a) The asphalt plant shall be operated in accordance with all applicable requirement and regulations of the appropriate regulatory agency;
- (b) The asphalt plant shall be screened from view from surrounding lands; and
- (c) A site plan agreement is required.

(28) Part of Lots 27 and 28, Concession 9, Wallace Township:

A farm-related commercial/industrial use described as the grinding, mixing, and sale of feed for livestock; the cleaning, mixing, and sale of seeds for crop production; the drying and storage of corn, beans, and cereal grains; the sale of fertilizer; the retail sales of farm supplies and products; and shipping and receiving activities associated with foregoing uses shall be permitted on a 1.1 hectare portion of a larger 41.25 acre farm property at this location subject to the following:

- (a) The use is permitted only as a part of a larger 41.25 acre farm property and severance of the use from this farm property shall not be permitted;
- (b) The use does not require municipal water or sewage services and the requirements of the appropriate regulatory agency concerning water and sewage shall be satisfied;
- (c) All necessary certificates, licenses, and permits to operate the permitted use must be obtained and maintained; and
- (d) An amendment to the Township's implementing Zoning By-law is required.

(29) Part of Lot 24, Concession 4, Wallace Township:

A use described as a catering business operated in conjunction with an existing poultry processing business shall be permitted on the subject property.

5.5.19 (30) Part of Lots 12 and 13, Concessions 15 and 16, and part of Lots 17 and 18, Thames Concession in the Township of Perth South (formerly the Township of Blanshard):

On lands designated "Agriculture" and "Mineral Aggregates" adjacent to the East River Road (Road 133), south of Otter Creek in Perth South, a combination of soil conditions, fragmented ownership, existing non-farm uses, and proximity to St. Marys and its associated urban development reduce the long term value of the subject lands for conventional and/or intensive farming operations. This Plan encourages and supports smaller scale farming operations (e.g. hobby farms) on existing lots in this area. The creation of new lots for smaller scale farming operations is not permitted.

*ADDED BY OPA No. 4*

(30A) Part of Lot 16, Concession 10, Logan Ward, Township of West Perth (Schedule "A-4"):

Notwithstanding the policies of Sections 5.4 and 5.5.10 of this plan to the contrary, a use described as a farm equipment sales and service business and accessory uses (excluding any accessory residential

dwelling use) and including the sales and service of large trucks, and recreational vehicles (i.e. snowmobiles, all terrain vehicles, and motorcycles), and the sales of vehicle parts and equipment shall be permitted on the land described as Part of Lot 16, Concession 10, in the Logan Ward of the Township of West Perth and more particularly shown on Schedule "A-4" to this Plan subject to the following:

- (a) Must be "dry" in nature and will not require municipal water or sewer services. Water supply and waste disposal systems must be approved by the appropriate regulatory bodies;
- (b) Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. No new accesses to abutting streets shall be permitted;
- (c) The sales and service of large trucks, and recreational vehicles, and the sales of vehicle parts and equipment shall be small-scale in nature. The Township's implementing Zoning By-law shall regulate the size of the activity;
- (d) An amendment to the Township's implementing Zoning By-law is required;
- (e) A site plan agreement pursuant to the provisions of the Planning Act is required.

*ADDED BY OPA No. 5 and AMENDED BY OPA No. 16 & 110*

- (31) Part of Lots 25, 26, and 27, Conc. 7, Wallace Ward, Municipality of North Perth

Notwithstanding the policies of Section 5.4 of this Official Plan to the contrary, the permitted uses on the land described as part of Lots 25, 26, and 27, Concession 7, in the Wallace Ward of the Municipality of North Perth, as shown on Schedule "A-108" to this Plan, shall be as follows:

- (a) a place of worship, a retreat centre (including short term overnight accommodation), and accessory uses (including accessory storage, warehousing, and offices); and/or
- (b) a hotel and conference centre (maximum of 266 rooms) and accessory uses.  
Prior to the establishment of any of the above-noted permitted uses on the subject property, the following requirements shall be met:
  - (i) water supply for the permitted use(s) must be approved by the appropriate regulatory authorities. The owner/proponent shall prepare and submit any necessary study material in support of the proposed water supply to the appropriate regulatory

authorities as a part of the approval process for the water supply;

- (ii) waste/sewage treatment for the permitted use(s) must be approved by the appropriate regulatory authorities. The owner/proponent shall prepare and submit any necessary study material in support of the proposed waste/sewage treatment to the appropriate regulatory authorities as a part of the approval process for the waste/sewage treatment;
- (iii) storm water management for the permitted use(s), if required, must be approved by the appropriate regulatory authorities. The owner/proponent shall prepare and submit any necessary study material in support of the storm water management for the uses to the appropriate regulatory authorities as a part of any approval process for storm water management;
- (iv) access to the subject property for the permitted use(s) must be approved by the Ministry of Transportation. The owner/proponent shall prepare and submit any necessary study material in support of the proposed access to the property as a part of the approval process for the access;
- (v) an amendment to the Municipality of North Perth's implementing Zoning By-law is required. Such amendment shall set out the specific uses that are to be permitted on the subject property and may establish specific zone regulations for the permitted uses;
- (iv) a site plan agreement for the proposed development with the Municipality of North Perth shall be prepared, approved, and registered on the title for the subject property.

5.5.19 (32) Not Used

(33) Not Used

*ADDED BY*  
*OPA No. 8*

(34) Part of Lot 31, Concession 2, Wallace Ward, Town of North Perth (Schedule "A-13"):

Notwithstanding the policies of Section 5.6.8 and 11.5.5 of this Official Plan to the contrary, a 10.52 ha (26 ac.) parcel in the "Agriculture" and "Natural Resources/ Environment" designations, may be severed from a farm property and added to the adjacent property to the north, which is within the "Recreation" designation (owned by the Listowel Rifle and Revolver Club). The subject land may be used for the required safety buffer zone for an existing skeet shooting range located on the Listowel Rifle and Revolver Club property. An amendment to the Town's implementing Zoning By-law and a Site Plan Agreement is required.

*ADDED BY* (35)  
*OPA No. 8*

Part of Lot 31, Concession 2, Wallace Ward, Town of North Perth (Schedule "A-13"):

Notwithstanding the policies of Section 5.6.2.1 and 5.6.2.2 of this Official Plan to the contrary, a 23.47 ha (58 ac.) parcel which is not large enough to facilitate a flexible and viable farm unit over the long term may be created. An amendment to the Town's implementing Zoning By-law is required.

*ADDED BY* (36) Part of Lot 15, Concession 11, Logan Ward, Municipality of West Perth  
*OPA No. 10* (Schedule "A-15"):

Notwithstanding the policies of Section 5.4 and Section 5.5.1 of this Official Plan to the contrary, residential uses (including farm and non-farm residential uses) shall not be permitted on an approximate 30 hectare property at this location in the "Agriculture" designation as a result of the severance of the principle farm dwelling from this property. An amendment to the Township's implementing Zoning By-law which prohibits new residential uses (including farm and non-farm residential uses) shall be required as a condition of any consent approval by the Land Division Committee for the severance of the principle farm dwelling from this property.

*ADDED BY* (37) Part of Lot 6, Concession 1, Ellice Ward, Township of Perth East  
*OPA No. 18* (Schedule "A-23"):

Notwithstanding the policies of Section 5.4 of this Official Plan to the contrary, an electrical contracting business that primarily serves the agricultural and farming community shall be permitted in an approximate 0.4 hectare area located in the south-east corner of the subject 12 hectare property. An amendment to the Township's implementing Zoning By-law to permit the subject electrical contracting business shall be required. Such by-law shall limit the location of the use and the building size for the subject use. In addition, a site plan agreement shall be required for the electrical contracting business and such site plan agreement shall address issues such as building location, building size, access driveway, parking area and parking spaces, outdoor storage, outdoor lighting, landscaping and buffering, and drainage.

*ADDED BY OPA No. 12*

(38) Pt. of Lot 21, Concession 10, North Easthope Ward, Township of Perth East (Schedule "A-17"):

Notwithstanding the policy of Section 5.6.8(d) of this Official Plan to the contrary, the severance of an approximate 11,500 sq. ft. area for the purpose of enlarging an existing undersized non-farm residential lot in the "Agriculture" designation shall be permitted.

