

Attachment #1

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: May 17, 2022
*Deferred from May 17, 2022 COW meeting

TO: Committee of the Whole

FROM: Marc Rivet, Planning Consultant

SUBJECT: **OFFICIAL PLAN AMENDMENT 29 (LEAR)**
ZONING BY-LAW AMENDMENT Z-04-22
Municipality of Mississippi Mills

RECOMMENDATION

THAT Committee of the Whole recommends that Council adopts Official Plan Amendment No. 29 being an amendment to repeal and replace Schedule A – Rural Land Uses to the Community Official Plan and make certain policy revisions to the Community Official Plan to be in full force and effect on January 5, 2024.

THAT Committee of the Whole recommends that Council adopts Zoning By-law Amendment Z-04-22 being a concurrent Zoning By-law amendment in order for the Rural and Agricultural limits to be consistent with the proposed Schedule A – Rural Land Use to the Community Official Plan to be in full force and effect on January 5, 2024.

BACKGROUND

Community Official Plan

Mississippi Mills Community Official Plan has two primary designations for the rural areas, an Agriculture designation and a Rural designation. The Agriculture designation is intended to be reflective of the Prime Agricultural Areas as defined in the Provincial Policy Statement (PPS). The current Agriculture designation consists predominantly of Class 1 – 3 soils and excludes adjacent lands (Class 4 -7 soils). The Rural designation is comprised of the remaining lands (outside of the Agriculture designation).

The Community Official Plan also contains areas that are identified as a Rural-Agriculture Overlay which have associated policies related to active agricultural operations in Section 3.3.4 of the Community Official Plan.

This current policy framework is not consistent with the 2020 Provincial Policy Statement as it relates to Prime Agricultural lands as the current Agriculture designation does not include lands beyond the Class 1 to 3 soil classification. As it relates to the Agriculture designation in the Community Official Plan, Section 2.3.1 of the PPS indicates that *prime agricultural areas* shall be protected for long-term use for agriculture. Prime agricultural areas mean areas where

prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.

Official Plan Amendment (OPA) 21 Five-Year Review

Official Plan Amendment 29 (OPA 29) stems from the work that started as part of OPA 21; which was the Five-Year Review of the Community Official Plan. Discussions regarding updating Agriculture designation in the Community Official Plan began in 2016 during the OPA 21 process. As part of OPA 21, a review of the Agriculture designation was conducted based on input from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and further discussed in a background report provided to the Municipality titled, Agricultural Lands Review, February 2018. The proposed amendment, at that time, included 15,560 hectares of lands designated Agriculture compared to the 11,723 hectares currently designated Agriculture (in addition to 5,559 hectares of lands under the Rural Agriculture Overlay).

On February 20, 2018, Council passed Resolution No. 110-18 to defer the review of its Agriculture designation and review these designated areas at a later date using an alternative agricultural land evaluation system approved by the Province, known as an Agricultural Land Evaluation and Area Review (commonly referred to as LEAR).

Following a series of meetings in 2018 and 2019, Agricultural Advisory Committee (AAC) meetings as well as Council Resolutions with respect to undertaking a LEAR study, the study formally began in 2019 after Council passed the following Resolution (222-19):

THAT Council direct staff to request that the County of Lanark delay the decision on agricultural mapping until the completion of the LEAR review with a mutually agreed upon timeline.

As such, the County's Notice of Decision on OPA 21 deferred the delineation of prime agricultural areas under the Agriculture designation, pending the completion of a LEAR study.

LEAR Study

LEAR is a tool which can be used by municipalities to identify lands that may be suitable for designation as prime agricultural areas in their Official Plans. Developed by OMAFRA, LEAR uses quantitative datasets to evaluate the agricultural suitability of lands based on soil capability as well as other factors that affect agricultural potential, within the context of a given municipality.

LEAR scores individual land parcels based on their agricultural potential whereby high-scoring parcels have the greatest agricultural potential. LEAR also establishes a score threshold that is specific to the study.

LEAR is intended to provide municipalities with a starting point for designating prime agricultural areas. Parcels that score below the selected score threshold are typically considered as poor candidates for prime agricultural areas designation while those scoring above the score threshold are typically considered as good or excellent candidates for designation; however, a number of other factors play a role in the identification of Prime Agricultural Areas including property owner/community feedback, input from working groups, and expert reports (i.e. Soil Reports prepared by an Agrologist). As a result, a parcel can receive a high LEAR score but may not be included as a prime agricultural area or receive a score lower than the established threshold but be included in the identification of a prime agricultural area.

Again, it is important to remember that when we are talking about designating “prime agricultural areas” that this can include land that does not have Class 1-3 soils. Lands that have Class 4-7 soils are not automatically excluded from the “prime agricultural area”. Likewise, a high scoring parcel of land with Class 1-3 soils can be excluded from designation as part of a “prime agricultural area”.

Each LEAR evaluation has two key components:

- Land Evaluation (LE): This component evaluates soil capability as it relates to agriculture. The Canada Land Inventory (CLI) Soil Capacity Classification dataset is used for this component of the tool; providing 7 soil classifications as well as an organic soil classification to establish soil capacity.
- Area Review (AR): This component allows Municipalities to consider other factors that impact agricultural potential. This may include onsite factors such as parcel size or current land use or may include offsite factors such as conflicting land uses.

Attachment B illustrates the changes to the Community Official Plan Schedule A “Rural Land Use” based on the first draft of OPA 29 Schedule A released in March 2021 and the second draft of OPA 29 Schedule A released in March 2022.

In terms of total land area, these changes represent the following areas designated, or proposed to be designated as Agriculture:

	Agriculture designation	“Rural – Agriculture” Overlay
2006 COP Schedule A	11,705 hectares	5,558 hectares
2018 Draft AG Review OPA 21*	15,560 hectares	5,558 hectares
2021 Draft Schedule A OPA 29	14,343 hectares	-
2022 Draft Schedule A OPA 29**	13,564 hectares	-

* Agricultural review was deferred from OPA 21

** 2022 Schedule A (OPA 29) also highlights 4 properties that are being proposed as “Rural” based on professional agrologist report’s findings and conclusions.

STUDY AND CONSULTATION PROCESS

A series of public meetings, open houses, working groups and Committee meetings were held over the course of the LEAR study. Many of these meetings occurred during COVID-19 and following Provincial and Municipal protocol, many of these meetings were held virtually.

Committee of the Whole (COW) Meetings and Related Documents

On March 25, 2021, a Staff Report was presented to COW seeking direction from Council to proceed with an Open House and Public Meeting for OPA 29 in accordance with *Planning Act* notification procedures. A Background Report was also presented explaining the LEAR methodology to identify prime agricultural areas.

On April 8, 2021, Notice of Public Meeting was completed and a draft copy of OPA 29 (dated April 8, 2021) was made available for review including supporting information and material. On May 4, 2021, a Public Meeting was held to provide an opportunity for the public to review and provide input on the draft Official Plan Amendment.

Mississippi Mills Agriculture Advisory Committee (AAC)

The AAC is an advisory committee of Council with a mandate to advise and support Council on matters of impact to the agricultural community for the benefit of the entire Municipality. The AAC’s mission statement is also to provide support on other related issues as requested by Council. The AAC consists of 1 Council member, Mayor (ex-officio), staff support, and 5 to 7 members of the public representing various sectors of the community.

A series of meetings were held with the AAC as the LEAR study progressed including the following:

- April 22, 2021: JLR presented an overview of Land Evaluation and Area Review (LEAR) with guests John O’Neill, OMAFRA representative and Julie Stewart, Lanark County Planner. Agricultural Advisory Committee Meeting - April 22, 2021
- June 02, 2021: The AAC prepared a report with a series of recommendations for Council. Agricultural Advisory Committee Meeting - June 2, 2021 These recommendations included:
 - That a LEAR working group be developed comprised of the Agricultural Advisory Committee members plus the Council representatives from Ramsay and Pakenham Wards, plus ad hoc members from the agricultural community.
 - That the working group be supported:
 - in meeting with the consultant to better understand the specific assumptions made in developing the study

- In reviewing the map products developed by the project
 - In reviewing a representative set of properties to validate the study to date or recommend changes in the assumptions.
 - In developing an appropriate communication to the affected landowners to ensure that they know and understand the changes and possible effects on their properties.
 - In contacting a selection of landowners affected by this study.
 - That the Indigenous community be consulted as part of the process.
 - That a direct mailing be made to inform landowners of these changes.
 - That this report be presented to Council
- December 8, 2021, a meeting was held to discuss proposed changes to OPA 29 and further discussions about suggested revisions including a list of properties being added and removed. Agricultural Advisory Committee Meeting - December 8, 2021
- February 18, 2022, the AAC approved a recommendation to approve the revised Official Plan Amendment No. 29 “Prime Agricultural Area Review” dated November 24, 2021, as approved by the LEAR Working Group. Agricultural Advisory Committee Meeting - February 18, 2022

Staff note that since the recommendation of the AAC to approve the revised OPA 29 dated November 24, 2021, the municipality received three (3) soil study submissions from landowners. These soil study submissions were reviewed by JLR and determined to meet the LEAR criteria. As a result, three areas previously recommended for Agriculture designations have been modified to Rural designations in the attached OPA 29 document and associated Schedule. These areas are highlighted in red in Attachment B.

LEAR Working Group Mandate

As previously noted, a LEAR Working Group was struck out of the recommendation from the AAC in June 2021. The LEAR Working Group is comprised of the AAC members plus the Council representatives from Ramsay and Pakenham Wards.

The LEAR working group’s mandate was to review the LEAR recommendations and propose revisions based on their local knowledge and expertise to ensure the protection of prime agricultural areas and local concentration of farms which exhibit characteristics of ongoing agriculture.

The following are the series of meetings that were held with the LEAR Working Group and streamed online on the Municipality’s website:

- LEAR Working Group Meeting - June 28, 2021
- LEAR Working Group Meeting - August 3, 2021
- LEAR Working Group Meeting - September 1, 2021
- LEAR Working Group Meeting - September 22, 2021

- [LEAR Working Group Meeting - October 6, 2021](#)
- [LEAR Working Group Meeting - October 20, 2021](#)
- [LEAR Working Group Meeting - November 3, 2021](#)
- [LEAR Working Group Meeting - February 8, 2022](#)

The final recommendation of the LEAR Working Group to the AAC was a recommendation to approve of the revised Official Plan Amendment No. 29 “Prime Agricultural Area Review” dated November 24, 2021.

Public Consultation Process

The public consultation process for LEAR was undertaken through a series of meetings, public notifications, direct mailout to landowners, website updates, email notifications as well as social media postings (Municipality’s Facebook page).

The Municipality created a webpage dedicated to the LEAR study containing recordings of streamed meetings, links to meeting agendas and minutes, all supporting information and material related to the LEAR study and OPA 29 and concurrent zoning schedule update:

[Official Plan Amendment 29 - Prime Agricultural Area Designation Review - Mississippi Mills](#)

The following is the information posted on the Municipality’s webpage:

OPA 29 and Zoning By-law Z04-2022 Public Meeting Information Session April 5, 2022

- Public Notice for Public Meeting
- Presentation Slides for Public Meeting
- Recording of Public Meeting
- What is LEAR?
- LEAR Next Steps?
- Frequently Asked Questions
- GIS LEAR Map (Free ArcGIS Web Application)

OPA 29 Documents and Additional Resources

- Proposed Agricultural Designation Map
- Map of Rural and Agricultural Changes
- Draft Official Plan Amendment 29
- Draft LEAR Zoning Ramsay Ward
- Draft LEAR Zoning Pakenham Ward
- OMAFRA LEAR Document

Committee of the Whole Meetings and Related Documents

- March 25, 2021 Report to Committee of the Whole re: Official Plan Amendment (OPA) No. 29 Agricultural Lands LEAR
- March 25, 2021 OPA 29 Overview Presentation Slides
- Public Meeting Notice March 2021

- Draft OPA 29 March 2021
- Letter to property owners changing from Agricultural to Rural designation
- Letter to property owners changing from Rural to Agricultural designation
- LEAR Scores of 66+

Agricultural Advisory Committee (AAC) Meetings

- April 22, 2021 (including JLR presentation)
- June 2, 2021
- December 8, 2021
- February 18, 2022

Information Sessions and Previous Public Meeting Links

- April 28, 2021 Virtual Information Session Recording (with presentation slides)
- May 4, 2021 Public Meeting Recording

LEAR Working Group Meetings

- June 28, 2021
- August 3, 2021
- September 1, 2021
- September 22, 201
- October 6, 2021
- October 20, 2021
- November 4, 2021
- February 8, 2022

In addition to newspaper notice, email updates, and use of the municipal website, the municipality sent out 578 letters by mail on July 28, 2021 (mailout #1) including:

- 135 letters to property owners that were being considered to change from Agricultural to Rural (including properties that had a partial Agriculture designation).
- 443 letters to property owners that are proposed to be changed from Rural to Agricultural (including properties that had a partial Rural designation).

The Municipality received emails from approximately 120 landowners and approximately 15 phone calls following the release of the first draft mapping in 2021. A copy of this email correspondence has been included in Attachment C. Municipal staff reviewed these submissions and discussed many of them with the LEAR Working Group. Verbal submissions were also received during the April 28, 2021, Virtual Information Session and the May 4, 2021, Public Meeting.

Following the LEAR Working Group meetings and the recommendation to approve the LEAR study and implementation of OPA 29 from the AAC, staff completed additional consultation in the form of newspaper notice, email updates, and postings on the municipal website and social media.

In addition to the above notification, the Municipality sent out a total of 508 letters by mail on March 25, 2022, (mailout #2) including:

- 28 letters to property Owners whose properties are currently designated Agriculture and proposed to be redesignated to Rural
- 192 letters to property Owners whose properties are currently designated partially Agriculture and partially Rural and proposed to be redesignated to Rural
- 107 letters to property Owners whose properties are currently designated Rural and proposed to be redesignated to Agriculture
- 181 letters to property Owners whose properties are currently partially designated Agriculture and partially Rural and proposed to be redesignated to Agriculture

As the study progressed, the information which was presented to the public, the LEAR working group recommendations and public submissions were made, the proposed lands for designation changed. The property owners notified in Mailout #1 and those notified in Mailout #2 are slightly different because the properties that were affected by the proposed designation changes were different. During the consultation and comment periods discussed above, there were a number of changes made to the lands recommended for designation.

