

September 8, 2017

Nick McDonald, RPP
Meridian Planning Consultants
9100 Jane Street, Suite 208
Vaughan, Ontario
L4K 0A4

Dear Mr. McDonald

RE: Amendment to Vision Georgetown Agricultural Impact Assessment Phase 1 & 2 Report

As per your request, we have reviewed the *Vision Georgetown Agricultural Impact Assessment – Phases 1 & 2* to address any changes that may be required to conform to the updated 2014 Provincial Policy Statement (PPS) and the 2017 Minimum Distance Separation (MDS) Document.

Background

The Subject Lands include those lands north of 10 Side Road to Highway 15; and the lands east of Highway 3 (Trafalgar Road) to the 8th Line. In 2014 when the Agricultural Impact Assessment (AIA) was prepared, the Subject Lands were located within the Town of Halton Hills' prime agricultural area.

In March 2016 the Town of Halton Hills approved Official Plan Amendment No. 10 (OPA 10) in order to bring the Town's Official Plan into conformity with the Regional Municipality of Halton's Regional Official Plan Amendment (ROPA) 38. As a result of this planning process, we understand that the Subject Lands have been redesignated Future Residential/ Mixed Use Area and are shown as such in both the Town and Region's land use schedules. The Subject Lands are no longer part of the Town's or Region's prime agricultural area.

Review of Provincial Policy Changes

A review of changes to the updated sections of the 2014 Provincial Policy Statement (PPS) pertaining to agriculture yielded no issues that would conflict with the previous conclusions contained in the Agricultural Impact Assessment report and the policies set forth within the 2005 PPS. Both the 2005 and 2014 PPS include policies that limit development in prime agricultural areas and only permit the exclusion of land from prime agricultural areas under specific criteria.

Section 2.3 of the 2014 PPS specifically deals with agricultural policy. Section 2.3.1 states that "Prime agricultural areas shall be protected for long-term use for agriculture". The PPS defines prime agricultural areas as areas where prime agricultural lands predominate. Prime agricultural lands include specialty crop areas and Canada Land Inventory (CLI) Classes 1, 2 and 3 soils, in this order of priority for protection. This is similar to the definition in the 2005 PPS.

Section 2.3.5.1 states that:

"Planning authorities may only exclude land from *prime agricultural* areas for expansions of or identification of *settlement areas* in accordance with policy 1.1.3.8."

Section 1.1.3.8 states that:

“A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

- a) sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
- b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
- c) in prime agricultural areas:
 1. the lands do not comprise specialty crop areas;
 2. alternative locations have been evaluated, and
 - i. there are no reasonable alternatives which avoid prime agricultural areas; and
 - ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- d) the new or expanding settlement area is in compliance with the minimum distance separation formulae; and
- e) impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a settlement area by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.”

In addition, Section 2.3.6.2 states that “Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible”.

These policies are similar to the 2005 policies involving the removal of lands from a prime agricultural area. The tests outlined by the Province to exclude lands from a prime agricultural area are similar.

Since we completed the first phase of the Agricultural Impact Assessment in 2014, the Subject Lands have been redesignated Future Residential/ Mixed Use Area and are no longer part of a prime agricultural area. This has an effect on the application of the Minimum Distance Separation.

Minimum Distance Separation

The Subject Lands inclusion into the urban boundary as a result of OPA 10 in March of 2016, and it’s recent approval by the Regional Municipality of Halton, removes the need to apply the MDS I setbacks previously identified in the 2014 AIA. The MDS I formula is only applied to lands that

are in a Rural or Agricultural designation. The MDS I formula may be applied to farm operations adjacent to an urban area does not apply to lands within the urban area as discussed in MDS Guideline No.1.

MDS Guideline 1 states:

“In accordance with the Provincial Policy Statement, 2014, this MDS Document shall apply in prime agricultural areas and on rural lands. Consequently, the appropriate parts of this MDS Document shall be referenced in municipal official plans, and detailed provisions included in municipal comprehensive zoning by-laws such that, at the very least, MDS setbacks are required in all designations and zones where livestock facilities and anaerobic digesters are permitted.”

MDS Guideline #10 reiterates that the MDS I setbacks are only required for proposed development in prime agricultural areas and rural areas. The first sentence of Guideline 10 states:

“An MDS I setback is required for all proposed amendments to rezone or redesignate land to permit development in prime agricultural areas and rural lands presently zoned or designated for agricultural use”.

It is understood that the Subject Lands have already been redesignated and are part of Georgetown’s urban area. Therefore, since the lands are no longer in a prime agricultural area or a rural area, an MDS I setback is not required from the adjacent farm operations.

Conclusions

The Official Plan Amendment 10 identified the Subject Lands for future urban growth. The lands are no longer part of the Town of Halton Hills prime agricultural area. As such the agricultural policies in the 2014 PPS do not apply to these lands. Similarly the MDS I setbacks identified in the 2014 AIA prepared for these lands no longer apply. The MDS I formula only applies to lands designated agricultural or rural.

Please give me a call if you have any questions. I can be reached at 905-935-2161 or by email at sean@colvilleconsultinginc.com.

Yours Sincerely,



Sean Colville, B.Sc., P.Ag.