*ADDED BY OPA No. 13*

(38A) Part of Lot 24, Concession 3, Wallace Ward, Town of North Perth (Schedule "A-18"):

Notwithstanding the policies of Section 5.4 and 5.5.10 of this Official Plan to the contrary, the following uses described as: an automobile sales and service establishment; an automobile service station; an automobile repair establishment; a machine shop and/or welding shop; a snowmobile, water craft, motorcycle sales and service establishment; as well as farm-related sales and service establishments, shall be permitted as an additional use on the subject 1.27 ha (3.14 ac.) parcel in the "Agriculture" designation. An amendment to the Town's implementing Zoning By-law and a Site Plan Agreement is required.

*ADDED BY OPA No. 1*

5.5.20 New Site Specific Amendments

The following policies are site specific amendments which have been adopted and approved since the approval of this Official Plan.

- (1) Part of Lot 1, Concession 10 in the Township of Perth East (formerly in the Township of Mornington): an institutional use, described as a parochial school shall be permitted on a 0.6 hectare (1.5 ac.) of leased land subject to the following:
  - (a) A significant portion of the students rely on horse drawn vehicles as their primary means of transportation; and
  - (b) if the school is no longer required, the land will revert back to agricultural use.

*ADDED BY OPA No. 24 and AMENDED BY OPA No. 176*

- (2) Part of Lot 6, Concession 4, Wallace Ward, Municipality of North Perth (Schedule "A-176"):

Notwithstanding the policies of Section 5.6.2.1 and 5.6.2.2 of this Official Plan to the contrary, a 16.9 ha (41.8 ac.) parcel which is not large enough to facilitate a flexible and viable farm unit over the long term may be created. An amendment to the local municipality's Zoning By-law which recognizes the reduced lot area of the farm property is required.

*ADDED BY*

*OPA No. 26*

- (3) Part of Lot 28, Concession 8, Logan Ward, Municipality of West Perth (Schedule "A-30"):

Notwithstanding the policies of Section 5.6.2.1 and 5.6.2.2 of this Official Plan to the contrary, a 19.2 hectare (47.5 acre) parcel which is not large enough to facilitate a flexible and viable farm unit over the long term may be created within the "Agriculture" designation. An amendment to the Municipality's implementing Zoning By-law which recognizes the reduced lot area of the farm property is required.

- (4) Not Used

*ADDED BY  
OPA No. 31*

- (5) Part of Lot 14, Concession 1, Downie Ward, Township of Perth South (Schedule "A-35"):

Notwithstanding the policies of Sections 5.5.16 and 5.6.3 of this Official Plan to the contrary, the severance of the irregular shaped 2.1 ha (5.17 ac.) area of farm land surrounding the existing farm dwelling to be severed and added to the abutting 4.54 ha (11.23 ac.) farm property within the "Agriculture" designation is permitted on the above-noted property, subject to an amendment to the Township's implementing Zoning By-law.

- (6) Not Used

*ADDED BY  
OPA No. 37*

- (7) Part of Lot 15, Concession 4, Mornington Ward, Township of Perth East (Schedule "A-41"):

Notwithstanding the policy of Section 5.6.8(d) of this Official Plan to the contrary, the severance of an approximate 560 square metre (6,000 sq. ft.) area for the purpose of enlarging an existing abutting non-farm residential lot in the "Agriculture" designation shall be permitted.

*ADDED BY OPA No. 42 and AMENDED BY OPA No. 105*

- (8) Part of Lot 4, Concession 3 (Gore), and part of Lot 5, Concession 4 (Gore), in the Downie Ward, Township of Perth South (Schedule "A-102"):

A use described as a farm-related auction centre involving the sale of farm machinery, implements, agricultural related items, as well as consignment, estate, bankruptcy, and charity auctions, in conjunction with the aforementioned agricultural related items, and accessory uses (including a real estate office and a as well as a mini warehousing and storage facility) shall be permitted on an approximately 1.81 ha (4.47ac.) portion of the farm property at this location in the "Agriculture" and "Natural Resource/Environment" designations of the County of Perth Official Plan, subject to the following:

- (a) the use shall be confined to an approximately 1.81 Ha area in the westerly portion of the subject property;
- (b) the use shall continue to be owned in conjunction with the farm operation at this location;
- (c) the use shall be in conjunction with the farming use of the property and the use shall be small-scale in terms of building size and

- number of employees;
- (d) the use does not require municipal water or sewage services and requires approval of the appropriate regulatory agency;
  - (e) road access to the use shall be limited to Perth Road 113;
  - (f) an amendment to the Township's implementing Zoning By-law is required;
  - (g) a site plan agreement with the Township of Perth South is required.

*ADDED BY OPA No. 43*

- (9) Part of Lots 39 and 40, Concession 1, Elma Ward, Town of North Perth (Schedule "A-47"):

A use described as a school (including school building, parking area, playground, soccer and baseball fields, and accessory uses) shall be permitted on a 4.6 hectare (11.37 acre) parcel of land at part of Lots 39 and 40, Concession 1 in the Elma Ward of the Town of North Perth subject to the following:

- (a) That the development occurs on full municipal services;
- (b) An amendment to the Town of North Perth Zoning By-law;
- (c) A site plan agreement which includes preservation of the woodland; and
- (d) Subject to confirmation of the status of the barn/building to the north.

*ADDED BY OPA No. 44*

- (10) Part of Lot A, Concession 4 (Gore), Township of Perth South (Downie Ward) (Schedule "A-48"):

Notwithstanding the policies of Sections 5.5.16 and 5.6.3 of this Official Plan to the contrary, the severance of an irregular shaped 2.02 ha (5 ac.) area of farm land from a 3.2 ha (7.914 ac.) undersized farm property (with the dwelling remaining on the remnant area) for the purpose of adding the 2.02 ha (5 ac.) area to an abutting 40.47 ha (100 ac.) farm property within the "Agriculture" designation is permitted on the above-noted property, subject to an amendment to the Township's implementing Zoning By-law.

*ADDED BY OPA No. 46*

- (11) Part of Lots 2 and 3 Concession 1, Municipality of West Perth (Hibbert Ward) (Schedule "A-50"):

A non-farm industrial use described as a concrete mixing plant and accessory uses and the severance of this use from the farm parcel shall be permitted on a parcel of land with an area of approximately 2.1 hectares (5.2 acres) within the "Agriculture" designation and shown in hatching on Schedule "A-50" to this Official Plan subject to the following:

- (a) The use shall be confined to an area of approximately 2.1 hectares of land;
- (b) A land severance to create a separate parcel of land for the non-farm industrial use shall not be permitted by the County of Perth Land Division Committee;
- (c) The use shall continue to be small-scale in terms of building size and number of employees;
- (d) The use does not require municipal water or sewage services and requires approval of the appropriate regulatory agency;
- (e) Road access to the use shall be to the satisfaction of the Ministry of Transportation;
- (f) An amendment to the Municipality's implementing Zoning By-law is required; and
- (g) A site plan agreement with the Municipality of West Perth is required. Such Site Plan Agreement shall address the environmental noise impact of the concrete mixing plant and accessory uses on nearby sensitive land uses.

*ADDED BY OPA No. 48*

5.5.20 (12) Part of Lot 20, Concession 1, Fullarton Ward, Municipality of West Perth (Schedule "A-51"):

Notwithstanding the policies of Section 5.4 and 5.5.10 of this Official Plan to the contrary, a farm-related retail store and accessory uses shall be permitted on the subject 9,636 square metres (2.38 acres) in the "Agriculture" designation subject to the following criteria:

- (a) The use must be "dry" in nature and will not require municipal water or sewer services. Water supply and waste disposal systems must be approved by the appropriate regulatory bodies;
- (b) Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. No access to Line 34 (Highway No. 8) shall be permitted;

- (c) The farm-related retail store shall be small-scale in nature. The Municipality's implementing Zoning By-law shall regulate the size of the activity;
- (d) An amendment to the Municipality's implementing Zoning By-law is required; and
- (e) A site plan agreement pursuant to the provisions of the Planning Act is required.

*ADDED BY*

*OPA No. 49* (13)

Part Lot 16, Concessions 3 and 4, Mornington Ward, Township of Perth East (Schedule "A-52"):

Notwithstanding the policies of Sections 5.5.2 and 5.6.2.2 of this Official Plan to the contrary, the severance of a 0.8 ha (2 ac.) area from an existing 10.36 ha (25.6 ac.) undersized farm property (10.36 hectares/25.6 acres) for the purpose of adding the 0.8 ha (2 ac.) area to an abutting 49.8 ha (123 ac.) farm property within the "Agriculture" designation is permitted on the above-noted property, subject to an amendment to the Township's implementing Zoning By-law.