The Municipality has received emails from approximately 80 landowners following release of the second draft in March 2022. A copy of this email correspondence has been included in Attachment D. Staff note that many of these submissions relate to the Burnt Lands Area of Natural and Scientific Interest (ANSI).

Burnt Lands Area of Natural and Scientific Interest (ANSI)

For the Committee's information, the limits of the Burnt Lands (ANSI) are not being revised with this review. At the beginning of the LEAR study, discussions were held with representatives from Ministry of Northern Development, Mines, Natural Resources and Forest (MNRF), OMAFRA, and Ministry of Municipal Affairs and Housing (MAH) who did not identify any conflicts with any changes of designation from Rural to Agriculture. Staff are of the opinion that any change in designation from Rural to Agriculture for those lands would result in greater protection of the ANSI areas as the development policies (mainly consents) are stricter as it relates to the Agriculture designation versus the Rural designation.

RESULTS OF LEAR STUDY AND POLICY IMPLICATIONS

Rural to Agricultural Designation

The majority of permitted land uses for Agriculture and Rural designations are very similar. The most notable policy difference between these two designations is the ability to sever land. The current severance policies in the Community Official Plan are stricter for the lands within the Agriculture designation compared to the Rural designation.

For the Committee's information, the majority of the public feedback expressing concern over the LEAR study and its policy implications were focused on the impact of development potential. The change in designation from Rural to Agriculture does not have tax implications and minimal difference in permitted uses between the two designations; however, there was

notable concern amongst the public regarding the restriction on lot creation (severance), ability for land to be included in future settlement area expansions as well as the ability to develop the lands for rural residential subdivision lots.

For the Committee's information, rural residential subdivisions are not currently supported in the policy framework for the Community Official Plan in the Rural designation. With respect to LEAR impacting the evaluation of expansion lands for settlement areas, any expansion to settlement areas requires a comprehensive study which includes a range of important land use planning considerations such as population projections, assessment of available vacant land within existing settlement areas, the existing transportation network, servicing feasibility as well as land use designations. Lands that are designated Agriculture would be a consideration in settlement area expansion; however, it would be one of many land use considerations that would be balanced as part of a larger land use study.

With respect to lot creation (severance) potential, the change in designation from Rural to Agriculture will impact a landowner's ability to sever non-farm residential lots *if* the landowner has an original township lot (as of July 1, 1973). The Agriculture designation limits lot creation to surplus farm dwelling severances, farm consolidations and severances that generally meet the minimum 40 ha agricultural lot area. Further discussion regarding lot creation is noted below.

Agricultural to Rural Designation

As previously mentioned, the permitted land uses are very similar in both designations. The significant difference for properties designated Rural is that lot creation (severance) is permitted up to two (2) lots from the original township lot (as of July 1, 1973). Staff note however that there are a number of other potential constraints to lot creation such as severance history, Minimum Distance Separation (MDS) setback requirements as well as other land use constraints (Provincially Significant Wetlands, Aggregate resources, Hydrogeological issues etc.) which impact the severance ability on lands. As a result, the creation of two (2) non-farm residential lots from those lands that are designated Rural is considered a 'best case scenario'.

Many of those who have made submissions with regards to the LEAR study and its proposed designations do not have the ability for severances under the current policy framework. These properties are either not eligible or have already had the maximum number of severances allowed under the Official Plan policies. Others who have the ability to sever land under the current policy framework have the opportunity to do so until such time that the OPA 29 is in full force and effect. This is further discussed in the Implementation Section of this report.

Removal of Rural-Agricultural Overlay

The "Rural – Agriculture" overlay was applied to lands that were considered to be locally significant and that were outside the Agriculture designation. The policies in the Community Official Plan related to this overlay requires that new non-farm buildings maintain a 30-metre setback from active agricultural operations or seek approval from the Committee of Adjustment.

As the purpose of OPA 29 is to designate prime agricultural areas under the Agriculture designation using LEAR and local knowledge, there are other land use planning tools such as

the Minimum Distance Separation guidelines and zoning setbacks that requires suitable setbacks between non-farm residential uses and agricultural uses.

As a result, staff are of the opinion that this Overlay and related policies are not necessary with respect to the implementation of setbacks from active agricultural uses and can be removed from the Community Official Plan as part of OPA 29.

Zoning By-law Amendment

As part of the LEAR study and implementing OPA 29, staff are recommending that implementing zoning be included as part of the implementation of OPA 29. Zoning updates that are consistent with OPA 29, will ensure that the zoning on the lands which are subject to amendment are up to date as soon as OPA 29 comes into full force and effect.

NEXT STEPS

A decision of Mississippi Mills Council on Official Plan Amendment 29 and Zoning By-law Amendment Z-04-22 is the first step in the implementation process.

As the County of Lanark is the approval authority of Official Plan Amendments to the Community Official Plan, the decision of Official Plan Amendment 29 will need to be forwarded to the County for approval. In addition, if Official Plan Amendment 29 is approved by Mississippi Mills Council, the municipality must initiate a County Official Plan Amendment in order to update the County's Agricultural and Rural designations for Mississippi Mills to ensure the Community Official Plan and the County's Sustainable Community Official Plan is consistent.

The following provides a high-level outline of next steps in the process of implementing the proposed amendments.

County Official Plan Amendment Process

- Official Plan Amendment documents and Council By-law (adoption) sent to County
- County Official Plan Amendment (approval authority) process initiated

Review of Official Plan Amendment – County

- County circulates County Official Plan Amendment – includes OMAFRA for review
- May result in changes to Official Plan Amendment
- County holds Public Meeting
- County makes recommendation to County Council
- County Council can approve, approve with modifications, or refuse OPA 29
- Notice of Decision - Official Plan Amendment appeal period

Ontario Land Tribunal

- Appeals of the Lanark County decision may be submitted to the Ontario Land Tribunal

Impacts and Timeframe to Land Owners

- OPA 29 will not be in effect until all appeals are dealt with.
- Applications for land use (development) including land division (consent) would be considered under current policy until OPA 29 and ZBA-04-2022 come into effect.

- A transition period to January 5, 2024 is proposed where applications (which have been deemed complete) would be reviewed against current policy (in effect at time of Council adoption).

IMPLEMENTATION – Transition Clause for Official Plan Amendment 29

As noted in this report, the process to amend the Community Official Plan and the Zoning By-law will impact some landowners more than others. Some landowners will lose the right to sever their land while some others will gain the right to sever non-farm residential lots. The process to amend these policy documents is also subject to appeal to the Ontario Land Tribunal.

In recognition of the impact on landownership and the nature and length of the appeal process, it is recommended that a transition period be established as part of the Amendment. The proposed effective date for the Amendments to be in full force and effect is January 5, 2024. If there are no appeals to Official Plan Amendment 29, then this transition period will provide affected landowners a period of time in which to prepare for the designation change to their property.

For any landowner that currently has severance rights as part of a Rural designation and will lose these rights if the property is redesignated to Agriculture, a transition clause will ensure that they have ample time to submit a complete consent application (including any required plans and studies) to the County of Lanark's Land Division Committee to start the process of severing their land.

If an appeal(s) is submitted against Official Plan Amendment 29, it may very well not be resolved by January 5, 2024. If this is the case, then the appeal process will also provide affected landowners additional time to prepare for any land use designation change.

Staff are of the opinion that the advantage of providing a clear implementation date of January 5, 2024, is to ensure that all landowners have a minimum amount of time to prepare for the land use designation change.

For the Committee's information, with respect to severance applications, applicants do not have to complete the severance application process by January 6, 2024, rather the applicants need to have applied for a consent to sever with a complete application by January 5, 2024.

All of which is respectfully submitted by,

Approved by,

Marc Rivet, MCIP, RPP
Planning Consultant

Ken Kelly
CAO

ATTACHMENTS:

Attachment A - Community Official Plan (2006) Schedule A "Rural Land Use"

Attachment B – Comparison between existing 2006 Schedule A and proposed 2021 and 2022

Attachment C - Redacted original comments from 1st Draft OPA 29 (2021)

Attachment D - Redacted original comments from 2nd Draft OPA 29 and Z-04-22 (2022)
Schedule E – Draft Official Plan Amendment OPA 29
Appendix F – Draft Zoning By-law Amendments Z-04-22

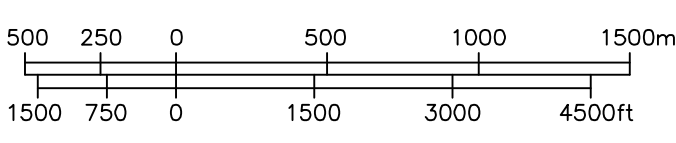
Attachment A –
Community Official Plan (2006) Schedule A “Rural Land Use”

Community Official Plan

Mississippi Mills

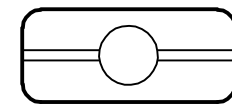
Schedule A
Rural Land Use

Scale 1:25,000

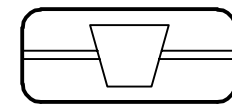


Roads:

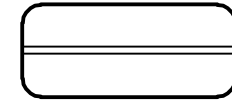
Provincial Highway



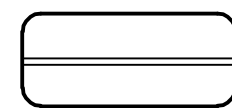
County Roads



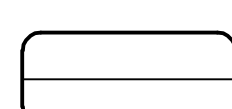
Municipal Roads



Unopened Road Allowance

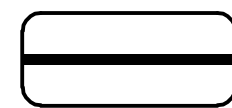


TransCanada Pipeline

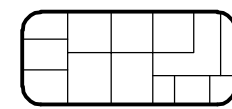


Boundaries:

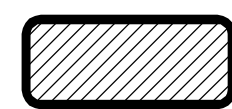
Municipal Boundary



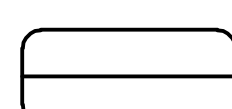
Legal Fabric



Urban Settlement Area



Designation Boundary

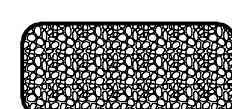


Land Use Designations:

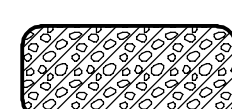
Agriculture



Aggregate Resource – Pit



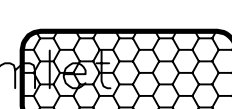
Aggregate Resource – Quarry



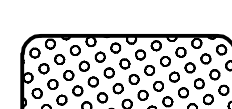
Flood Plain



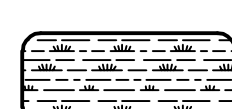
Rural Settlement Area and Hamlet



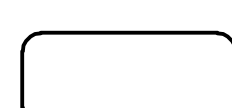
Provincially Significant Wetland



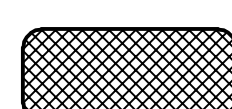
Locally Significant Wetland



Rural



Waste Disposal

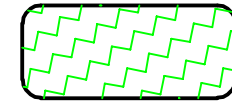


Parkland and Open Space



Overlay:

Rural – Agriculture



Future Expansion



Lanark Highlands

Lanark Highlands

Ottawa

McNab / Braeside

Beckwith

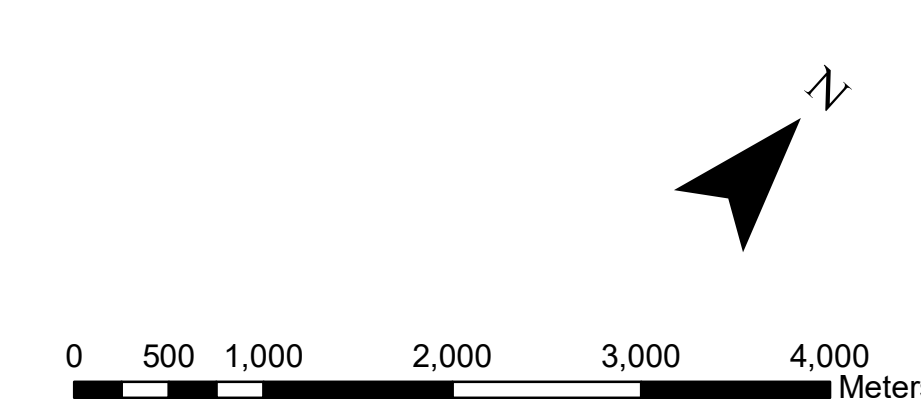
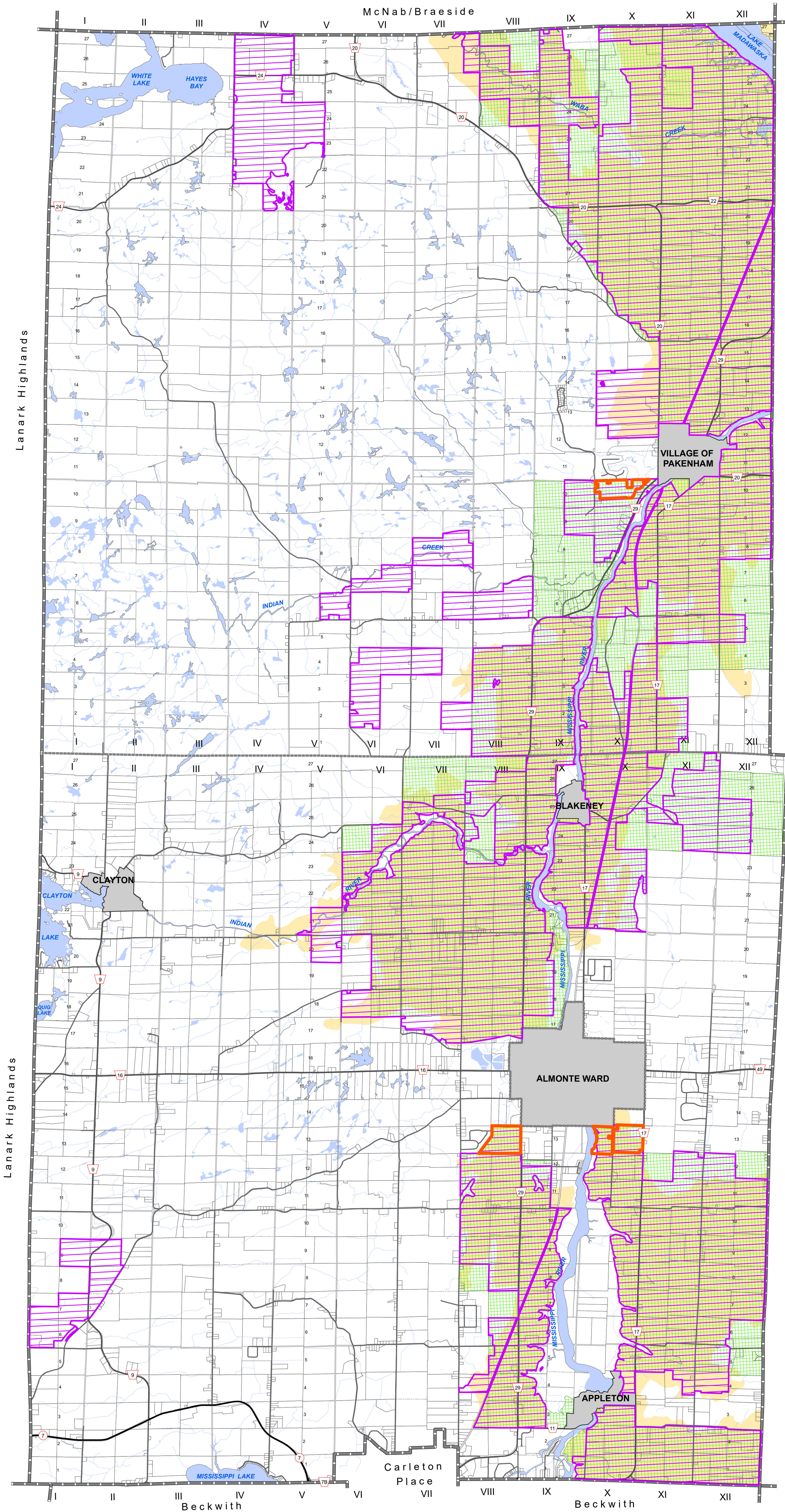
Ramsay

