

Rural and Agricultural Land Designation

Ontario's land use planning system is diverse by design. Planning tools are tailored to local needs, including *Zoning* and *Area Designations*.



***Planning Authorities* are required to enact:**

- *Official Plan*: Including *prime agricultural areas*
- Land use regulations: *Zoning By-Law (ZBL)* or *Community Planning Permit System (CPPS)*
- The province also has its own planning instruments

Important!

- **All these planning instruments are different between neighbouring *planning authorities***
- ZBLs and CPPSs are meant to be more flexible
- *Official Plans* are time and money intensive to amend
- *Provincial Plans* (NEP, GBP, ORMCP) are rarely amended

Your planning authority will have an *official plan* for its jurisdiction as required by Section 16 of the *Planning Act*

- Updated on a 5-year basis
- Defines long-term goals for the community
- Provides a policy basis for land use and population growth
- Will not include (many) site-specific details
 - May include some specifics: setbacks around features, etc.
- *Official plans* are a municipal or planning board's instrument
 - You can have an *official plan* at any municipal tier
 - **What you need to know:** In almost all cases at least one *official plan* will be in effect and apply to your property
 - **Unless you live in:** Remote and North Ontario, which have exceptions to this rule

1. Most private land is subject to an *official plan*.

&

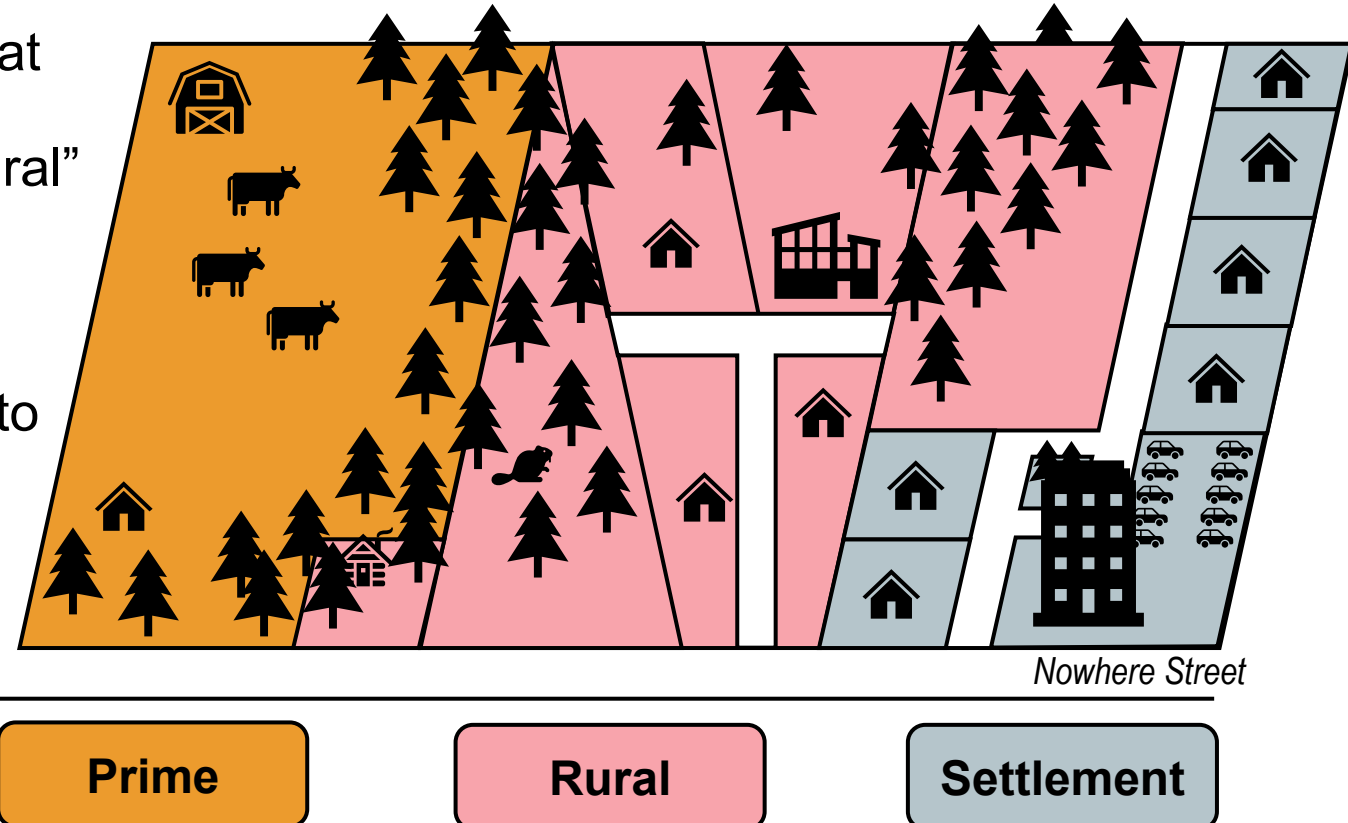
2. All by-laws must be consistent with the *official plan*.