*ADDED BY*

*OPA No. 55* (14)

Lot 15, Part of Lot 16, and Block A, Registered Plan No. 295 (Part of Lot 37, Thames Concession) Township of Perth South (Blanshard Ward) (Schedule "A-58"):

Notwithstanding the policies of Sections 5.5.2 and 5.6.2.2 of this Official Plan to the contrary, the severance of a 0.58 ha (1.43 ac.) area from an existing undersized farm property for the purpose of adding the area to an abutting undersized farm property within the "Agriculture" designation, as shown on Schedule "A-58" to this Plan, is permitted on the above-noted property, subject to an amendment to the Township of Perth South's implementing Zoning By-law.

Notwithstanding the policies of Sections 5.5.16, and 5.6.3 of this Official Plan to the contrary, non-farm residential development and the creation of three new lots for same, plus one retained lot, shall be permitted on the land described as Lot 15, Part of Lot 16, and Block A, Registered Plan No. 295 (Part of Lot 37, Thames Concession) Township of Perth South (Blanshard Ward) as shown on Schedule "A-58" to this Plan subject to the following:

- (a) That development occurs on private services, approved by the appropriate authority;
- (b) That development occurs through the consent process;
- (c) An amendment to the Township of Perth South's implementing Zoning By-law to permit the non-farm residential development, which amendment shall contain provisions satisfactory to the

Township for the purpose of identifying building envelopes that will not preclude potential for future development; and

- (d) The approval by the Ontario Ministry of Environment of a study prepared by the applicant to address the presence and impact of any adverse effects or risks to health and safety, as well as the necessary remedial measures taken to allow for the development, to the satisfaction of the Ontario Ministry of Environment.

(15) Not Used

(16) Not Used

*ADDED BY  
OPA No. 68*

- (17) Part of Lot 15, Concession 16, Ellice Ward, Township of Perth East (Schedule "A-69"):

Notwithstanding the policies of Section 5.4 of this Official Plan to the contrary, an industrial use that involves the recycling of used tires shall be permitted as an additional use on the subject property. The following criteria shall apply in respect to this additional use:

- (a) The use must be such that it can be adequately served by a private on-site sewage system and a private on-site water supply system;
- (b) All access, development, and signage shall meet the applicable requirements of the appropriate approval authority;
- (c) The applicable MDS (Minimum Distance Separation) provisions shall apply;
- (d) All applicable requirements of the Ministry of the Environment shall apply, including obtaining any necessary approvals and/or Certificates of Approval;
- (e) An amendment to the local municipality's implementing Zoning By-law is required; and
- (f) A site plan agreement pursuant to the provisions of Section 41 of the Planning Act is required.

*ADDED BY OPA No. 70 AND AMENDED BY OPA No. 173*

- 5.5.20 (18) Part of Lot 13, Concession 1, Fullarton Ward, Municipality of West Perth (Schedule "A-173"):

Notwithstanding the policies of Section 5.4 of this Official Plan to the contrary, a highway commercial use described as a recreational vehicles sales and service establishment and accessory residential use shall be

permitted as an additional use on the subject property. The following criteria shall apply in respect to this additional use:

- (a) The use must be such that it can be adequately served by a private on-site sewage system and a private on-site water supply system;
- (b) That the proponent shall obtain all necessary access, land use, development, and signage approvals and shall meet the applicable requirements of the appropriate approval authority;
- (c) That the proponent obtain an approved Zoning By-law Amendment to the West Perth implementing Zoning By-law to regulate the proposed use, size and scale of the development; and
- (d) That the proponent obtain an approved modification/amendment to of the existing site plan agreement pursuant to the provisions of Section 41 of the Planning Act is required.

The policies of Section 5.6.8 of this Official Plan shall be used to evaluate any applications for consent to enlarge the recreational vehicles sales and service establishment and accessory residential use.

Notwithstanding the policies of Section 14.5.3 of this Official Plan to the contrary, a limited expansion to the commercial building complex shall be permitted in accordance with the policies of the Upper Thames River Conservation Authority. Such limited expansion shall be subject to the following:

- (a) That the proponent shall obtain all necessary land use or development permits from the Upper Thames River Conservation Authority;
- (b) That the size of the limited expansion to the commercial building complex shall be regulated by the West Perth implementing Zoning By-law; and
- (c) That the proponent shall obtain all necessary land use or development approvals from the Ministry of Transportation for Ontario.”

*ADDED BY*  
*OPA No. 71 (19)*

Part of Lot 21, Concession 1, Ellice Ward, Township of Perth East (Schedule “A-72”):

Notwithstanding the policies of Sections 5.5.10, 5.5.16, and 5.6.3 of this Official Plan to the contrary, the severance of a 1.2 hectare lot in the southerly portion of Lot 21, Concession 1 in the Ellice Ward, bounded by

Black Creek to the north and County Road 135 to the east, for the establishment of a non-farm residential use and a tree nursery use shall be permitted and further that no further severance from the remnant 5.6 hectare property for residential use shall be permitted.

*ADDED BY OPA No. 72*

5.5.20 (20) Part of Lots 49 and 50, Concession 1, Elma Ward, Municipality of North Perth (Schedule "A-73"):

Notwithstanding the policies of this Official Plan to the contrary, the following additional uses shall be permitted on Part of Lot 49, Concession 1 (Elma Ward): a business or professional office; an apartment accessory to the uses on the subject property; and a farm produce sales outlet in addition to the existing tack shop, subject to the conditions as noted below.

Notwithstanding the policies of this Official Plan to the contrary, the following additional uses shall be permitted on Part of Lot 50, Concession 1 (Elma Ward): a remotely monitored self serve gas bar; and a mini-storage and warehousing establishment, subject to the following conditions:

- (a) The uses shall continue to be owned in conjunction with the farm operation at this location;
- (b) Road access to the proposed uses on Part of Lot 50, Concession 1 (Elma Ward), shall be limited to Road 153;
- (c) An amendment to the Municipality's Zoning By-law is required; and
- (d) A revised Site Plan with the Municipality of North Perth is required.

*ADDED BY OPA No. 73 AND AMENDED BY OPA No. 100*

(21) Part of Lot 39, Concession 1 in the North Easthope Ward, Township of Perth East (Schedule "A-100"):

Notwithstanding the policies of this Official Plan to the contrary, the following additional use, described as a retail furniture and appliance store shall be permitted on part of Lot 39, Concession 1 in the North Easthope Ward, Township of Perth East, subject to the following conditions:

- (a) That the additional new use be limited to a furniture and appliance retail outlet (excluding any liquidation and/or inventory clearance use), and that no severance for new lot creation be permitted;
- (b) That the proponent obtain all necessary access, land use, development, and signage approvals and meet the applicable

requirements of the appropriate approval authority;

- (c) That the use must be such that it can be adequately serviced by a private on-site sewage system and a private on-site water supply system; and
- (d) That the proponent obtain an approved Zoning By-law Amendment to the Perth East implementing Zoning By-law to regulate the proposed use, size and scale of the development.

*ADDED BY* (21A) Part of Lot 6, Concession 8, Downie Ward, Township of Perth South  
*OPA No. 51* (Schedule "A-54"):

Notwithstanding the policies of this Official Plan to the contrary, a 7.1 ha (17.5 ac.) parcel which is not large enough to facilitate a flexible and viable farm unit over the long term may be created. No dwelling shall be permitted on the parcel. An amendment to the Township's implementing Zoning By-law is required.

(22) Not Used

(23) Not Used

*ADDED BY* (24) Part of Lot 4, Concession 7 in the Mornington Ward, Township of Perth  
*OPA No. 79* East (Schedule "A-80"):

Notwithstanding the policies of Section 5.5.11, a school and accessory uses, may be permitted on part of Lot 4, Concession 7 in the Mornington Ward, Township of Perth East, with an MDS I separation distance of 146 metres from the manure storage area and 145 metres from the neighbouring livestock facility, subject to the following conditions:

- (a) That the school be located on leased land and consent to sever the school shall not be permitted;
- (b) That the proponent obtain all necessary access, land use, and development approvals and meet the applicable requirements of the appropriate road approval authority;
- (c) That the proponent obtain an approved Zoning By-law Amendment to the Perth East Zoning By-law 30-1999 to regulate the proposed use, size and scale of the development; and
- (d) That the owner enter into a Site Plan Agreement with the Township of Perth East.