J.L.R. No. 19690
Prepared: 18/06/04
Revised: 13/04/05
Revised: 28/11/05
Revised: 12/07/06



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Attachment B –
**Comparison between existing 2006 Schedule A and
proposed 2021 and 2022 Schedule A**



- Legend**
- (7)— Provincial Highway
 - (22)— County Road
 - Other Roads
 - 2022 Agriculture (Proposed)
Total area = 13,564ha
 - 2021 Agriculture (Proposed)
Total area = 14,343ha
 - Agriculture (Ex OP)
Total area = 11,705ha
 - Proposed Rural designation based on professional agrologist report.

Attachment C –
Redacted original comments from 1st Draft OPA 29 (2021)

[Click here for the link to schedule C materials](#)

**Attachment D –
Redacted original comments from 2nd Draft OPA 29 and Z-04-22 (2022)**

[Click here for the link to schedule D materials](#)

Schedule E
Draft Official Plan Amendment OPA 29

OFFICIAL PLAN AMENDMENT
No. 29
“Prime Agricultural Area Review”

Prepared for:

THE MUNICIPALITY OF MISSISSIPPI MILLS

May 9, 2022

J.L. RICHARDS & ASSOCIATES LIMITED
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JLR 24473-007.1

PART A - THE PREAMBLE, contains an explanation of the purpose and basis for the amendment, as well as the lands affected, but does not constitute part of this amendment.

PART B - THE AMENDMENT, consisting of the following text and schedule constitutes Amendment No.29 to the Municipality of Mississippi Mills' Community Official Plan (COP).

PART C – THE APPENDICES, which are listed or attached hereto, do not constitute a part of this amendment. These appendices include the LEAR methodology and OPA 29 Documents and Additional Resources.

PART A – THE PREAMBLE

BACKGROUND

The first Mississippi Mills Community Official Plan (COP) was adopted by Council on December 13, 2005, and approved with modifications by the Minister of Municipal Affairs and Housing on August 29, 2006.

The Prime Agricultural Area designation consisted mostly of Canada Land Inventory Class 1 to 3 soils and active farming areas following consultation with area residents and the Ministry of Agriculture, Foods and Rural Affairs (OMAFRA).

As part of OPA 21 (Five Year Review), OMAFRA staff was consulted to discuss the need to update the Prime Agricultural Areas and related policies. OMAFRA had noted (email from John O'Neill dated June 27, 2016):

“... the current agricultural policies of the Mississippi Mills Official Plan (2006), agriculture is deemed to be a major economic and social contributor to the municipality. The plan highlights the changing nature of the agriculture industry and the challenges that the introduction of conflicting land uses can have on the ability of agriculture to prosper. In response the 2006 plan sought to establish policy direction to ensure the protection of agriculture and the agricultural land base. While it is encouraging to see the inclusion of policies that aim to achieve these goals, it is recommended that the policies be updated to ensure consistency with the PPS.”

“Section 3.2.1 (Goals and Objectives) indicates that the Agricultural designation is intended to be those lands which have large contiguous areas of Classes 1, 2 and 3 soils. While the presence of prime agricultural lands (Canada Land Inventory (CLI) Class 1, 2 and 3 soils) is a predominate characteristic to consider in identifying prime agricultural areas it is requested that the full definition of a prime agricultural area be taken in to consideration when mapping the municipalities Agricultural designation.”

“Prime agricultural area: means areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture....”

The Provincial Policy Statement 2020 defines prime agricultural area as:

“areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.”

LANARK COUNTY DECISION ON OPA 21:

The Official Plan Amendment - OPA 21 (Five Year Review) was adopted by the Municipality of Mississippi Mills on June 26, 2018 by By-law No. 18-76 and forwarded to the County of Lanark for a decision under subsection 17(34) of the Planning Act. The County of Lanark is the approval authority for all changes to the Community Official Plan for Mississippi Mills.

The County of Lanark decided to partially approve Official Plan Amendment No. 21 to the Community Official Plan for the Municipality of Mississippi Mills, as adopted by By-law No. 2019-38 on December 4, 2019 under Section 17 of the *Planning Act*.

The following modification was made by the County (approval authority):

35. Schedule A – Rural Land Use is hereby modified by:

- b. Deferring the delineation of a Prime Agricultural designation on Schedule “A” – Rural Land Use pending the completion of an Agricultural Land Evaluation Area Review (LEAR).

ONTARIO MINISTRY OF AGRICULTURE AND RURAL AFFAIRS (OMAFRA)

J.L. Richards & Associated Limited (JLR) researched past LEAR projects as well as provincial guidelines and developed a LEAR methodology for Mississippi Mills which was reviewed by the Province (OMAFRA). The purpose is to identify those lands that should be protected as prime agricultural areas using this alternative agricultural land evaluation system and adjust based on local input provided by the Municipality’s Agricultural Advisory Committee (AAC).

PUBLIC CONSULTATION

The following is a list of all reports, presentations, meetings to date on this project. All materials are available for viewing from the Municipal Website or can be requested from the Planning Department.

OPA 29 Public Meeting Information April 5, 2022

- [Recording of Public Meeting](#)
- [Presentation Slides for Public Meeting](#)
- [Public Notice for Public Meeting](#)
- [What is LEAR?](#)
- [LEAR Next Steps?](#)
- [Frequently Asked Questions](#)
- [GIS LEAR Map](#)

OPA 29 Documents and Additional Resources:

- [Proposed Agriculture Designation Map](#)
- [Map of Rural and Agricultural Changes](#)
- [Draft Official Plan Amendment 29](#)
- [Draft LEAR Zoning Ramsay Ward](#)
- [Draft LEAR Zoning Pakenham Ward](#)
- [OMAFRA LEAR Document](#)

Committee of the Whole Meetings and Related Documents:

- [March 25, 2021 Report to Committee of the Whole re: Official Plan Amendment \(OPA\) No. 29 – Agricultural Lands LEAR](#)
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- [Public Notice March 2021](#)
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- [Letter to property owners changing from Agricultural to Rural designation](#)
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- [LEAR Scores of 66+](#)

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MISSISSIPPI MILLS LEAR WORKING GROUP

A working committee was formed to review preliminary LEAR findings, proposed prime agricultural areas and provide local input as to which specific areas should be removed or added as Agricultural areas (see list of meetings above). The LEAR Working Group presented its recommendation to the Agricultural Advisory Committee on February 18, 2022. The Agricultural Advisory Committee supported the LEAR Working Group's recommendation.

PURPOSE

As per Lanark County's approval decision on Official Plan Amendment No. 21 (OPA 21), which was a Five-Year Review of the Municipality of Mississippi Mills' Community Official Plan, the Municipality was to identify its Prime Agricultural Areas (and related policies). The Municipality decided to use an alternative agricultural land evaluation system approved by the Province (LEAR). Working with the Ministry of Agriculture Foods and Rural Affairs (OMAFRA) and the LEAR Working Group, prime agricultural areas have been identified based on this alternative agricultural land evaluation system and local knowledge. The amendment also proposes to remove the Rural Agricultural Overlay and make certain specific policy changes.

LOCATION

The lands affected by this Amendment include all Rural lands within the Municipality of Mississippi Mills.

Appendix 'A' attached hereto shows the affected lands and the proposed changes to the land use designations and changes to Schedule A – Rural Land Use.

BASIS

The LEAR Study included as Appendix 'B' attached hereto forms the basis to this amendment.

PART B – THE AMENDMENT

All of this part of the document, entitled Part B – The Amendment, consisting of the following text and schedule to Amendment No. 29, constitutes Amendment No. 29 to the Community Official Plan (COP) of the Municipality of Mississippi Mills.

Note, a concurrent application is being filed to amend the Lanark County Sustainable Community Official Plan to change the Rural and Agricultural Lands shown on Schedule A to match with this amendment.

DETAILS OF THE AMENDMENT

The Municipality of Mississippi Mills Community Official Plan (COP) is hereby amended as follows:

- Item 1:** In accordance with Schedule “A” attached hereto, “Schedule ‘A’ Rural Land Use of the Municipality of Mississippi Mills Community Official Plan (COP) is hereby repealed and replaced with a new “Schedule ‘A’ Rural Land Use”.
- Item 2:** Delete the 5th paragraph under Section 3.2 Agriculture and replace with the following: “The “Agricultural” designation has been placed on provincially significant prime agricultural areas identified through an alternative agricultural land evaluation system (LEAR) approved by the Province following public consultation and input from a LEAR Working Committee and endorsed by the Mississippi Mills Agricultural Advisory Committee.”
- Item 3:** Delete the 6th paragraph under Section 3.2 Agriculture of this Plan which reads: “This Plan also recognizes that there are productive locally significant agricultural operations located outside of the Agricultural designation on smaller pockets of good soils, as well as on poorer soils. These operations also require protection from conflicting land uses. The specific policies related to these areas are found in Section 3.3 of this Plan.”
- Item 4.** Delete objective 3.2.1.1 and replace with a new objective which reads “Protect prime agricultural areas identified through an alternative agricultural land evaluation system known as Land Evaluation and Area Review (LEAR) for their long-term use.”
- Item 5.** Delete item 3.2.3.4 General Policies which reads: “Council undertakes to complete a review of its prime agricultural lands through an alternative agricultural land evaluation area review (LEAR) approved by the Province including a review of related policies prior to the next Community Official Plan Five Year Review.”
- Item 5.** Delete item 3.3.1.1 which reads: “Identify locally significant agricultural lands as those which have soils within Classes 1 to 3 of the Canada Land Inventory located outside of the “Agricultural” designation and that are part of a productive agricultural operation. Schedule A shall identify such lands as an overlay referred to as “Rural – Agriculture”. Renumber the remainder of the section accordingly.
- Item 6.** Delete Section 3.3.4 Locally Significant Agricultural Operations. Agriculture is permitted across the Rural Area but only Prime Agricultural Areas will be designated.

- Item 7.** Delete the last sentence of 3.4.3.8 and replace with “The design of Plans of Subdivision and lot creation (consent) within Rural Settlement Areas and Villages will ensure that a 30-metre setback from a residential dwelling to the boundary of the Agricultural designation can generally be achieved.”

TRANSITION POLICIES

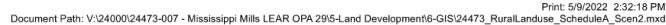
A transition period to January 5, 2024 is proposed where applications (which have been deemed complete) would be reviewed against current policy (in effect at time of Council adoption).

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Municipality of Mississippi Mills Community Official Plan (COP). OPA 29 will not be in effect until approved by Lanark County or January 5, 2024 (the later of); might require a concurrent amendment to the Lanark County Sustainable Community Official Plan (LCSCOP).

Schedule 'A'- Affected Lands

Rural Land Use (Schedule A)



PART C - THE APPENDICES

LEAR METHODOLOGY

I. What is a LEAR?

Land Evaluation and Area Review (LEAR) is a tool used by Ontario Municipalities to identify lands that may be suitable for designation as Prime Agricultural Areas in their Official Plans. Developed by OMAFRA, LEAR uses quantitative datasets to evaluate the agricultural suitability of lands based on soil capability as well as other factors that affect agricultural potential, within the context of a given Municipality. LEARs score individual land parcels based on their agricultural potential whereby high-scoring parcels have the greatest agricultural potential. LEARs also established a score threshold. Parcels that score below the selected score threshold are typically considered as poor candidates for Prime Agricultural Areas designation while those scoring above the score threshold are typically considered as good or excellent candidates for designation.

LEARs are intended to provide municipalities with a starting point for designating Prime Agricultural Areas. A parcel can receive a high LEAR score but may not be designated as a Prime Agricultural Area. A number of other factors play a role in the identification of Prime Agricultural Areas including field verification, property owner/community feedback, additional reports and analysis and other planning priorities.

