

Rural Designation vs. Overlay

Whereas, Provincial Plans have clarified through language and mapping that the Agricultural Land Base should be the designation and Natural Heritage System the overlay, and

Whereas Council is legally obligated by the Planning Act to conform to and not conflict with Provincial Plans, and

Whereas agriculture and rural landowners need this designation to have confidence in the future, and

Whereas these changes are needed for a clear, simpler plan that is more likely to achieve City objectives,

Therefore it is Council's position that for the Rural Area outside of Hamlets and MINERAL EXTRACTION the designation is Prime Agriculture or Rural and the NHS policies are an overlay, and further

That staff be directed to take the necessary steps to achieve this outcome including working to change the Regional Official Plan as required.

Extent of Key Natural Features

Whereas Key Natural Features areas limit Agricultural uses to existing uses only, and

Whereas Key Natural Features increase uncertainty and limit normal related uses for both farmers and rural residents, and

Whereas, the planning process is much more complicated in or near a Key Feature for normal rural uses, and

Whereas the entire Natural Heritage System is equally protected from "development", and

Whereas ROPA 38 expands Key Natural Features into rural table-land woodlands that have not been evaluated by study and Earth Science ANSIs contrary to the Greenbelt Plan, and

Whereas "development" will trigger the appropriate EIA studies that would fully evaluate all features and restrict or mitigate development accordingly,

It is Council's position that the extent of Key Features in the Rural Area over and above the Escarpment Natural Area and Greenbelt Key Features needs further evaluation and landowner consultation, and further

That staff be directed to take the necessary steps to achieve this outcome including working to change the Regional Official Plan as required.

Agriculture Committee Suggested Motions for Adoption of Draft OP, April 2018

On Farm diversified uses and Ag-related uses in key features

Whereas Council recognizes that Burlington farmers deal with unique challenges as urban-fringe farmers, and

Whereas Council recognizes that Burlington farmers, along with the challenges, should also be able to access the unique economic opportunities presented by urban-fringe farming, and

Whereas the Province supports the economic viability of Agriculture through agriculture-related uses and on-farm diversified uses *accessory to commercial farming operations* in the Rural Area including home industries, small retail uses, agro-tourism, small-scale business, horticultural trade, veterinary clinics, animal kennels, and bed and breakfasts as permitted by Provincial Plans, and

Whereas the Niagara Escarpment Plan does not need to be re-iterated in the OP document, and

Whereas these uses are associated with existing base buildings,

Modify the OP to remove “and located outside the Escarpment Natural Area and outside the Key Natural Features, other than those areas where the only Key Natural Feature is a significant earth science area of natural and scientific interest” from 9.3.2 c) (xviii),

Clarifying language around EIAs and building permits

Whereas Building Permits are not considered as Development under the Planning Act, and

Whereas there is unclear language in the OP around “development” in Key Natural Features

Modify the OP to include the following under “Development” in Chapter 13 - Definitions: “a building permit alone is not development”

It is Council’s position that EIA’s are an important tool for protecting the NHS but they are also onerous and out of proportion for normal use approvals, and therefore the City shall request a thorough review of all EIA policies impacting normal uses in the Regional Official Plan review.

Secondary Dwelling Units

Whereas it is a stated objective in 9.1.1 to permit secondary dwelling units in appropriate

locations within the Rural Area, subject to certain conditions and standards, in order to

increase the supply of housing options in the Rural Area, and whereas these dwellings are

restricted in 9.1.2 g) (ii) to be contained within the existing dwelling or an addition to it or

within an existing accessory building or structure located within the

existing building cluster on the lot,

Modify 9.1.2 g) (i) which excludes secondary dwelling units in a Key Natural Feature and in the City’s Natural Heritage System, further

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Special Events

Whereas it is the intent of Council and the OP *to support agriculture and the rural community, and to permit short-term special events that bring people together to participate in activities,* and

Whereas Special Events must already comply with bylaws and other City, Regional and agency approvals

Modify 9.1.2 o), which among other things, prohibits Special Events in or within 30 meters of a Key Natural Feature

Surplus Farm Dwelling Severance

Whereas Council has been clear about its support for SFDS policy in Burlington's Rural Area to assist in the de-fragmentation of valuable farmland, and

Whereas all applicable Provincial Plans also support SFDS policy, and

Whereas clarifying language is required in the OP so that the existence of a Key Natural Feature on a farm property does not exclude it from SFDS policy,

Modify 12.1.12(4.1) c) (v) a. to read "*a portion* of the lot to be severed is in the Agricultural System as identified in the Halton Region Official Plan"

Formalize the Agriculture Committee

Whereas the Province and Council recognize that Agricultural viability is critical to the protection of the Rural Area, and

Whereas roughly half of the landmass of the City of Burlington is Rural, and

Whereas Citizen Advisory Committees are a well established collaborative method in the OP allowing the City to *partner with the public and stakeholders* in the decision making process, including the development of *alternatives and the identification of the preferred solutions*, and

Whereas it is critical that City policies be formally reviewed and commented on by Rural community members and Farmers living and working in Rural Burlington,

It is Council's position that it is necessary to formalize and resource the current City of Burlington Agriculture Committee.

Modify the OP to include a Citizens Advisory Committee for Agriculture and the Rural Area