*ADDED BY OPA No. 78*

5.5.20 (25) Part of Lot 7, Concession 1 in the Downie Ward, Township of Perth South  
(Schedule "A-79"):

Notwithstanding the policies of this Official Plan to the contrary, the following additional use, described as a museum, and accessory uses, shall be permitted on part of Lot 7, Concession 1 in the Downie Ward, Township of Perth South, subject to the following conditions:

- (a) That the proponent obtain all necessary access, land use, development, and signage approvals and meet the applicable requirements of the Ministry of Transportation;

- (b) That the use must be such that it can be adequately serviced by a private on-site sewage system and a private on-site water supply system; and
- (c) That the proponent obtain an approved Zoning By-law Amendment to the Township of Perth South implementing Zoning By-law to regulate the proposed use, size and scale of the development.

*ADDED BY OPA No. 83*

- (26) Part Lot 5, Concession 3, in the Ellice Ward, Township of Perth East (Schedule "A-84"):

Notwithstanding the policies of Sections 5.5.2 and 5.6.3 of this Official Plan to the contrary, the severance of the existing dwelling on a 0.21 ha (0.52 acre) parcel of land (which is in the "Agriculture" designation) while retaining a 3.83 ha (9.47 acre) property at part of Lot 5, Concession 3, in the Ellice Ward, Township of Perth East be permitted, subject to the following conditions:

- (a) That the proponent obtain a amendment to the Township of Perth East implementing Zoning By-law to rezone the severed lot to permit a residential use on an undersized parcel in the Agricultural zone;
- (b) That the proponent obtain a amendment to the Township of Perth East implementing Zoning By-law to rezone the retained lot containing the church building to prohibit the construction of any new residential dwelling; and
- (c) An agreement be registered on title of the retained lot containing the church building to prohibit the construction of any new residential dwelling.

*ADDED BY OPA Nos. 84 and 161*

- 5.5.20 (27) Part of Lot 33, Concession South of Thames Road, Fullarton Ward, Municipality of West Perth (Schedule "A-161"):

Notwithstanding the policies of Section 5.4 of this Official Plan to the contrary, an industrial use described as a sign manufacturing and sales business as well as a micro-brewery use shall be permitted as additional uses on the subject property. The following criteria shall apply in respect to these additional uses:

- (a) The uses must be such that it can be adequately served by a private on-site sewage system and a private on-site water supply system with the approval of the appropriate regulatory agency;

- (b) All access, development, and signage shall meet the applicable requirements of the appropriate approval authority;
- (c) The use shall be small-scale in terms of building size and number of employees;
- (d) An amendment to the local municipality's implementing Zoning By-law is required to regulate the proposed use, size and scale of the development; and
- (e) A site plan agreement pursuant to the provisions of Section 41 of the Planning Act is required.

*ADDED BY* (28) Part of Lot 16, Concession 6, Elma Ward, Municipality of North Perth  
*OPA No. 85* (Schedule "A-86"):

Notwithstanding the policies of Section 5.4 and Section 5.5.10 of this Official Plan to the contrary, the sales and service of non-farm related trailers (e.g. dumpers, skid trailers, utility trailers) in addition to the sales and service of livestock trailers on the subject property shall be permitted on the subject property. The following criteria shall apply in respect to this additional use:

- (a) The use must be such that it can be adequately served by a private on-site sewage system and a private on-site water supply system;
- (b) That the access, development, and signage shall meet the applicable requirements of the appropriate approval authorities;
- (c) An amendment to the local municipality's implementing Zoning By-law is required to regulate the proposed use, size and scale of the development;
- (d) A site plan agreement pursuant to the provisions of Section 41 of the Planning Act is required.

*ADDED BY OPA No. 89*

5.5.20 (29) Part of Lots 63 and 64, Concession 1, Elma Ward,  
Municipality of North Perth (Schedule "A-90"):

Notwithstanding the policies of Section 5.5.7 of this Official Plan to the contrary, a secondary farm occupation having a maximum gross floor area of 279 square metres (3,003 square feet), consisting of not more than 186 square metres (2,002 square feet) for office and workshop area and not more than 93 square metres (1,001 square feet) of storage area, shall be permitted on the subject property. No outdoor storage shall be permitted for this secondary farm occupation.

An amendment to the Municipality of North Perth's implementing Zoning By-law shall be required.

*ADDED BY OPA No. 91*

- (30) Part of Lot 11, Concession 1, Ellice Ward, Township of Perth East (Schedule "A-92"):

Notwithstanding the policies of this Official Plan to the contrary, an additional use described as a communal septic leaching bed used for the servicing of mobile homes in the mobile home park development located north of the Phillips-Ney municipal drain shall be permitted on the south part of Lot 11, Concession 1 in the Ellice Ward subject to the following conditions:

- (a) That the proponent obtain all necessary approvals from the Ministry of the Environment including, but not limited to, a Certificate of Approval.
- (b) That the proponent obtain an approved Zoning By-law Amendment to the Township of Perth East Zoning By-law to permit and regulate the location of the communal septic bed.
- (c) That no new mobile home units shall be permitted to be located on the lands subject to this amendment.

*ADDED BY OPA No. 96*

- (31) Part of Lot 46, Concession 3, South Easthope Ward, Township of Perth East (Schedule "A-97"):

Notwithstanding the policies of Sections 5.5.16 and 5.6.3 of this Official Plan to the contrary, the creation of a total of two new non-farm residential lots on the subject lands (i.e. 3741 and 3735 Perth Road 112) shall be permitted subject to the following:

- (a) The proposed new dwellings must be such that they can be adequately served by private on-site sewage system and private on-site water supply systems;
- (b) That the proponents obtain an access permit from and satisfy the applicable requirements of the appropriate road authority;
- (c) That any dwelling to be constructed on the southerly of the subject two properties (including access driveway) be located so as to no conflict with the provisions of the County's Forest Conservation By-law; and
- (d) That the proponents obtain an amendment to the Township of Perth East implementing Zoning By-law to permit the proposed single-detached dwellings and to regulate their location.

*ADDED BY OPA No. 106*

- (32) Part of Lot 6, Concession 2 in the Mornington Ward, Township of Perth East (Schedule "A-105"):

Notwithstanding the policies of Section 5.4 and Section 5.5.15.1 of the Official Plan to the contrary, the former Ministry of Transportation works yard may be converted to industrial/commercial uses described as the cutting, splitting, processing and sale of stone products and a contractors yard shall be permitted on part of Lot 6, Concession 2 in the Mornington Ward, Township of Perth East, subject to the following conditions:

- (a) That the owner obtain an approved Zoning By-law Amendment to the Perth East implementing Zoning By-law to regulate the proposed use, size and scale of the development.
- (b) That prior to the adoption of the zoning amendment the Township shall consider the following criteria:
  - (i) The existing building is suitable for the conversion to a industrial use;
  - (ii) The use must be located such that it will have no adverse affect on surrounding livestock and/or poultry operations and for this purpose the minimum distance separation provisions of MDS I must be met;
  - (iii) All applicable requirements concerning water supply and sewage disposal are satisfied;
  - (iv) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on adjacent properties and roadways; and
  - (v) The lot must front onto and have access onto a public road of reasonable construction and year-round maintenance. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. Approval of the appropriate road authority for the proposed access shall be required.

*ADDED BY OPA No. 112*

- 5.5.20 (34) Part of Lot 10, Concession 4, Mornington Ward, Township of Perth East (Schedule "A-110"):

Notwithstanding the policies of Section 5 of this Official Plan to the contrary, a use described as a bulk pet food wholesale business shall be permitted as a part of the agricultural use of the subject property subject to the following requirements:

- (a) the shall be permitted only in conjunction with a licensed dog kennel operation/use conducted on the subject property;

- (b) the bulk pet food wholesale business shall be limited to the storage, wholesaling and distribution of pet food, with no retail sales being permitted;
- (c) the bulk pet food wholesale business shall be conducted only by the farmer/farm family members residing on the farm property;
- (d) the bulk pet food wholesale business shall be conducted in a building located within the existing cluster of buildings on site. The maximum gross floor area permitted for the bulk pet food wholesale business shall be 375 square metres (4036 square feet). Any building(s) that is used for this use shall be capable of being converted back to agricultural use;
- (e) the use shall be subject to site plan control;
- (f) an amendment to the Township of Perth East Zoning By-law shall be required.