Each LEAR evaluation has two key components:

- Land Evaluation (LE): This component evaluates soil capability as it relates to agriculture. The Canada Land Inventory (CLI) Soil Capacity Classification dataset is used for this component of the tool; providing 7 soil classifications as well as an organic soil classification to establish soil capacity.
- Area Review (AR): This component allows Municipalities to consider other factors that impact agricultural potential. This may include onsite factors such as parcel size or current land use or may include offsite factors such as conflicting land uses.

II. Background Research

Background research was conducted to achieve three objectives that are necessary for building a LEAR:

- Understand the formal LEAR requirements as per OMAFRA guidelines;
- Understand how Ontario Municipalities have interpreted OMAFRA guidelines to create LEARs that utilize available data, manage LEAR model limitations and consider community input and local conditions and priorities; and,
- To obtain local context and priorities as it relates to agriculture by reviewing existing work prepared for the Mississippi Mills.

Review of the OMAFRA guidelines was conducted prior to reviewing the LEAR models developed by Ontario Municipalities.

Though a number of LEARs were reviewed, a total of three LEAR models developed by Ontario Municipalities were selected for review as precedents: Prince Edward County, Halton Region, Peel Region and Town of Caledon. Findings from this research is summarized in the table below:

LEAR APPROACH SUMMARY					
Region	Year Conducted	LE factors	AR Factors	Weighting	Threshold
Prince Edward County	2018	CLI s classifications	>Agricultural as existing use >% of property being farmed >Conflicting land uses Parcel Size	Total possible score of 200 LE 50%, AR 50%	140/200
Halton Region	2009	CLI classifications, Greenbelt LEAR Halton soil maps/reports	>Property fabric >Farm infrastructure >Conflicting land uses	Total possible score of 10 LE 65%, AR 35%	6/10
Peel Region and Town of Caledon	2015	CLI classifications with consideration for topography (OMAFRA soils data and slope data)	>Fragmentation >% land used for agriculture >% of Land in Agricultural Production Within 1km Evaluation Unit >Conflicting land uses	LE 50%, AR 50%	535/800

III. Methodology

The Mississippi Mills LEAR was developed according to the following respective tasks: a) Background research, b) Review of existing data, c) Creation of draft approach, d) Review of Draft Approach, e) Model creation and validation, and, f) LEAR model finalization.

A) Background Research

Research was conducted to obtain additional information about the OMAFRA LEAR guidelines as well as how these guidelines were implemented in a number of Ontario municipalities. Specifically, the OMAFRA LEAR guidelines were reviewed to obtain LEAR requirements. Examples of LEAR requirements include:

- The Land Evaluation factor must account for a minimum of 50% of the total LEAR score;
- Organic soils must now be included in the Land Evaluation score as a CLI soil class as per updated and current OMAFRA guidance regarding the incorporation of organic soils as part of the LE component;
- Settlement areas shall not be evaluated under the LEAR;
- Area Review factors should be mutually exclusive and selected so as to avoid 'double counting' (i.e. Conflicting land uses and parcel fragmentation represent a similar consideration and therefore should not both be included in a given LEAR model).

Meanwhile, review of LEAR precedents provided insight into how said models were developed and adjusted to satisfy municipal conditions and priorities.

To gain context about agricultural land in Mississippi Mills, the 2018 document prepared by JL Richards, "Agricultural Lands Review", was reviewed. The review of this document provided valuable information on agricultural land conditions and typologies which was foundational in the selection and justification of criteria for the Mississippi Mills LEAR model.

B) Review of Existing Data

Prior to selecting criteria for the Mississippi Mills LEAR, several meetings were held with GIS experts at JL Richards to determine data availability. Given the project timeframe, possible criteria was limited to pre-existing, available data. Available data included but was not limited to:

- Canada Land Inventory (CLI) Soil Capacity Classification dataset;
- Municipal Property Assessment Corporation (MPAC) property codes dataset, including ownership and land use (Provided February 10, 2021 by the Municipality of Mississippi Mills);
- Municipal infrastructure datasets (i.e. servicing, roads);
- Ministry of Natural Resources datasets;
- Agriculture and Agri-Food Canada (AAFC) 2019 Annual Crop Inventory;
- Existing Official Plan Designation datasets (i.e. Village Boundaries, Agriculture, Rural-Agricultural Overlay); And,
- Land cover, topography and drainage datasets.

C) Creation of Draft Approach

Considering both research insights and data availability, Land Evaluation (LE) and Area Review (AR) criteria and criteria weighting and scoring breakdown were selected, constituting the draft approach. Components of this approach were organized into a PowerPoint presentation.

D) Review of Draft LEAR Approach

A total of three meetings were held to review the draft LEAR approach. The intent of these meetings was to get key feedback and comments to guide revisions to the draft approach. Respectively, these meetings included:

- An internal meeting for JL Richards consultants involved in the project to discuss and provide feedback on the first draft of the draft LEAR approach. Revisions to the draft approach were made following the meeting.
- Multiple meetings with John O'Neil from OMAFRA to discuss conformity of the draft LEAR approach with OMAFRA requirements and to get additional comments and recommendations.
- A third meeting with the JL Richards team, John O'Neil and Mississippi Mills staff.

Following the meetings, the draft model was revised according to comments and feedback.

E) Model creation and validation

Once the LEAR approach was finalized in terms of the selection of criteria and criteria weighting and scoring, the framework was developed into a GIS model using the appropriate datasets. Several internal meetings were held to verify the accuracy of the GIS model in scoring parcels.

F) LEAR model finalization

Following the development of the LEAR model in GIS, analysis' were performed to determine the appropriate LEAR score threshold. The score threshold would serve as the cutoff value for recommending evaluated parcels for Prime Agricultural Area designation under the LEAR model.

IV. LEAR Approach

The LEAR approach for Mississippi Mills can be summarized by the selected LE and AR score weighting and criteria and the selection of a threshold value. These aspects of the approach will be reviewed in the following sections.

A) Score Weighting

OMAFRA guidelines require that a minimum of 50 percent of the overall score be reserved to the Land Evaluation (LE) component of the overall LEAR score. No maximum percent was established by OMAFRA. For the Mississippi Mill LEAR, we decided to attribute 70 percent of the overall score to the Land Evaluation component. The remaining 30 percent of the score was attributed to Area Review (AR) factors. This weighting breakdown was selected as soil capability is a significant determinant of agricultural potential and we wanted the weighting scheme to be reflective of this. Additionally, we believed that AR factors are secondary to soil capability in determining agricultural potential and therefore, a total weight of 30 percent would be appropriate to attribute to these factors.

B) Selected LE Criteria

As mandated by OMAFRA, the Canada Land Inventory (CLI) Soil Capacity Classification dataset was used to evaluate soils in Mississippi Mills (see Figure 1). Consistent with OMAFRA requirements, the following scoring scheme was used:

Soil Capability Class	CLI score (field crop points) FCP	Total Score (/70 points)
1	1	70
Organics	0.9	63
2	0.9	63
3	0.8	56
4	0.6	42
5	0.4	28
6	0.2	14
7	0	0

C) Selected AR Criteria

After careful review of OMAFRA recommendations and the selected LEAR precedents, the following AR criteria were selected:

- Parcel Size;
- Conflicting Land Uses; and,
- Active Farming (Parcel Currently Used for Agriculture)

Each of these three criteria had a maximum of 10 points, for a total of 30 percent of the overall LEAR score. The scoring schemes for the AR factors are explained in more detail below:

Parcel Size

Parcel Size	Score
<81 Acres	10
51-80 Acres	8
26-50 Acres	6
11-25 Acres	4
6-10 Acres	2
1-5 Acres	1
>1 Acre	0

Parcel sizes were determined using MPAC data. Larger parcels were scored higher than smaller parcels as shown in the table above. Figure 2 shows a map of evaluated parcels scored by size.

Conflicting Land Uses

The Conflicting Land Uses factor considers individual parcels with one of the following land uses: open space, industrial, or residential dwelling. A 750-meter radius was created for each evaluated parcel to determine the number of individual conflicting land uses that were this distance or in closer proximity to said parcel. MPAC data was used to identify conflicting land uses. As per OMAFRA direction, settlement areas such as urban and village areas and residential subdivisions were disregarded and were not scored under this conflicting land uses factor. The following scoring breakdown was used:

Number of Individual Conflicting Land Uses within 750m	0-5	6-10	11-15	16-20	21-25	>26
Score	10	8	6	4	2	0

Figure 3 shows a map of conflicting land use scores for evaluated parcels.

Active Farming

Both MPAC and Agriculture and Agri-Food Canada's (AAFC) 2019 Cropland Data was used to determine whether and to what extent evaluated parcels are actively used for agriculture. A scaled scoring scheme was used for this criterion. Specifically, parcels are scored based on the percentage of total area actively farmed or used for agriculture. The following scoring breakdown was used:

Percentage of Evaluation Unit (Parcel) Currently Used for Agriculture	Score
0%	0
1% - 9%	1
10% - 20%	2
21% - 30%	3
31% - 40%	4
41% - 50%	5
51% - 60%	6
61% - 70%	7
71% - 80%	8
81% - 90%	9
91% or Greater	10

Figure 4 shows a map of active farming scores for evaluated parcels.

We believe that the selection of these criteria were appropriate given that they are commonly-used and widely-accepted criteria used for LEARs, reflect local conditions and priorities, can be analyzed using available data and all represent distinct and mutually-exclusive considerations for agriculture; mitigating the risk of 'double counting'.

Selected Threshold Value

Possible scores for evaluated parcels ranged from 0 to 100. After the GIS model was adjusted and reviewed for accuracy, the team decided on a threshold score of 65. This threshold was selected as— more than other threshold values that were considered— it was effective in identifying parcels appropriate for designation while excluding parcels less suitable for designation. OMAFRA also requires that, in addition to scoring above the selected threshold, parcels recommended for designation should also be located within blocks of agricultural land that are 250 ha or larger. The table below summarizes existing total areas designated as Prime Agriculture and Rural-Agriculture as well as total area scoring 66+ in the LEAR. Figure 5 shows a map of total LEAR scores for evaluated parcels. Figure 6 shows all parcels with total LEAR scores of 66 or greater.

Designation	Total Area (ha)
Existing Agricultural Designation	11,705.55
Existing Rural-Agricultural Designation	5,558.11
Area scoring 66+ in the LEAR Model	14,563.00

Figure 1. Land Evaluation: Soil Capacity Score

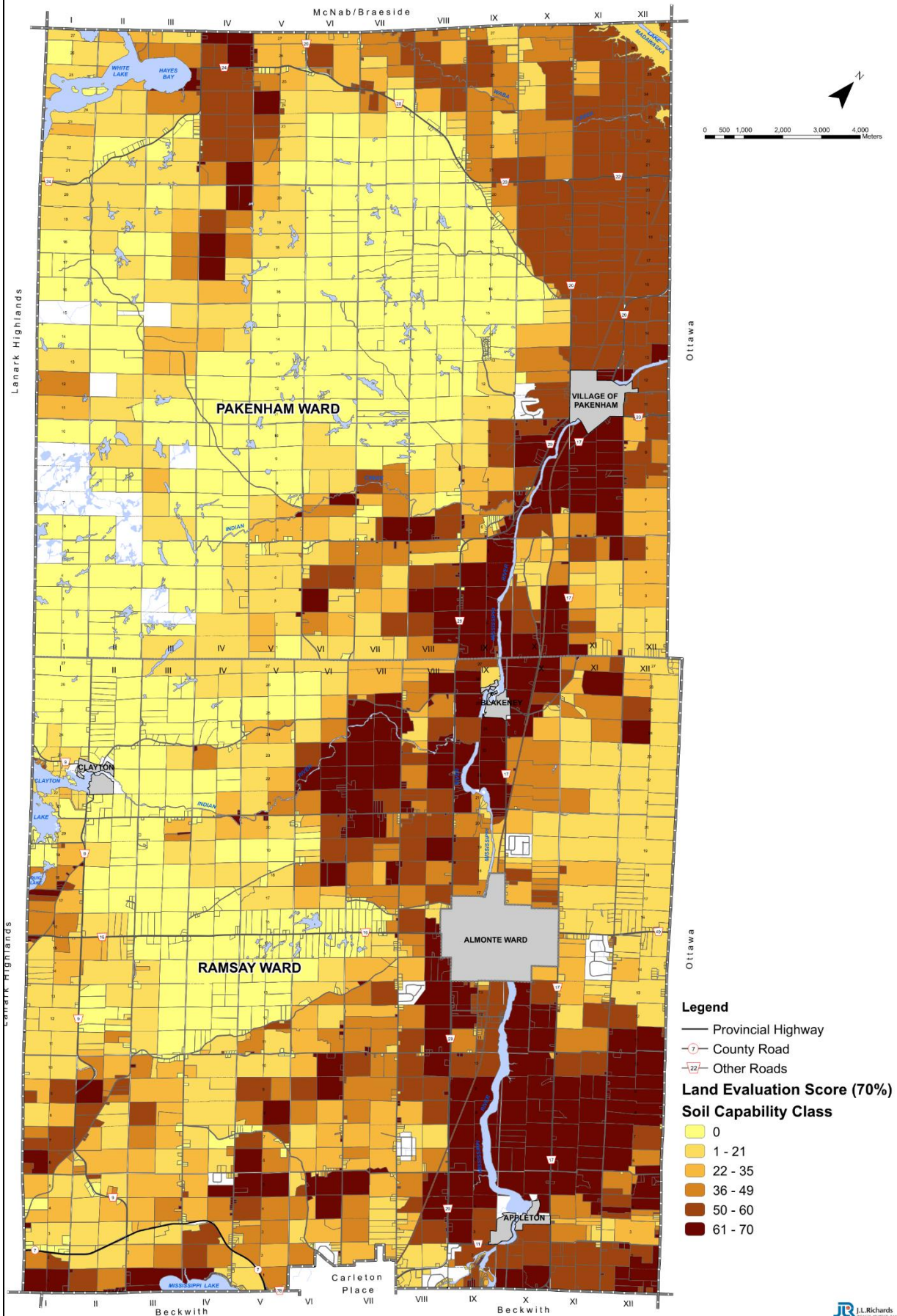


Figure 2. Area Review: Parcel Size Score

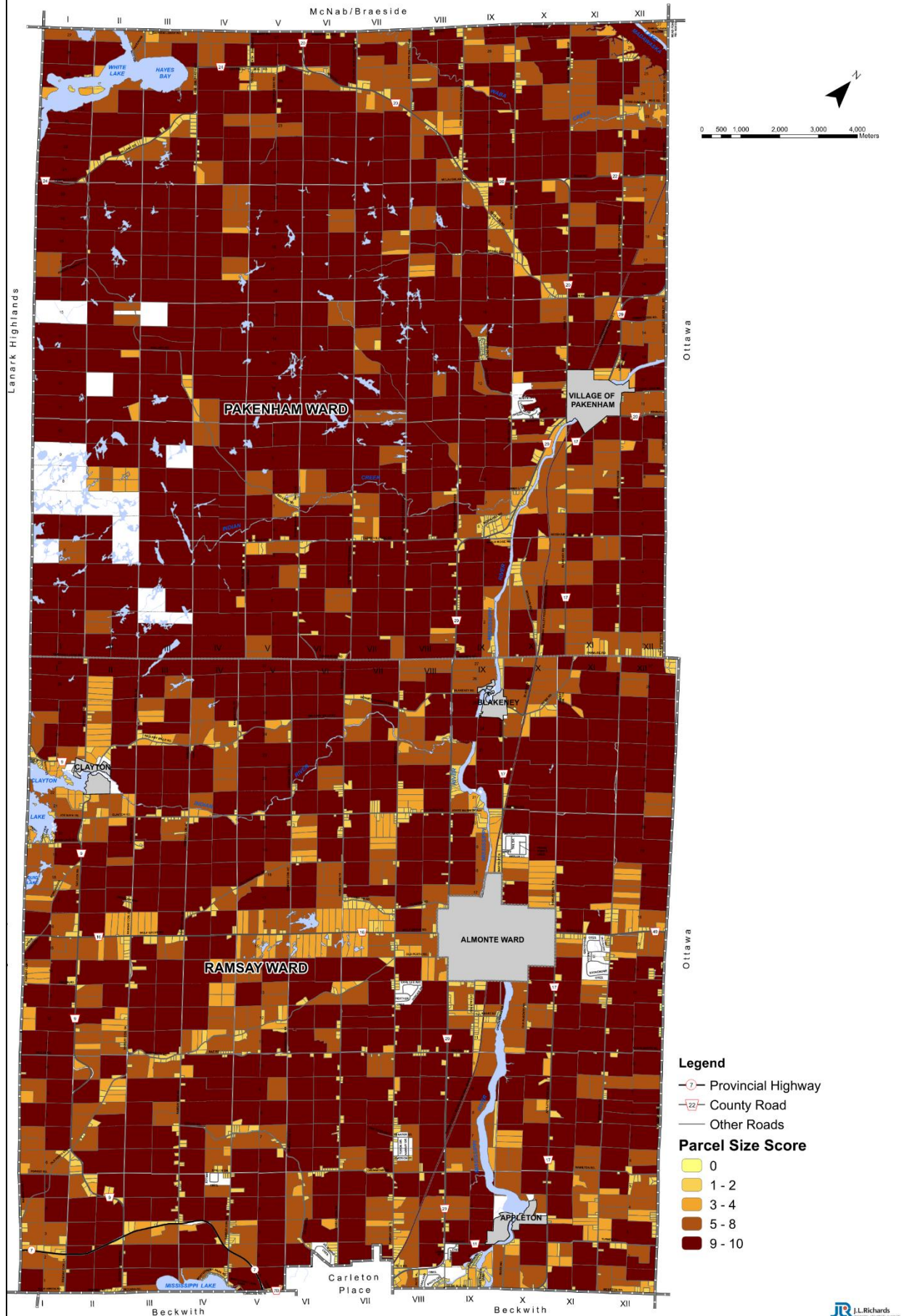


Figure 3. Area Review: Conflicting Land Uses Score

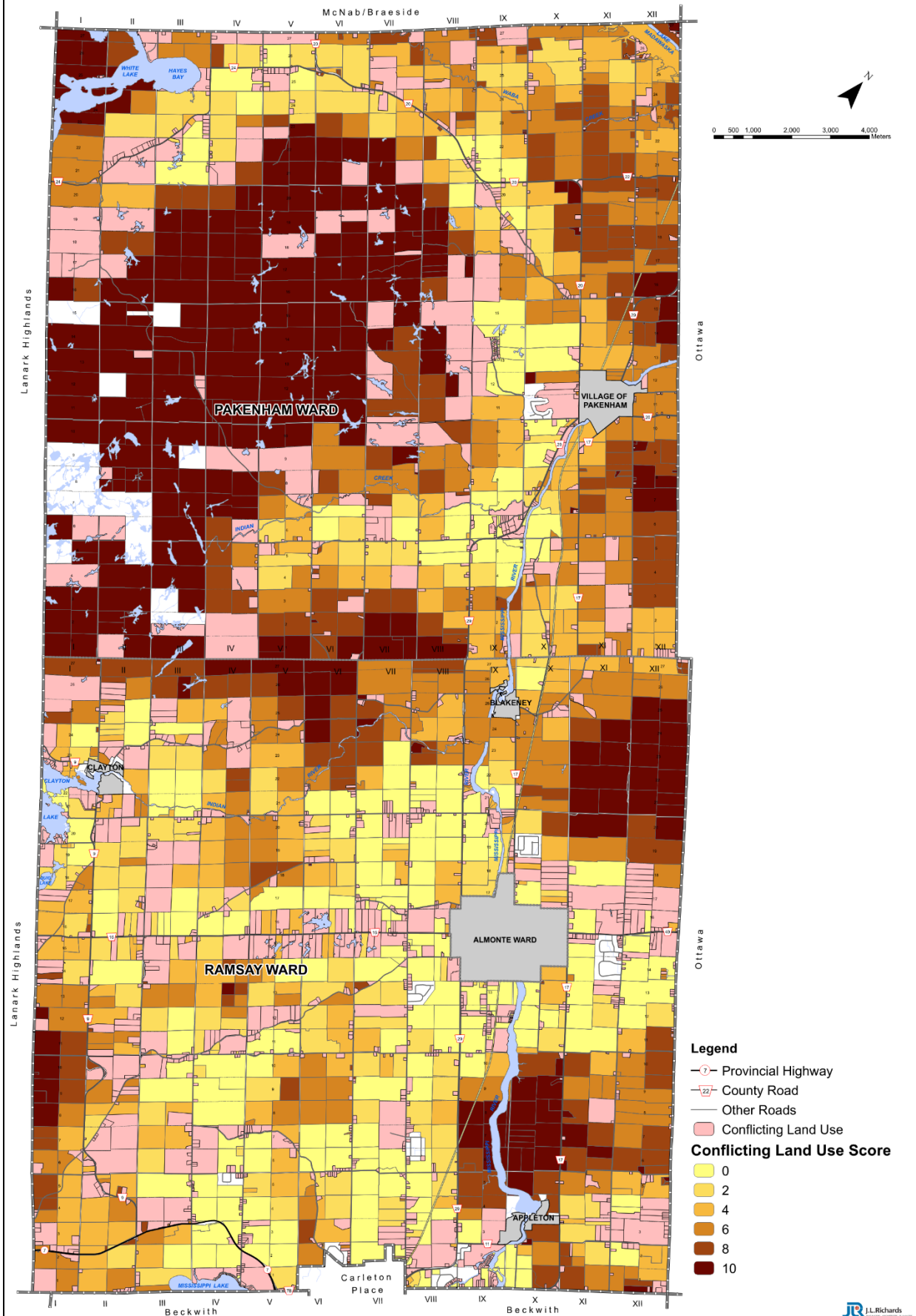


Figure 4. Area Review: Active Farming Score

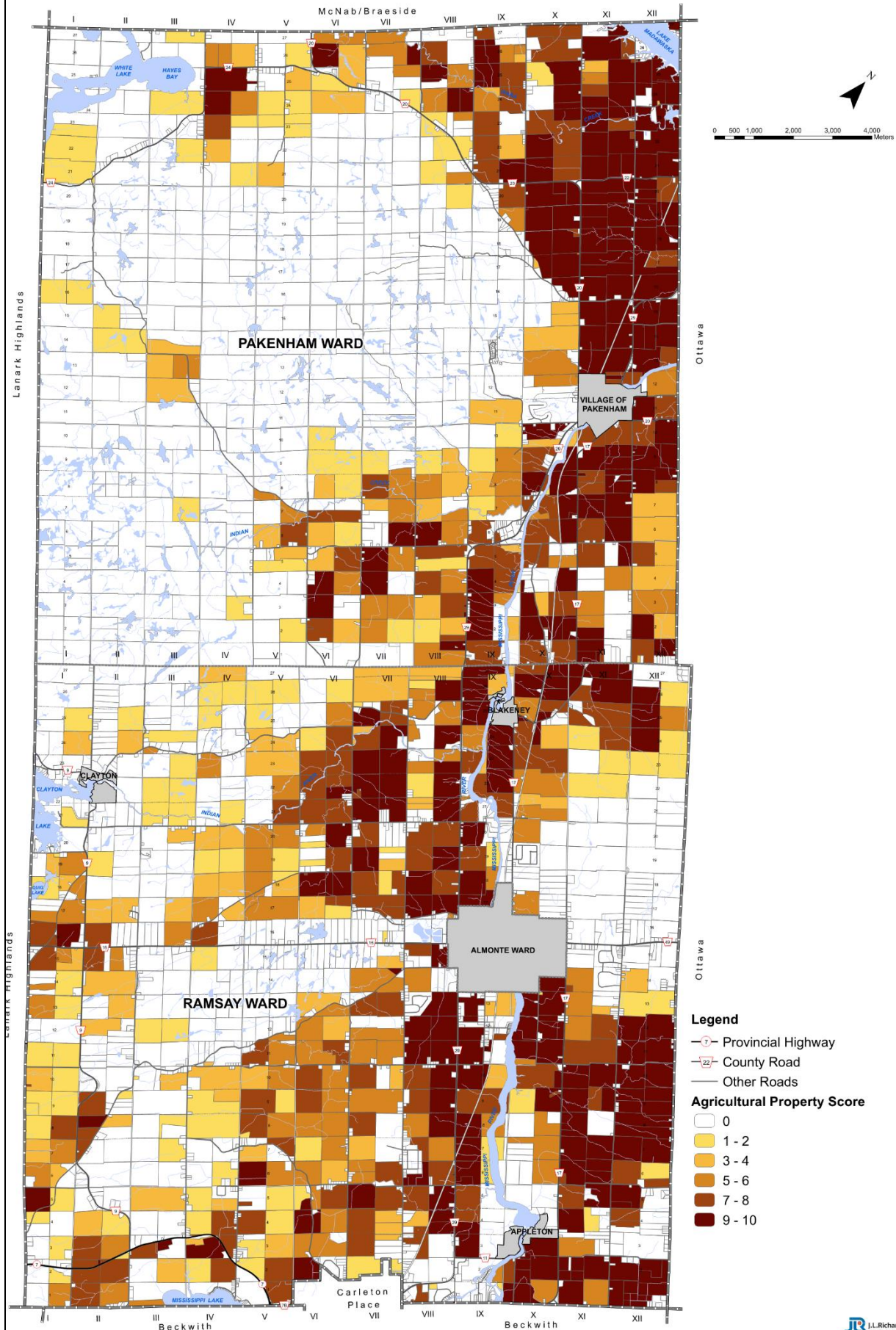
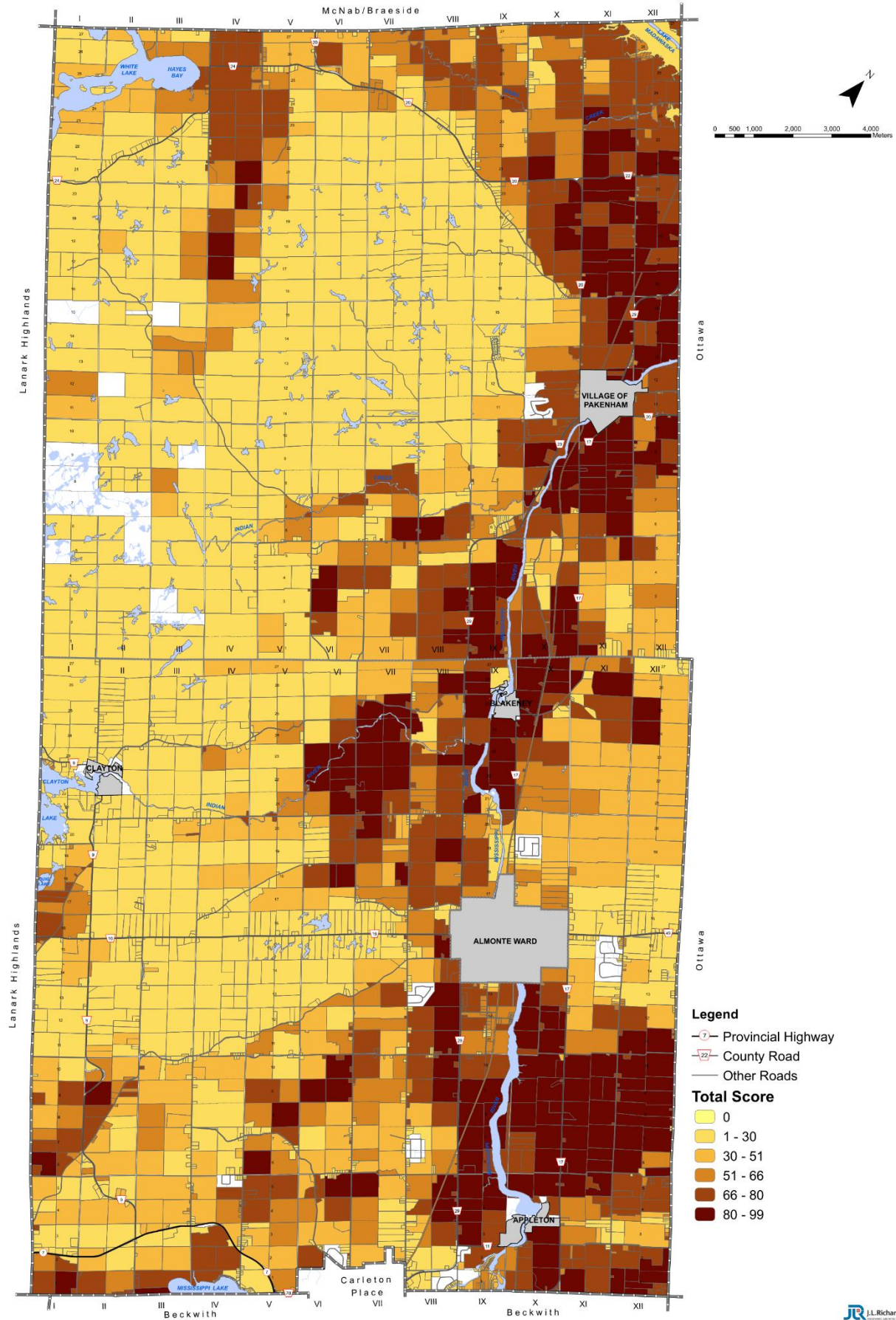


Figure 5. Total LEAR Score per Evaluated Parcel



OPA 29 DOCUMENTS AND ADDITIONAL RESOURCES

The following documents, public meeting notices, public information sessions, and LEAR Working Group meetings are available on the municipal website:

https://www.mississippimills.ca/en/build-and-invest/planning-and-land-use.aspx?_mid_=76816

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-
- In addition, a project specific GIS LEAR Mapping was developed for this project: GIS LEAR mapping: <https://arcg.is/05LaOG>

**Appendix F –
Zoning By-law Z-04-22**

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 22-XXX

BEING a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills.

WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills passed Zoning Bylaw 11-83, known as the Zoning By-law, to regulate the development and use of lands within the Municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P.13, enacts as follows:

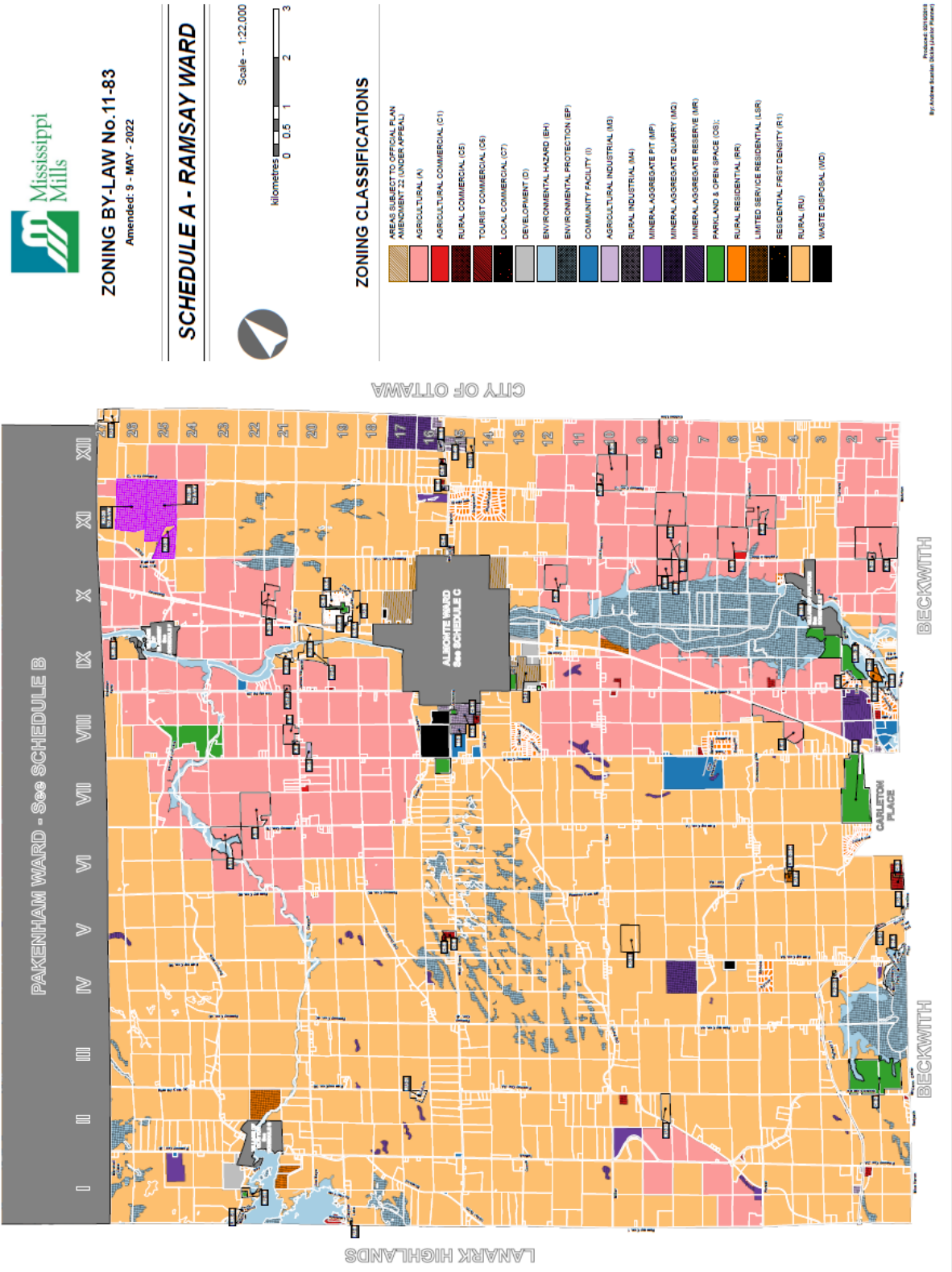
1. That Schedule 'A' to By-law No. 11-83, as amended, is hereby further amended by changing the zoning of the lands shown on the Zoning Schedule A Ramsay Ward and Zoning Schedule B Pakenham Ward.
2. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13.

BY-LAW read, passed, signed and sealed in open Council this **X day of XXX, 20XX**.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

By-law No. 22-XXX
Schedule "A"



McNAB-BRAESIDE

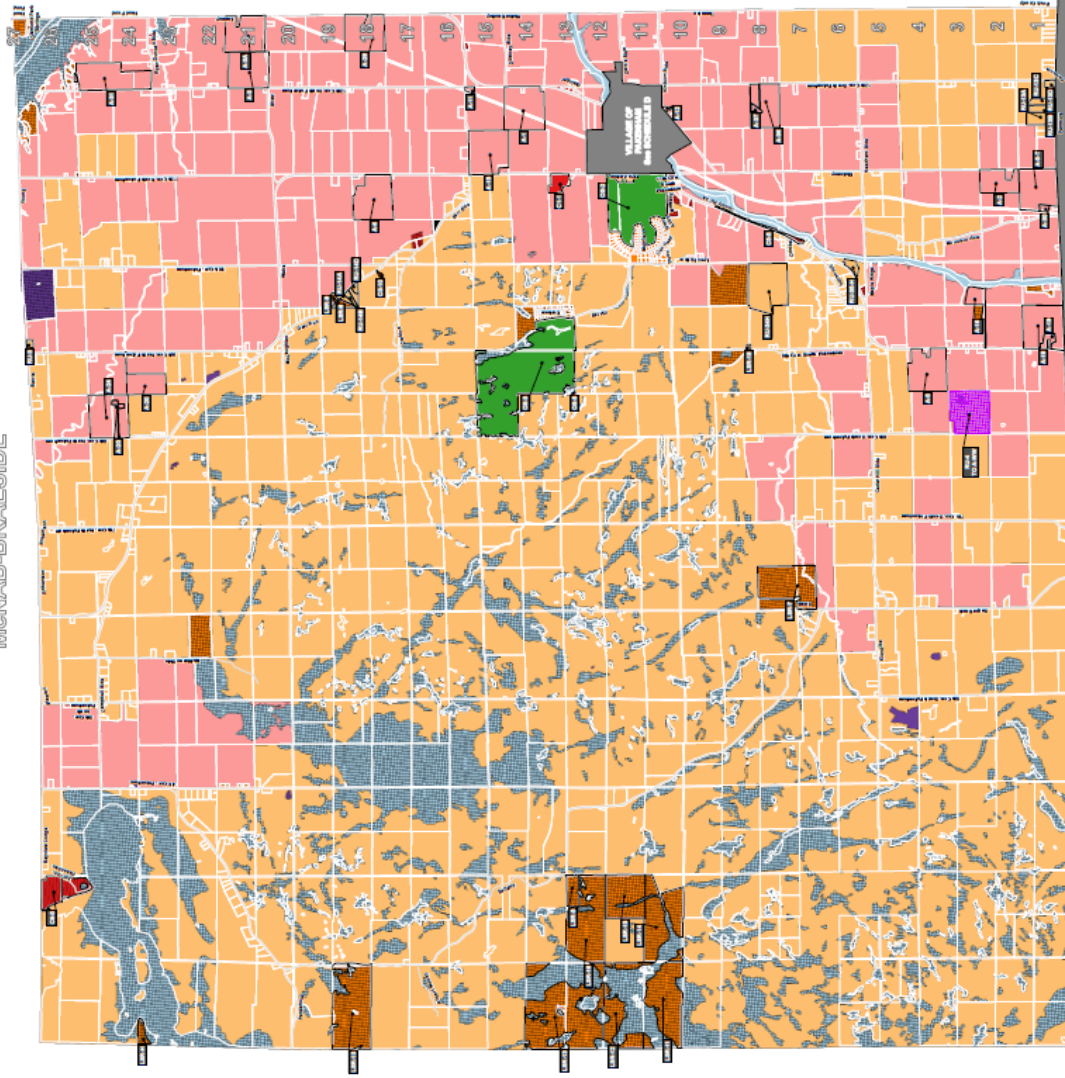


ZONING BY-LAW No.11-83
Amended: 9 - MAY - 2022

SCHEDULE B - PAKENHAM WARD



CITY OF OTTAWA



LANARK HIGHLANDS

ZONING CLASSIFICATIONS

	AGRICULTURAL (A)
	AGRICULTURAL COMMERCIAL (C1)
	RURAL COMMERCIAL (C5)
	TOURIST COMMERCIAL (C6)
	LOCAL COMMERCIAL (C7)
	DEVELOPMENT (D)
	ENVIRONMENTAL HAZARD (EH)
	ENVIRONMENTAL PROTECTION (EP)
	COMMUNITY FACILITY (F)
	AGRICULTURAL INDUSTRIAL (I1)
	RURAL INDUSTRIAL (I4)
	MINERAL AGGREGATE PIT (MP)
	MINERAL AGGREGATE QUARRY (MQ)
	MINERAL AGGREGATE RESERVE (MR)
	PARKLAND & OPEN SPACE (OS)
	RURAL RESIDENTIAL (RR)
	LIMITED SERVICE RESIDENTIAL (LSR)
	RESIDENTIAL FIRST DENSITY (R1)
	RURAL (RU)
	WASTE DISPOSAL (WD)

RAMSAY WARD - See SCHEDULE A

I II III IV V VI VII VIII IX X XI XII

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

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1. That Schedule 'A' to By-law No. 11-83, as amended, is hereby further amended by changing the zoning of the lands shown on the Zoning Schedule A Ramsay Ward and Zoning Schedule B Pakenham Ward and by changing thereon from

RU4 TO AG-WW

Notwithstanding their 'AG' Zoning, on those lands delineated as 'AG-WW' to this By-law a septage disposal use shall be permitted in accordance with the requirements of the Health Unit.

RU-25 TO AG-VW

Notwithstanding the AG zoning, lands designated as AG-VW on Schedule "A" to this by-law, may be used in compliance with the AG zone provisions contained in this by-law, excepting however, that all residential uses are prohibited