*ADDED BY OPA No. 114*

- (35) Part of Lots 13 and 14, Registered Plan No. 295 (Blanshard Ward) (Schedule "A-112"):

Notwithstanding the policies of this Official Plan to the contrary, non-farm residential development and the creation of two new lots for same, plus one retained lot, shall be permitted on the land described as part of Lots 13 and 14, Registered Plan No. 295 (part of Lot 37, Thames Concession) in the Blanshard Ward of the Township of Perth South as shown on Schedule "A-112" to this Plan subject to the following:

- (a) that development occurs on private services, approved by the appropriate authority;
- (b) that development occurs through the consent process; and
- (c) an amendment to the Township of Perth South's implementing Zoning By-law to permit the non-farm residential development, which amendment shall contain provisions satisfactory to the Township.

*ADDED BY OPA No. 118*

- (36) Part of Lots 41, 42, 43, and 44, Concession 1 in the Elma Ward of the Municipality of North Perth (Schedule "A-116"):

Notwithstanding the policies of this Official Plan to the contrary, a farm-related equipment sales establishment and an existing dwelling and accessory buildings shall be permitted on an 8.5 hectare land area in the

“Agriculture” designation and the “Adjacent Land Area”, which 8.5 hectare area is shown on Schedule “A-116” to this Plan. The severance of the 8.5 hectare area shall be permitted for the proposed farm-related equipment sales establishment and accessory dwelling and the remnant 27.2 hectare farm property must be joined to the abutting farm property immediately to the south. The Official Plan Amendment is subject to the following conditions:

- (a) the farm-related commercial use shall be confined to an approximate 1.5 hectare area in the northerly portion of the land to be retained;
- (b) the farm-related commercial use does not require municipal water or sewer services;
- (c) access to Tremaine Ave. S. must not create nor generate conditions that are considered to be hazardous to traffic movement. Approval of the Municipality of North Perth is required for any new or modified access;
- (d) an amendment to the Municipality of North Perth’s implementing Zoning By-law is required for the proposed farm-related commercial use;
- (e) a site plan agreement with the Municipality of North Perth is required for the proposed farm-related commercial use; and
- (f) a change of use permit for the poultry barn from the Municipality of North Perth for storage for the proposed business.

*ADDED BY OPA No. 120*

5.5.20 (37) Part of Lot 5, Concession 3 in the Mornington Ward, Township of Perth East (Schedule “A-118”):

Notwithstanding the policies of Sections 5.4 and 5.5.15.1 of this Official Plan to the contrary, the uses permitted on part of Lot 5, Concession 3 in the Mornington Ward, Township of Perth East shall include small-scale industrial uses, a contractor’s shop/yard, building supply outlet, equipment sales/service/rental uses, and accessory uses (excluding any accessory residential use) subject to the following conditions:

- (a) That the proponent obtain an approved Zoning By-law amendment to the Perth East implementing Zoning By-law to regulate the proposed use, size and scale of the development; and
- (b) That prior to the adoption of the Zoning By-law amendment, the Township shall consider the following criteria:
  - (i) All applicable requirements concerning water supply and

- sewage disposal are satisfied;
- (ii) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on adjacent properties and roadways; and
  - (iii) The lot must front onto and have access onto a public road of reasonable construction and year-round maintenance. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. Approval of the appropriate road authority for the proposed access shall be required.

*ADDED BY OPA No. 121*

- (38) Part of Lots 28 and 29, Concession 1, Wallace Ward, Municipality of North Perth (Schedule "A-119):

A use described as a school (including school building, parking area, playground, soccer and baseball fields, and accessory uses) shall be permitted on a 7.4 hectare (18.2 acre) parcel of land at part of Lots 28 and 29, Concession 1, Wallace Ward, Municipality of North Perth (Schedule "A-119) subject to the following:

- (a) That the development occurs on full municipal services;
- (b) An amendment to the Municipality of North Perth Zoning By-law; and
- (c) A site plan agreement.

*ADDED BY OPA No. 131*

- 5.5.20 (39) Lot 2, Concession 4, Logan Ward, Municipality of West Perth (Schedule "A-129"):

Notwithstanding the policies of Sections 5.5.6 of this Official Plan to the contrary, an additional farm residential unit may be permitted within a portion of an existing ancillary building on the subject farm property, subject to the following conditions:

- (a) The additional farm residence is to be a non-permanent dwelling located in a permanent building accessory to the farm use and established such that it can be easily renovated back into an agricultural building once the need for the additional farm residence has been fulfilled;
- (b) The additional farm residence as permitted by clause (a) above is considered as a part of the farm unit and consent to sever that residence from the farm unit shall not be permitted;
- (c) The additional farm residence as permitted by clause (a) above must be located in proximity to the principal farm residence and

farm buildings and must use the existing driveway for access;

- (d) The additional farm residence as permitted by clause (a) above shall meet the MDS I requirements or be no closer to neighbouring livestock and/or poultry operations than the existing dwelling;
- (e) The subject farm property must be suitable for accommodating the water supply and sewage treatment for the additional dwelling. If possible, water supply and sewage service shall be from the well and sewage service for the principal farm dwelling;
- (f) The permanent accessory building to the farm must be suitable for accommodating the residential use and meet all applicable Building Code and Fire Code regulations;
- (g) Prior to establishing the additional farm residence as permitted by clause (a) above, the local municipal Council may choose to require a written agreement with the owner(s) of the subject property to address the non-permanent aspects of the additional farm residence; and
- (h) An amendment to the local municipality's implementing Zoning By-law is required.

*ADDED BY OPA No. 137*

5.5.20 (40) Part of Lot 5, Concession 3 in the Mornington Ward, Township of Perth East (Schedule "A-135"):

Notwithstanding the policies of Sections 5.4 and 5.5.15.1 of this Official Plan to the contrary, the uses permitted on part of Lot 5, Concession 3 in the Mornington Ward, Township of Perth East shall include small-scale industrial uses, a contractor's shop/yard, a race car repair and fabrication business, and accessory uses (excluding any accessory residential use) subject to the following conditions:

- (a) That the proponent obtain an approved Zoning By-law amendment to the Perth East implementing Zoning By-law to regulate the proposed use, size and scale of the development; and
- (b) That prior to the adoption of the Zoning By-law amendment, the Township shall consider the following criteria:
  - (i) All applicable requirements concerning water supply and sewage disposal are satisfied;
  - (ii) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on adjacent properties and roadways; and
  - (iii) The lot must front onto and have access onto a public road of

reasonable construction and year-round maintenance. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. Approval of the appropriate road authority for the proposed access shall be required.

*ADDED BY OPA No. 138*

5.5.20 (41) Part of Lot 41, Concession 1 in the South Easthope Ward, Township of Perth East (Schedule "A-136"):

Notwithstanding the policies of this Official Plan to the contrary, the uses permitted on a 0.54 ha (1.33 ac.) portion of part of Lot 41, Concession 1 in the South Easthope Ward, Township of Perth East shall include only a medical and professional office (excluding any accessory residential use) subject to the following conditions:

- (a) That the proponent enter into a Site Plan Agreement with the Township of Perth East. The site shall be developed in accordance with the urban design and site plan guidelines of the City of Stratford;
- (b) That the proponent obtain an approved Zoning By-law amendment to the Perth East implementing Zoning By-law to regulate the proposed use, size and scale of the development; and
- (c) That prior to the adoption of the Zoning By-law amendment, the Township shall consider the following criteria:
  - (i) All applicable requirements concerning water supply and sewage disposal are satisfied;
  - (ii) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on adjacent properties and roadways; and
  - (iii) The lot must front onto and have access onto a public road of reasonable construction and year-round maintenance. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. Approval of the appropriate road authority for the proposed access, land use, development, and signage approvals shall be required.

*ADDED BY OPA No. 139*

5.5.20 (43) Part of Lots 15 and 16, Thames Concession, Blanshard Ward, Township of Perth South (Schedule "A-143"):

Notwithstanding any policies of this Official Plan to the contrary, the creation of a parcel of land described as Part of Lots 15 and 16, Thames Concession, Blanshard Ward in the Township of Perth South which does not have frontage or access to a public road, shall be permitted subject to

the following:

- (a) That the proponent obtain an amendment to the Township of Perth South Zoning By-law to recognize the lot area and lot frontage of the property and places the property into a holding zone pursuant to Section 36 of the Planning Act, RSO 1990 that prohibits any buildings or structures on the subject property until the parcel is merged with another property that has legal access to an open public road; and
- (b) That the property owner obtain an easement for legal access (i.e. right-of-way) from the Town of St. Marys for the parcel, or merges the parcel with another property that has legal access.

*ADDED BY OPA No. 149*

5.5.20 (44) Part Lot 46, Conc. 3, South Easthope Ward, Township of Perth East (Schedule "A-149"):

Notwithstanding the policies of Sections 5.5.16 and 5.6.3 of this Official Plan to the contrary, the creation of one new non-farm residential lot on the subject land (i.e. 3745 Perth Road 112) shall be permitted subject to the following:

- (a) The proposed new dwelling must be such that it can be adequately served by private on-site sewage system and private on-site water supply system;
- (b) That the proponents obtain an access permit from, and satisfy the applicable requirements of the appropriate road authority; and
- (c) That the proponents obtain an amendment to the Township of Perth East implementing Zoning By-law to permit the proposed single-detached dwelling and to regulate its location.

*ADDED BY OPA No. 151*

5.5.20 (44A) Part of Lot 22, Concession 12, Blanshard Ward, Township of Perth South (Schedule "A-151"):

Notwithstanding any policies of this Official Plan to the contrary, consent to sever approximately 7.0 hectares (17.3 acres) of land which is licensed for aggregate resource extraction may be approved, provided the parcel is conveyed to the abutting property to the west (which is licensed for aggregate resource extraction) as a lot addition, subject to the following:

- (a) That the proponent obtain an approved Zoning By-law amendment to the Township of Perth South implementing Zoning By-law to recognize the new lot area and new lot frontage for the farm parcel; and

- (b) That the severed lands must be added to, and merged on title with the abutting parcel to the west.

*ADDED BY OPA No. 155*

5.5.20 (45A) Part of Lots 18 & 19, Concession 14, Blanshard Ward, Municipality of Perth South (Schedule "A-155"):

Notwithstanding the policies of Sections 5.5.6 of this Official Plan to the contrary, a 'haul road' (including related ditches/screening/berms) accessory to an aggregate extraction facility on adjacent lands to the south may be permitted within a portion of the subject property, as shown on Schedule "A-155", subject to the following conditions:

- (a) Upon rehabilitation of the aggregate extraction facility, the 'haul road' and related features shall either be removed and the land rehabilitated for agricultural use, or incorporated into the future use(s) of the land.

*ADDED BY OPA No. 159*

5.5.20 (45B) Lot 29 and Part of Lot 28, Concession 14 (North Easthope Ward) Township of Perth East (Schedule "A-159"):

Notwithstanding Sections 5.6.3.1 b) of this Official Plan to the contrary, consent to sever one single-detached dwelling as a result of a farm consolidation involving additional farm holdings located outside of the County of Perth may be approved.

Notwithstanding Sections 5.6.3.1 i) of this Official Plan to the contrary, an amendment to the local municipality's implementing Zoning By-law shall not be required in order to prohibit any new permanent residential dwellings on the remnant farm property. Further, an agreement for such prohibition of any new permanent residential dwellings shall also not be required to be registered on the property title of the remnant farm property.

*ADDED BY OPA No. 160*

5.5.20 (46) Lot 19 and Part of Lot 20, Concession 11, Hibbert Ward, Municipality of West Perth (Schedule "A-160"):

Notwithstanding the policies of Sections 5.5.7 of this Official Plan to the contrary, an additional use described as an outdoor wedding reception venue shall be permitted on an approximately 0.6 ha (1.5 ac.) portion of the farm property at this location in the "Agriculture" designation of the County of Perth Official Plan, subject to the following:

- (a) the use shall be confined to an approximately 0.6 hectare area adjacent to the existing building cluster on the subject property;
- (b) the use shall continue to be owned in conjunction with the farm

operation at this location;

- (c) the use shall be in conjunction with the farming use of the property and the use shall be small-scale in terms of building size and number of employees;
- (d) the use does not require municipal water or sewage services and requires approval of the appropriate regulatory agency;
- (e) road access to the use shall be from the existing driveway on Line 21;
- (f) an amendment to the Municipality of West Perth implementing Zoning By-law is required; and
- (g) a site plan agreement with the Municipality of West Perth is required.

*ADDED BY OPA No. 163*

5.5.20 (47) Part of Lot 12, Concession 3, Elma Ward, Municipality of North Perth (Schedule "A-163"):

Notwithstanding the policies of Section 5.5.7 of this Official Plan to the contrary, a use described as a secondary farm occupation shall continue to be permitted on an approximately 1.08 ha (2.67 ac.) portion of the farm property at this location in the "Agriculture" designation of the County of Perth Official Plan, subject to the following:

- (a) the use shall be confined to an approximately 1.08 hectare area within the existing building cluster on the subject property;
- (b) the use shall continue to be owned apart from the farm operation at this location;
- (c) the use shall be small-scale in terms of building size and number of employees;
- (d) the use does not require municipal water or sewage services and requires approval of the appropriate regulatory agency;
- (e) road access to the use shall be from the existing driveway on Line 81;
- (f) an amendment to the Municipality of North Perth implementing Zoning By-law is required; and
- (g) a site plan agreement with the Municipality of North Perth is required.

*ADDED BY OPA No. 164*

- 5.5.20 (48) East Part of Lot 6, West Mitchell Road Concession, and Part of Lot 24, Concession 7, Fullarton Ward, Municipality of West Perth (Schedule "A-164"):

Notwithstanding the policies of Section 5.6.2.1 of this Official Plan to the contrary, a parcel of land with a lot area of approximately 42 hectares may be severed into two (2) parcels of land, each with a lot area of approximately 21 hectares, notwithstanding that the two parcels are not large enough to facilitate a flexible and viable farm unit over the long term. As a condition of consent approval, an amendment to the local municipality's implementing Zoning By-law shall be required to regulate the proposed use, and area of the parcels should an application for consent be approved.

*ADDED BY OPA No. 165*

- 5.5.20 (49) Part of Lot 22, Concession 12 in the Blanshard Ward of the Township of Perth South (Schedule "A-165"):

Notwithstanding Section 5.6.3.1 b) of this Official Plan to the contrary, consent to sever one single-detached dwelling in the "Agriculture" designation as shown on Schedule "A-165" as a result of a farm consolidation involving additional farm holdings located outside of the County of Perth may be approved.

*ADDED BY OPA No. 168*

- 5.5.20 (50) Lot 16, Concession 2 and Part of Lot 16, Concession 1, (Ellice Ward) Township of Perth East (Schedule "A-168"):

Notwithstanding Section 5.6.3.1 d) of this Official Plan to the contrary, an application for consent to sever one single-detached dwelling as a result of a farm consolidation which is less than ten (10) years old and which is not habitable at the date of the application for consent may be approved by the County of Perth Land Division Committee.

In considering any application for consent to sever one single-detached dwelling as a result of a farm consolidation the policies of Section 5.6.3.1, save and except for Section 5.6.3.1 (d), shall apply and further, the County of Perth Land Division Committee shall impose, as a condition of consent approval, a condition that has the effect that the single-detached dwelling to be severed as a result of a farm consolidation shall be habitable, as determined by the local Chief Building Official, prior to the transfer of the property.

*ADDED BY OPA No. 170*

- 5.5.20 (51) Part of Lots 9, and D, Concession 6 in the Downie Ward (Gore) of the Township of Perth South (Schedule "A-170"):

Notwithstanding Sections 5.5.1 and 5.5.16 of this Official Plan to the contrary, an approximate 3.68 hectare parcel of land as shown in hatching on Schedule "A-170" shall be removed from the "Mineral Aggregate Resources" designation and placed in the "Agriculture" designation to permit the establishment of a non-farm residential use in the form of a single-detached dwelling on the subject property. The following criteria shall apply in respect to this additional use:

- (a) The use must be such that it can be adequately served by a private on-site sewage system and a private on-site water supply system;
- (b) All access and development shall meet the applicable requirements of the appropriate approval authority; and
- (c) A land severance to create a separate parcel of land for the non-farm residential use shall not be permitted by the County's Land Division Committee; and
- (d) An amendment to the local municipality's implementing Zoning By-law is required to permit the non-farm residential use and to regulate its location.

*ADDED BY OPA No. 181*

5.5.20 (52) Lot 1, Concession 4 in the Gore of the Downie Ward of the Township of Perth South (Schedule "A-181"):

Notwithstanding Section 5.6.3.1 b) of this Official Plan to the contrary, consent to sever one single-detached dwelling in the "Agriculture" designation as shown on Schedule "A-181" as a result of a farm consolidation involving additional farm holdings located outside of the County of Perth on lands described as Lot 27, Concession 7, Township of Zorra, Oxford County may be approved.