RU-28 TO AG-VV

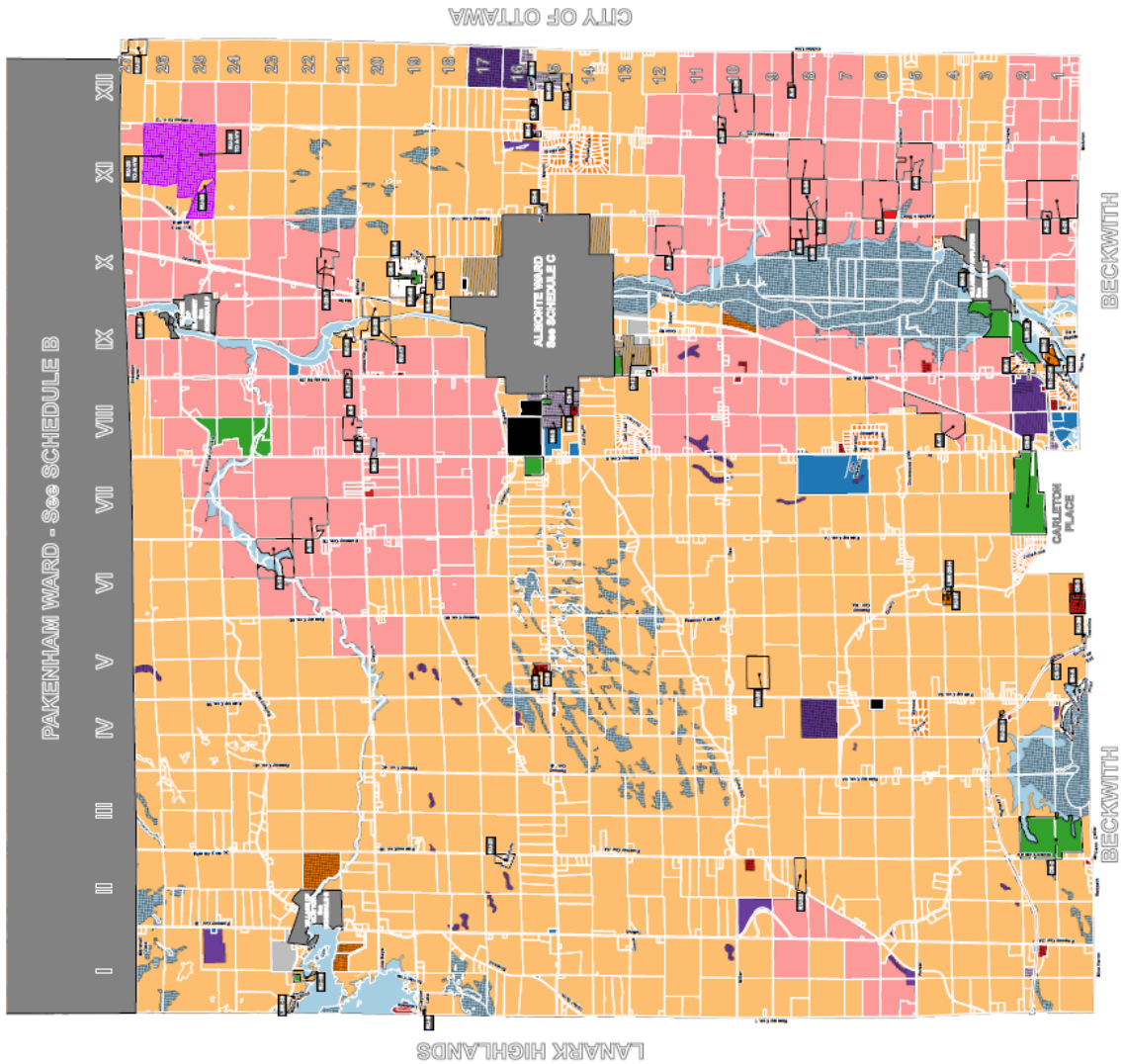
Notwithstanding the 'AG' zoning, those lands designated as AG-VV on Schedule 'A' to this By-law, shall be used in compliance with the AG zone provisions contained in this By-Law, excepting however, that all residential uses shall be prohibited.

2. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13.

BY-LAW read, passed, signed and sealed in open Council this **X day of XXX, 20XX.**

Christa Lowry, Mayor

Jeanne Harfield, Clerk





ZONING BY-LAW No.11-83
Amended: 9 - MAY - 2022

SCHEDULE B - PAKENHAM WARD

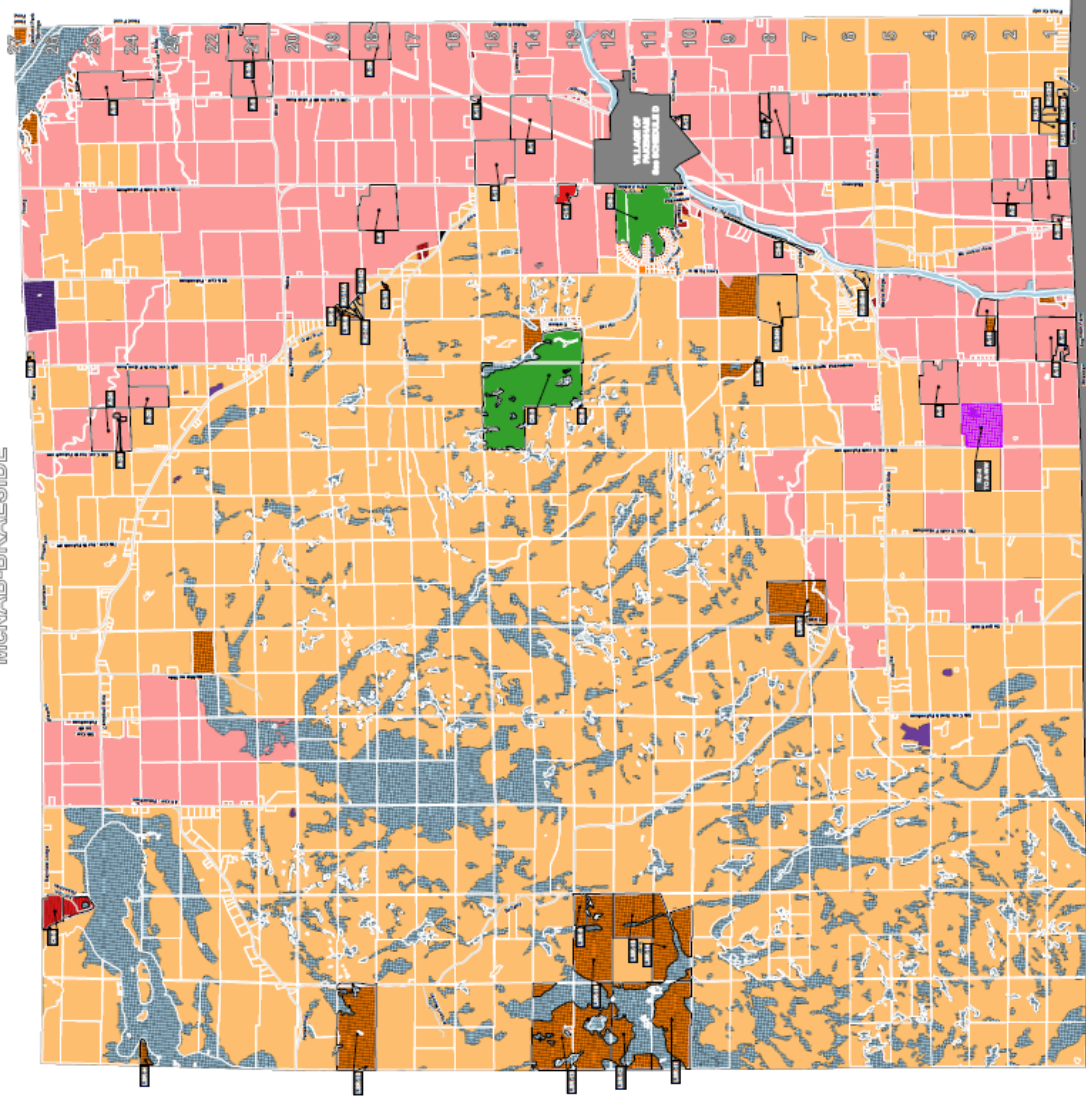
Scale -- 1:22,000



ZONING CLASSIFICATIONS

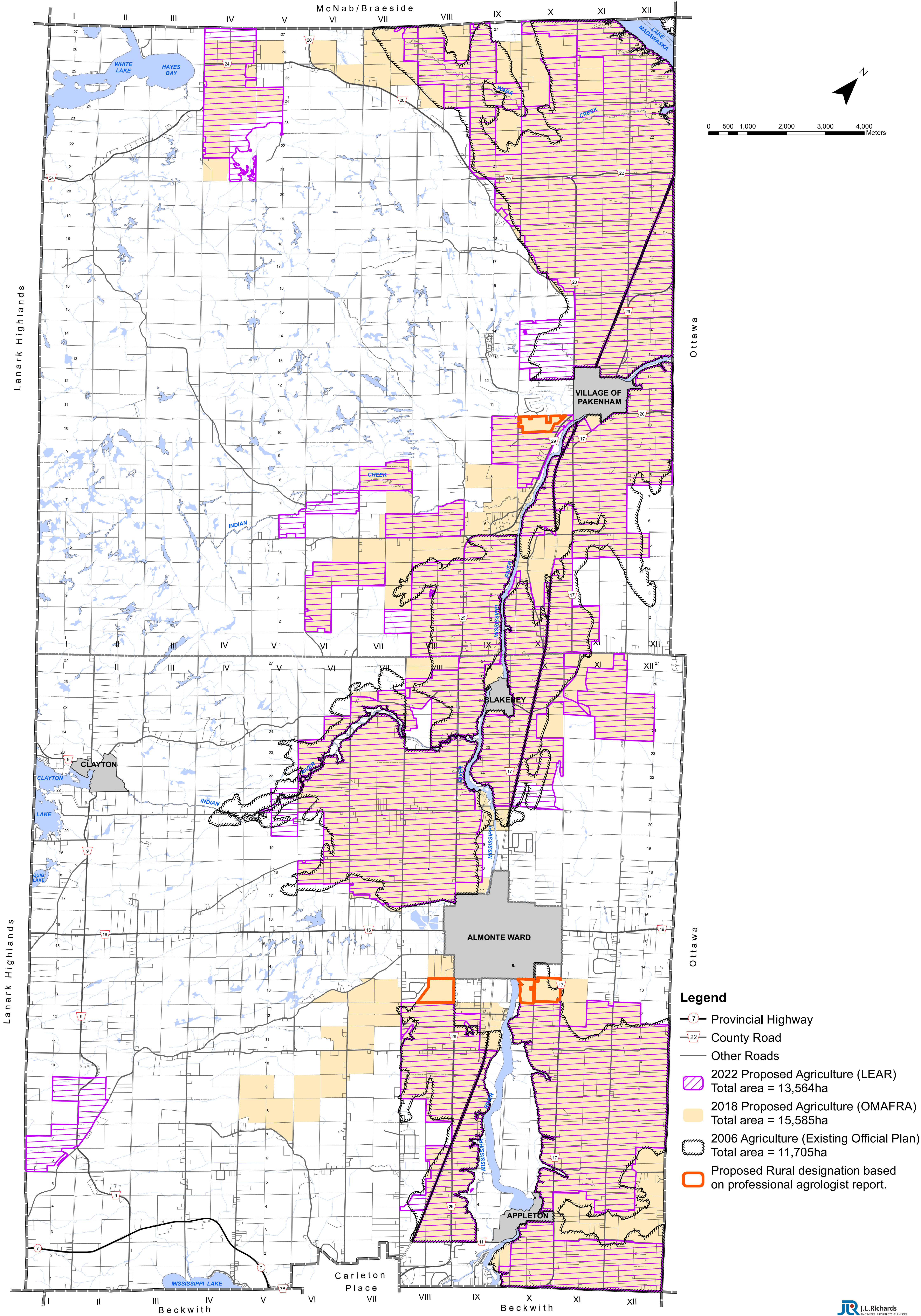
	AGRICULTURAL (A)
	AGRICULTURAL COMMERCIAL (C1)
	RURAL COMMERCIAL (C2)
	TOURIST COMMERCIAL (C3)
	LOCAL COMMERCIAL (C7)
	DEVELOPMENT (D)
	ENVIRONMENTAL HAZARD (EH)
	ENVIRONMENTAL PROTECTION (EP)
	COMMUNITY FACILITY (I)
	AGRICULTURAL INDUSTRIAL (M3)
	RURAL INDUSTRIAL (M4)
	MINERAL AGGREGATE PIT (MP)
	MINERAL AGGREGATE QUARRY (MQ)
	MINERAL AGGREGATE RESERVE (MR)
	PARKLAND & OPEN SPACE (OS)
	RURAL RESIDENTIAL (RR)
	LIMITED SERVICE RESIDENTIAL (LSR)
	RESIDENTIAL FIRST DENSITY (R1)
	RURAL (RU)
	WASTE DISPOSAL (WD)

McNAB-BRAESIDE



RAMSAY WARD - See SCHEDULE A

Proposed Agriculture Delineation



LEAR

Official Plan Amendment 29

Zoning By-law Amendment Z-04-22

Committee of the Whole
May 17, 2022

Community Official Plan Current Policy Framework

Two primary designations for the rural areas:

- Agriculture Designation – intended to be reflective of Prime Agricultural Areas as per the Provincial Policy Statement (PPS)
 - Current designation reflects Class 1-3 soils, excludes adjacent lands (Class 4-7 soils)
- Rural Designation – comprised of remaining lands outside of Agricultural designation and settlement areas

Community Official Plan Current Policy Framework

PPS and Current Official Plan Policies:

- Not consistent with 2020 PPS as it relates to the Agriculture Designation because it does not include Class 4 to 7 lands and additional areas where there is a local concentration of farms (ongoing agriculture)

Official Plan Amendment 21

Five-year Review

Five-year review:

- Agriculture Designation part of review
- Resolution 110-18 (2018) - deferred Agriculture Designation review at a later date using LEAR
- Resolution 222-19 (2019):

THAT Council direct staff to request that the County of Lanark delay the decision on agricultural mapping until the completion of the LEAR review with a mutually agreed upon timeline.

Land Evaluation and Area Review LEAR

- Scoring of agricultural lands using a number of factors including community feedback, input from working groups and experts
- Lands that are Class 4 to 7 are not automatically 'excluded' from scoring
- Can result is some areas scoring high and not being designated Agriculture and some scoring lower and being designated Agriculture

Consultation Process

- Agriculture Advisory Committee meetings
 - Advisory committee to provide Council with support on agricultural matters
- LEAR working group meetings
 - Mandate to review LEAR recommendations propose revisions based on local knowledge and expertise
- Public meetings – May 2021 and March 2022

Consultation Process

- Website dedicated to LEAR project
 - Regular updates with videos of meetings, reports and interactive GIS mapping
- Notification of public meetings in newspapers and hundreds of mailouts to landowners directly affected
- Hundreds of emails and phone calls with consultant on the study

Results of LEAR study and policy implications

Rural to Agriculture Designation

- Majority of permitted uses between two designations are the same
- No tax implications
- Ability to sever land is more restrictive

Results of LEAR study and policy implications

Rural to Agriculture Designation Common Concerns

- Many comments/concerns from landowners were concerns about the future development of lands
 1. Restriction on lot creation of non-farm residential lots (through severance)
 2. Ability for land to be included in future settlement areas
 3. Ability for land to be developed as a rural residential subdivision

Results of LEAR study and policy implications

Rural to Agriculture Designation Common Concerns

1. Restriction on lot creation of non-farm residential lots (through severance)
 - Agriculture designation is more restrictive
 - Non-farm residential lot creation limited to surplus farm dwellings (subject to specific criteria)
 - Farm severances require ~40 ha (98.8 ac)

Results of LEAR study and policy implications

Rural to Agriculture Designation Common Concerns

2. Ability for land to be included in future settlement areas
 - Comprehensive process for settlement boundary expansion which includes a range of land use considerations, including population projections, assessment of vacant land within existing settlement areas, transportation network, servicing feasibility and land use designations

Results of LEAR study and policy implications

Rural to Agriculture Designation Common Concerns

3. Ability for land to be developed as a rural residential subdivision
 - Current policy framework does not permit rural residential subdivisions

Results of LEAR study and policy implications

Agriculture to Rural Designation

- *May* be greater opportunity for non-farm residential lot creation (severance)
 - Current policy framework permits up to two (2) lots created from original township lot (as of July 1, 1973)
 - Number of considerations that affect severance ability including:
 - Lot severance history
 - MDS
 - Other land use constraints (wetlands, aggregate resources, hydrogeological issues etc.)