*ADDED BY OPA No. 182*

5.5.20 (53) Lot 32, Concession 8 in the Wallace Ward of the Municipality of North Perth (Schedule "A-182"):

Notwithstanding Section 5.6.3.1 (b) of this Official Plan to the contrary, consent to sever one single-detached dwelling in the "Agriculture" designation as shown on Schedule "A-182" as a result of a farm consolidation involving additional farm holdings located outside of the County of Perth on lands described as Lot 40, Concession 1, Town of Minto, Wellington County may be approved.

*ADDED BY OPA No. 47*

5.5.21 **SPECIAL POLICY AREA A**

The lands shown in cross-hatching on the attached map, Schedule "A-70-14" and described as part of Lot 6, Concession 3 in the Mornington Ward of the

Township of Perth East are identified as Special Policy Area A and are subject to the following policies:

- 5.5.21.1 Permitted uses in Special Policy Area A shall be industrial type uses. Additionally, recreational uses may be permitted in an approximate 0.8 hectare area located south of Temperance Street in the north-east corner of Special Policy Area A.
- 5.5.21.2 Permitted industrial uses shall be subject to the “Industrial” policies as set forth in Section 4.4 of the Milverton Official Plan. Consideration shall be given to a range of industrial uses, with lighter industrial uses closest to any neighbouring residential uses.
- 5.5.21.3 Permitted recreational uses shall be subject to the “Major Institutional” policies as set forth in Section 4.5 of the Milverton Official Plan.
- 5.5.21.4 Development in Special Policy Area A shall be subject to full municipal servicing as opposed to individual on-site servicing.
- 5.5.21.5 Road access to the south of Milverton and to Special Policy A and the “Urban Fringe” area south of Milverton shall not be through abutting residential or recreational areas to the north, but rather from Perth Road 131, Line 61 or industrial areas to the north.

*ADDED BY OPA No. 47*

5.5.22 **SPECIAL POLICY AREA B**

The lands shown in hatching on the attached map, Schedule “A-70-16” and described as part of Lot 22, Concessions 1 and 2 in the Fullarton Ward of the Township of West Perth are identified as Special Policy B and are subject to the following policies:

- 5.5.22.1 Permitted uses in Special Policy Area B shall be industrial uses.
- 5.5.22.2 Permitted industrial uses shall be subject to the “Industrial” policies as set forth in Section 4.4 of the Mitchell Official Plan.
- 5.5.22.3 Development in Special Policy Area B shall be subject to full municipal servicing as opposed to individual on-site servicing.

***Explanatory Note: The policies of Section 6.6.4 of this Official Plan have been repeated at this location in the Official Plan to assist the reader.***

*ADDED BY OPA No. 65*

6.6.4 **Special Policy Area “D”**

The “Special Policy Area ‘D’” designation for part of Lots C and 4, Concession 3 in the Township of Perth South (Gore of the Downie Ward) shown on Schedule “A” (shown in hatching on Schedule “A-66”) to the County Official Plan shall be

subject to the following policies:

- (a) Permitted Uses – permitted uses shall be industrial uses, public service/utility uses (e.g. stormwater management facility), and accessory uses. Permitted uses shall be developed on the basis of municipal servicing (e.g. water supply, sanitary sewage, etc.);
- (b) The identified natural heritage features on the subject property (i.e. as identified in the final Environmental Impact Study prepared by Earth Tech and consistent with the preliminary Impact Study material prepared by Earth Tech and dated November 2, 2005) shall be protected and preserved and shall be left outside to the development area on the subject property;
- (c) The recommendations of the environmental management plan prepared for this property and identified in the final Environmental Impact Study prepared by Earth Tech and consistent with the preliminary Impact Study material prepared by Earth Tech and dated November 2, 2005) shall be implemented in respect to development on the subject property;
- (d) An amendment to the Township of Perth South's Zoning By-law shall be required, which amendment will permit the uses noted above and which shall place the identified natural heritage features in the appropriate "Natural Resources/Environment Zone"; and
- (e) A site plan agreement pursuant to Section 41 of the Planning Act shall be required for industrial development on the subject property. The site plan agreement must be to the satisfaction of the UTRCA, County, and Township.

## 5.6 **CONSENT/SEVERANCE POLICIES**

The following specific policies shall apply to consent applications which involve land within the "Agriculture" designation as shown on Schedule "A" (Land Use Plan). They are intended to implement the foregoing goals and policies and are to be applied in addition to the general consent/severance policies set forth in Section 16.3 of this Plan.

### 5.6.1 **General Principles**

The following general principles shall apply in the case of consent applications involving lands within the "Agriculture" designation:

- (a) Prime agricultural lands are to be protected and preserved for the production of food, fibre, and fuel;
- (b) Conflicting or incompatible land use activities should not be created in agricultural areas;

- (c) Regard shall be had for the protection of natural environment features and for the protection and preservation of existing woodlots;
- (d) Regard shall be had for the protection of watercourses and drainage systems, both surface ditch and tile drain systems;
- (e) Matters such as fences and fence maintenance are to be considered when dealing with applications involving farmland; and
- (f) Natural hazards such as flood plains and steep slopes shall be considered when reviewing applications to ensure that the new lot does not aggravate existing natural hazards or increase the risk to life and property from natural processes.

## 5.6.2 **Farming Use**

### 5.6.2.1 **New Lot Creation**

Applications for consent to create new farm lots may be granted provided that all lots involved (e.g. severed and retained lot) satisfy the following criteria:

- (a) Farming must be the existing and/or intended use. The size of each lot involved should be appropriate for the type of farming use proposed and the type of farming use proposed must be suitable given the agricultural characteristics of the general area within which the subject land is situated and the availability of such related facilities as may be necessary to support the proposed farming use;
- (b) The size of each lot involved must be large enough to provide the current/future farm operators with the flexibility of expanding, diversifying, or intensifying the farm operation, or of changing the type of commodities produced in order to meet changing economic conditions and trends in agriculture. When assessing farm size, consideration shall be given to matters such as the type of farm use proposed; the amount of productive land; topography; drainage characteristics; amount of woodlot; extent of bottom lands, organic soils, wetlands, and other unimproved lands; the size and configuration of the proposed lots for tillage for livestock purposes; the presence of or necessity for farm buildings or structures to support the farming use; and the location of neighbouring uses, buildings, and structures;

*ADDED BY* (c) As a general rule, the splitting of original farm units (i.e. 40.5 hectare/100 acre) into smaller farm parcels is to be discouraged. The minimum lot area lot frontage requirement for farm use as set out in the local municipality's implementing Zoning By-law must be met;

*OPA No. 47*

- (d) Each lot involved in the application must meet the minimum distance separation provisions of MDS I and MDS II;

- (e) It may be necessary for the consent granting authority to impose appropriate conditions to ensure the appropriateness of the agricultural component of an application. Such conditions may include, but are not limited to, the following:
  - (i) Where a new farming use is proposed and the construction of buildings or structures are necessary to carry out the use, approval may be subject to substantial completion of such buildings or structures prior to the deed stamping stage of consent approval. In addition, it may be a requirement that required farm buildings and structures be completed or substantially completed prior to construction of any farm residence;
  - (ii) Approval may be conditional upon the prohibition/restriction of residential buildings on the subject lands through a site specific Zoning By-law Amendment and an agreement registered on title; and
  - (iii) Where livestock and/or poultry operations are involved, approval may be conditional upon a suitable nutrient management plan.

When addressing the issues of farming use suitability, flexibility, and viability, the local municipal Council, County Council, and/or the consent granting authority may consult with the Ministry of Agriculture, Food and Rural Affairs.

In assessing and applying the above-noted criteria, the fact that an application meets the minimum lot size and lot frontage requirements for a farm use in the applicable Zoning By-law does not mean that the suitability of the farming use type, and flexibility criteria have been met. Each of the criteria above must be satisfied independent of the others.

#### 5.6.2.2 **Farm Amalgamation/Enlargement**

Consents may be granted to sever agricultural land for the purpose of enlarging an abutting farm property provided that the following criteria are satisfied:

- (a) All of the lots involved (e.g. enlarged farm lot and retained lot) must satisfy the criteria set forth in Clauses (a) through (e) of Section 5.6.2.1 above;
- (b) It may be necessary for the consent granting authority to impose appropriate conditions to ensure the legitimacy of the agricultural component of an application. Such conditions may include, but are not limited to, those noted in Clause (e) of Section 5.6.2.1 above;
- (c) The provisions of Sections 50(3) and (5) of the Planning Act, R.S.O. 1990 shall be applied to the lot enlargement component of the application in order that the enlargement area is united with the abutting farm lot to

become one property for the purposes of Section 50 of the Planning Act;  
and

ADDED BY (d) Consents may be granted to sever farm land with the effect of “switching”  
OPA No. 47 one parcel for another abutting parcel provided that the farm land  
involved is comparable in terms of size, characteristics, and agricultural  
capability.

*AMENDED BY OPA No.153*

5.6.3 **Residential Use**

Consents for the severance of lots for residential use on lands within the "Agriculture" designation shall be prohibited. This includes the creation of all new non-farm related residential lots and the severance of existing farm dwellings (principal dwelling, supplementary dwellings, mobile homes and garden suites).

Notwithstanding the above, consents for the severance of lots for surplus farm dwellings on lands within the “Agriculture” designation may be permitted in accordance with Section 5.6.3.1 of this Plan.

### 5.6.3.1 **Surplus Farm Dwelling Severances**

Farm dwellings made surplus to farm operations as a result of farm consolidation may be considered for severance provided all of the following criteria are satisfied:

- (a) The land on which the surplus farm dwelling is situated must be operated, or will be operated as part of the consolidated farm operation. For the purposes of this section of the Official Plan, a corporation may be an eligible farming operation to sever a surplus farm dwelling provided the same corporation owns at least two farms, each containing a residence, one of which is surplus to the farm operation that may be severed in accordance with this section; and an unincorporated group of one or more person(s) may be an eligible farming operation to sever a surplus farm dwelling provided a majority of the owners in the group, together or individually own another farm containing a residence, one of which may be severed in accordance with this section of the Official Plan; where owners normally reside in the same household, they may be considered as one individual within the group of owners;
- (b) The land on which the surplus farm dwelling is situated and the land to which the consolidated farm operation to which the farm dwelling has become surplus must be located within the County of Perth;
- (c) The minimum distance separation provisions of MDS I must be satisfied from any livestock facilities on the remnant farm property;
- (d) The surplus farm dwelling must be a minimum of ten (10) years old at the date of the application for consent, and must be habitable, as determined by the local Chief Building Official;
- (e) The area of land to be severed for the surplus farm dwelling lot shall be limited to the minimum size required for the residential use and to accommodate the appropriate sewage and water services;
- (f) The farm property on which a surplus farm dwelling is located must be eligible for the Farm Property Class Tax Rate Program and the property owner must have a valid Farm Business Registration Number;
- (g) The proposed lot for the surplus farm dwelling shall not include any barns or structures used for livestock housing purposes;
- (h) The proposed lot for the surplus farm dwelling shall only be used for residential purposes including: a dwelling and accessory uses, buildings and structures (i.e. driveway, detached garage, swimming pool); a home occupation; and a bed and breakfast establishment. Farm-related uses including: the raising of livestock; a secondary farm occupation; a farm vacation establishment; and farm-related commercial and industrial activities shall not be permitted on the proposed lot for the surplus farm

dwelling. As a condition of approval, the County of Perth Land Division Committee shall require a Zoning By-law amendment be adopted by the local municipality to regulate the permitted uses on the lot for the surplus farm dwelling as outlined above; and

- (i) an amendment to the local municipality's implementing Zoning By-law shall be required in order to prohibit any new permanent residential dwellings, with the exception of those permitted by Section 5.5.6.5 (Second Dwelling Units) on the remnant farm property. Further, an agreement for such prohibition of any new permanent residential dwellings shall be registered on the property title of the remnant farm property. The Zoning By-law amendment and the agreement as noted above shall be implemented through conditions imposed by the County of Perth Land Division Committee at the time that provisional consent approval is given to a consent application to sever a lot for a surplus farm dwelling.

5.6.4 **Woodlots**

Consent to sever a woodlot from a farm property to create a separate lot shall not be permitted.

5.6.5 **Secondary Farm Occupations, Home Occupations, and Bed and Breakfast/Farm Vacation Operations**

Consent to sever a secondary farm occupation, a home occupation, or a bed and breakfast/farm vacation operation from a farm property shall not be permitted.

5.6.6 **Farm-related Commercial and Industrial Development**

Consent to sever an existing farm-related commercial and industrial use from a farm property or to sever land to create a new farm-related commercial and industrial use may be permitted provided that all of the criteria set forth in Section 5.5.10 of this Plan are satisfied.

Consent applications involving the severance of land for the purpose of enlarging an existing farm-related commercial and/or industrial use situated on a separated lot may be permitted provided that the following criteria are satisfied:

- (a) The need for the lot enlargement must be clearly identified and such need must prove satisfactory to the consent granting authority;
- (b) The area being severed for lot enlargement purposes should be minimal in size and related to the demonstrated and accepted need;
- (c) All of the lots involved in the consent application (e.g. enlarged lot and retained lot) must be in conformity with the provisions of the local municipality's implementing Zoning By-law. Where such is not the case,

consideration shall be given to imposing a condition requiring an amendment to the Zoning By-law to achieve by-law conformity;

- (d) The minimum distance separation provisions of MDS I must be satisfied. An exception to this may be applied where the required MDS I distance was not met prior to the severance being considered and where the proposed lot enlargement will not further reduce any existing separation distance; and
- (e) The area being severed must be united to the abutting lot to create one lot for the purpose of Section 50 of the Planning Act.

5.6.7 **Institutional and Public Uses**

*ADDED BY* Consent applications involving the severance of land for new institutional and/or  
*OPA No. 6* public uses shall not be permitted except where the new institutional and/or public use is permitted by the policies of Section 5.5.11 of this Plan.

Consent applications involving the severance of land for the purpose of enlarging an existing institutional and/or public use may be permitted provided that the following criteria are satisfied:

- (a) The need for the lot enlargement must be clearly identified and such need must prove satisfactory to the consent granting authority;
- (b) The area being severed for lot enlargement purposes should be minimal in size and related to the demonstrated and accepted need;
- (c) All of the lots involved in the consent application (e.g. enlarged lot and retained lot) must be in conformity with the provisions of the local municipality's implementing Zoning By-law. Where such is not the case, consideration shall be given to imposing a condition requiring an amendment to the Zoning By-law to achieve by-law conformity;
- (d) The minimum distance separation provisions of MDS I must be satisfied. An exception to this may be applied where the required MDS I distance was not met prior to the severance being considered and where the proposed lot enlargement will not further reduce any existing separation distance; and
- (e) The area being severed must be united to the abutting lot to create one lot for the purpose of Section 50 of the Planning Act.

5.6.8 **Enlargement of Existing Non-farm Use Lots**

Consents for the purpose of enlarging existing non-farm use lots may be permitted provided that the following criteria are satisfied:

- (a) The need for the lot enlargement must be clearly identified and such need must prove satisfactory to the consent granting authority;
- (b) The area being severed for lot enlargement purposes should be minimal in size and related to the demonstrated and accepted need;
- (c) All of the lots involved in the consent application (e.g. enlarged lot and retained lot) must be in conformity with the provisions of the local municipality's implementing Zoning By-law. Where such is not the case, consideration shall be given to imposing a condition requiring an amendment to the Zoning By-law to achieve by-law conformity;

*ADDED BY  
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- (d) The minimum distance separation provisions of MDS I must be satisfied. An exception to this may be applied where the required MDS I distance was not met prior to the severance being considered and where the proposed lot enlargement will not further reduce any existing separation distance, or where the proposed lot addition is to either incorporate the existing services for the existing non-farm use lot or to allow for the installation of services where there is no other alternative location; and
- (e) The area being severed must be united to the abutting lot to create one lot for the purpose of Section 50 of the Planning Act.

5.6.9 **Lot Boundary Adjustments/Corrections**

Consents involving lot boundary adjustments/corrections may be permitted provided that such adjustments/corrections are minor in nature. Any access/development or signage must meet the requirements of the appropriate approval authority. Consideration will be given to the provisions of Sections 50(3) and (5) of the Planning Act R.S.O. 1990 and to the provisions of the local municipality's implementing Zoning By-law when dealing with such applications.

5.6.10 **Easements And Rights-of-Way**

Consents to create easements and/or rights-of-way may be permitted provided that no new lots are created and that the need is substantiated and acceptable to the consent granting authority.