Results of LEAR study and policy implications

Removal of Rural-Agriculture Overlay

- Applied to lands considered to be locally significant outside of Agricultural designation
- Requires new non-farm buildings maintain a 30-metre setback from 'active agricultural operations'
- Policy is no longer required as a result of LEAR
- Mapping can still be made publicly accessible as an information layer on our CGIS

Results of LEAR study and zoning implications

Agricultural and Rural Zoning

- Proposed that zoning be updated at the same time as Official Plan policy changes
- Ensures that zoning is reflective of Official Plan policies
- Will not come into effect until Official Plan Amendment is in full force and effect

Next Steps

Process of Official Plan Amendment

- Decision of Mississippi Mills Council first step
- County of Lanark is approval authority of Official Plan Amendments to the Community Official Plan
- Mississippi Mills must also initiate County Official Plan Amendment to update County's Official Plan with new mapping

Next Steps

Steps for County Decision:

- County Official Plan Amendment Process
- Review of Official Plan Amendment – County
 - Circulation to OMAFRA
 - Public meeting at County
 - County planning staff make recommendation to County Committee/Council – could include modifications
 - County Council can approve or amend Official Plan Amendment

Next Steps

Ontario Land Tribunal (OLT):

- Appeals can be submitted to OLT after County Council decision
- OLT will review appeals
- OLT will schedule hearing(s)
- OLT will make decision on appeals

Next Steps

Impacts and Timeframe to Landowners

- Official Plan Amendment 29 will not be in effect until all appeals are dealt with
- Applications for development including land division (severances) considered under current policies until Official Plan Amendment 29 is in effect

Next Steps

Transition Period – January 5, 2024

- Transition Period of January 5, 2024, is proposed
 - Official Plan policies and Zoning By-law changes will not come into effect until January 5, 2024
 - Provide landowners greater certainty for implementation of policy changes
 - Decisions on development applications not required by this date, rather *complete applications* for development are required to be received by this date

Next Steps

Transition Period – January 5, 2024 – OLT appeals

- If appeals to OLT are submitted and resolved **before** January 5, 2024, landowners will still have until this date to proceed with development under current Official Plan policies
- If appeals to OLT are submitted and resolved **after** January 5, 2024, then this is additional time for landowners to apply for development applications

Recommendations

THAT Committee of the Whole recommends that Council adopts Official Plan Amendment No. 29 being an amendment to repeal and replace Schedule A – Rural Land Uses to the Community Official Plan and make certain policy revisions to the Community Official Plan to be in full force and effect on January 5, 2024.

THAT Committee of the Whole recommends that Council adopts Zoning By-law Amendment Z-04-22 being a concurrent Zoning By-law amendment in order for the Rural and Agricultural limits to be consistent with the proposed Schedule A – Rural Land Use to the Community Official Plan to be in full force and effect on January 5, 2024.



Official Plan

Municipality of Mississippi Mills

Rural Land Use (Schedule A)

0 500 1,000 2,000 3,000 4,000 Meters

Legend

Provincial Highway

- Provincial Highway
- County Road
- Other Roads
- Scenic or Heritage Road

Boundary

- Lot Line
- Ward Boundary
- Municipal Boundary
- Schedule Boundary
- Parcel Fabric

Water Features

- Stream / Creek
- Waterbody

Land Use Designation

- Agriculture
- Aggregate - Pit
- Aggregate - Quarry
- Rural Settlement Area and Hamlet
- Rural
- Waste Disposal
- Parkland and Open Space
- Flood Plain
- Locally Significant Wetland
- Provincially Significant Wetland

Overlay

- Areas Subject to Official Plan Amendment 22 (Under Appeal)

Schedule "A"
Amendment No. ____
to the
Official Plan
of the
Municipality of Mississippi Mills

Revision Dates:

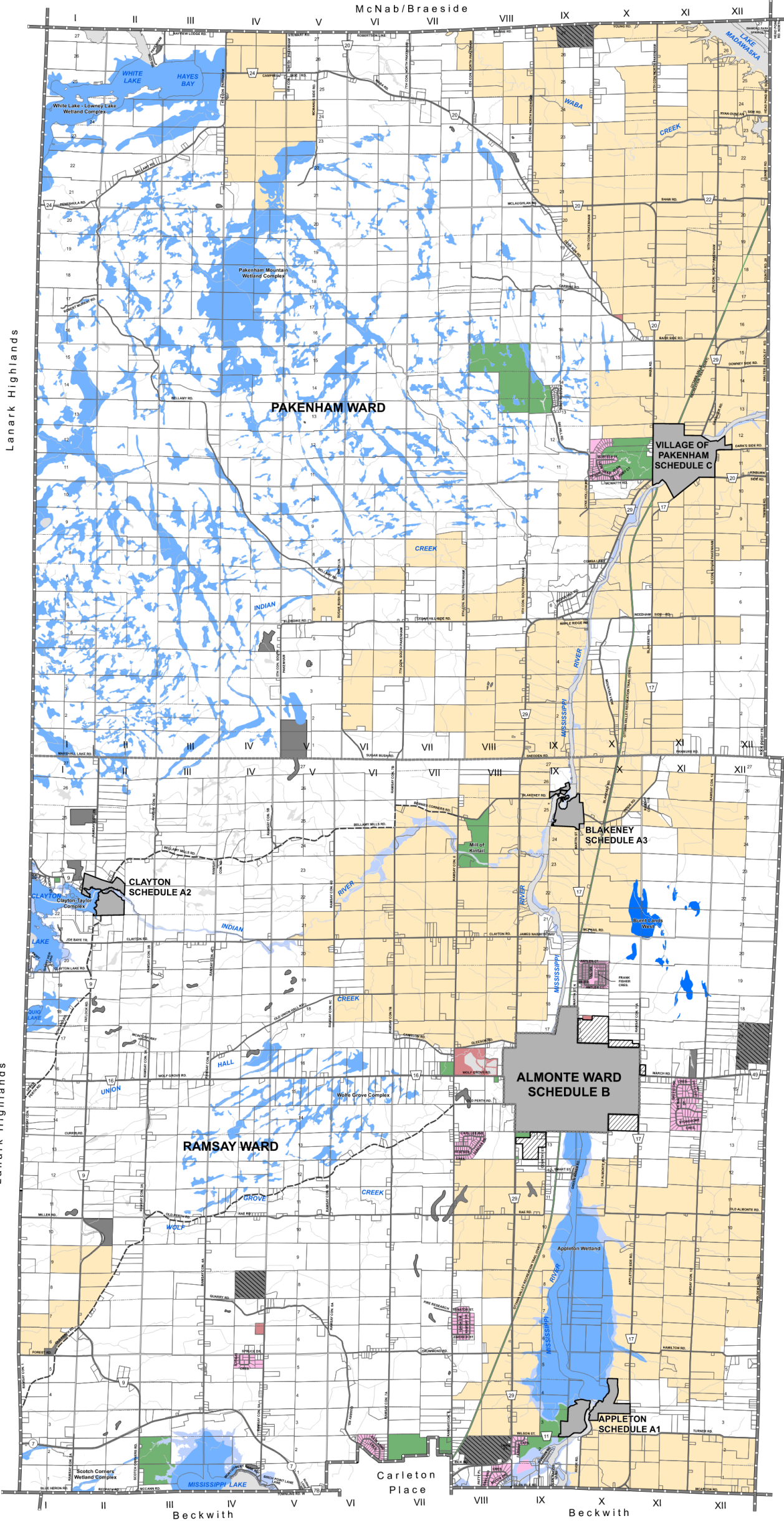
23 - November - 2021
19 - November - 2021
30 - August - 2021
8 - March 2022
21 - March 2022
3 - May 2022
9 - May 2022

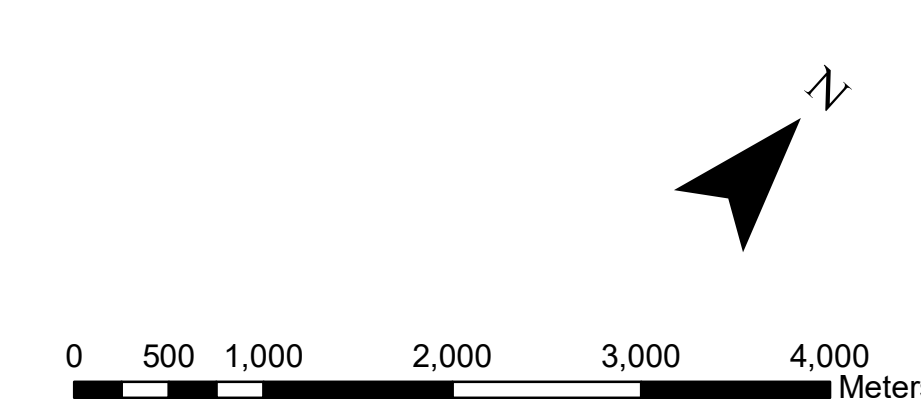
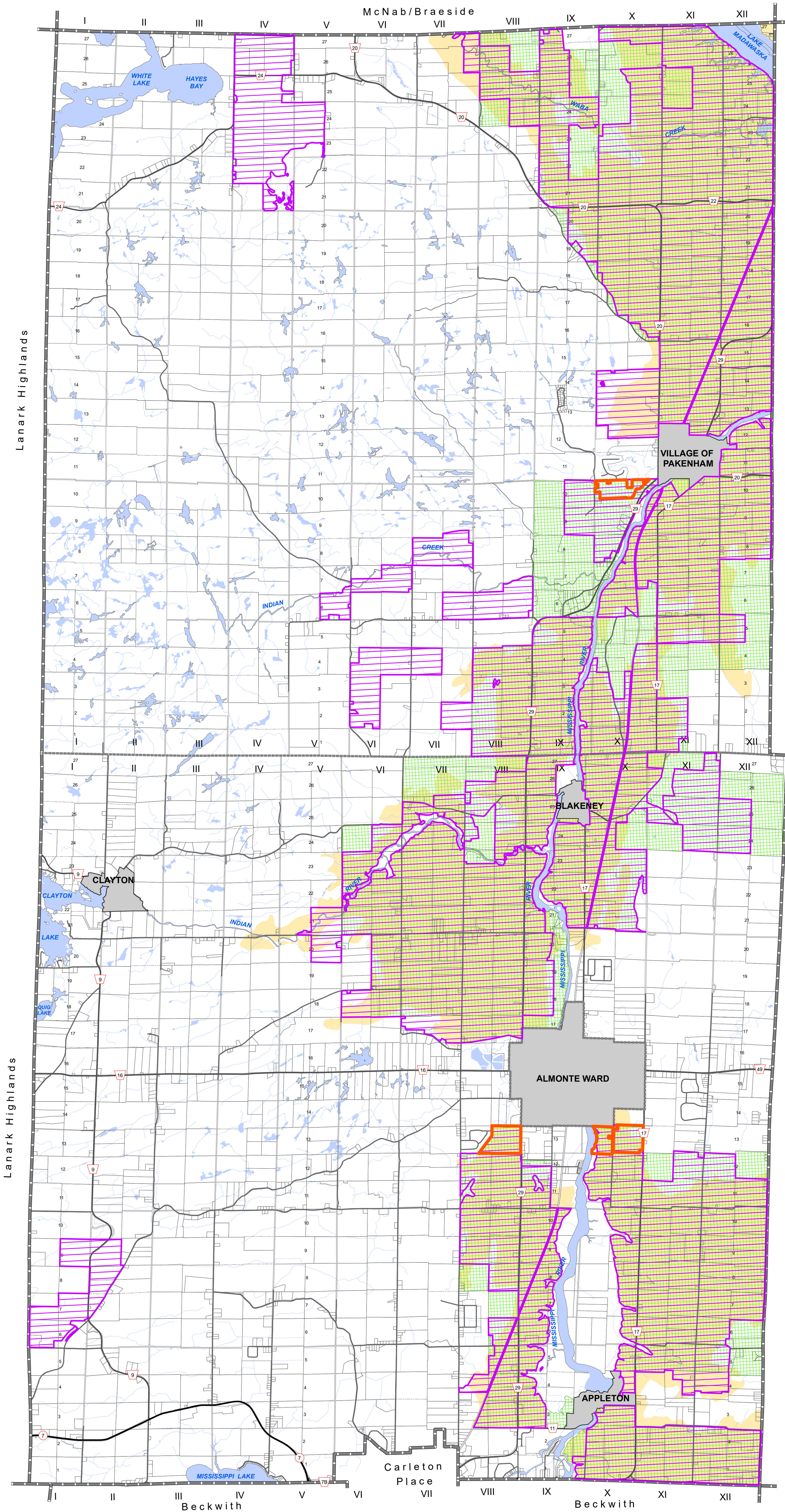
Data Source: Source Data has been provided by the Ministry of Natural Resources, Ministry of Northern Development and Mines, Mississippi Valley Conservation Authority and the Municipality of Mississippi Mills.

J.L. Richards
CONSULTANTS

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- Legend**
- (7)— Provincial Highway
 - (22)— County Road
 - Other Roads
 - 2022 Agriculture (Proposed)
Total area = 13,564ha
 - 2021 Agriculture (Proposed)
Total area = 14,343ha
 - Agriculture (Ex OP)
Total area = 11,705ha
 - Proposed Rural designation based on professional agrologist report.