Official Plans: Rural Areas & Prime Agricultural Areas

Official Plans designate different kinds of areas.
These are nested definitions.



- *Rural Areas*
 - For lack of a better definition, places that are “not urban”
 - Or perhaps urban areas are “not rural”
 - Agriculture, forestry, aggregates, hunting and natural recreation, etc.
 - Includes *prime agricultural areas*
 - Land with the fewest impediments to productive agriculture
- Settlement areas
 - Denser residential areas
 - Employment areas
 - Commercial
 - Industrial

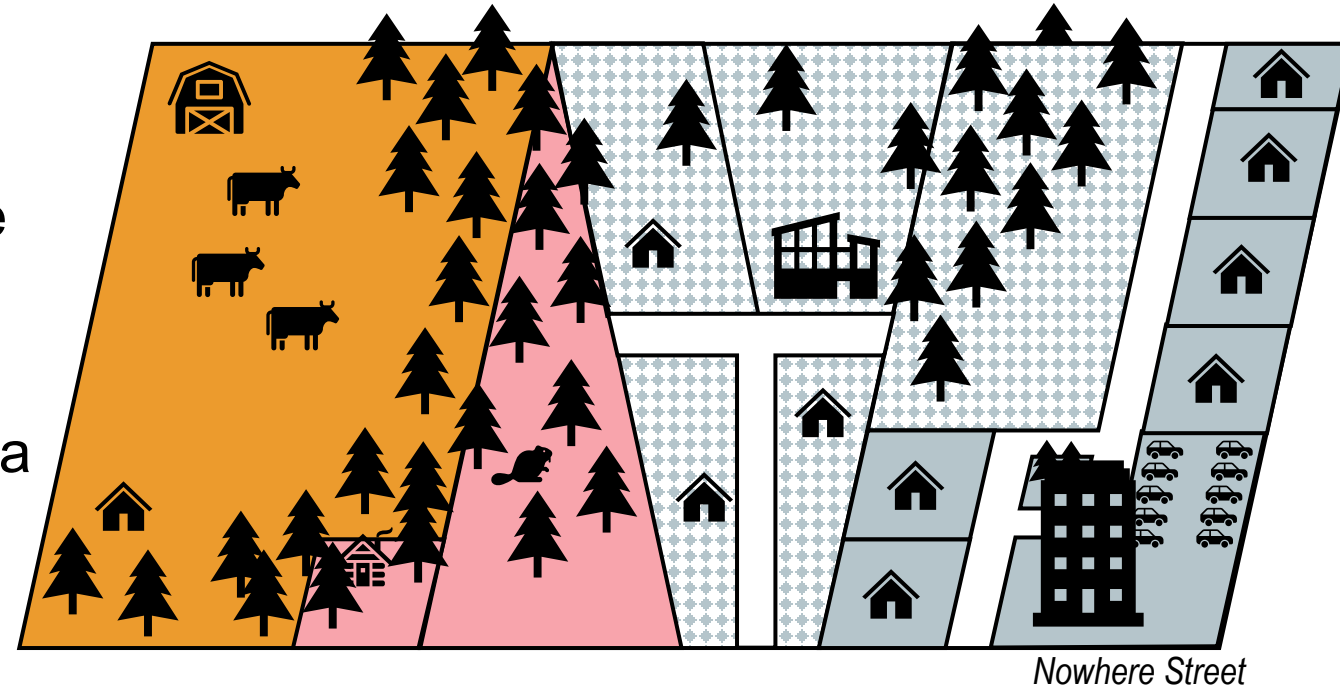


Official Plans: Rural Areas & Prime Agricultural Areas

Official Plans change over time. Change is done through **official plan amendments (OPAs)**



- **Prime Agricultural Areas**
 - Designated through LEAR or ALES
 - In combination with an *agricultural system approach*, protects agriculture long-term
- **Settlement Areas**
 - Historically, designated at the time of a *municipal comprehensive review (MCR)*
 - MCRs are no more
 - New frameworks for *settlement area* expansion appearing at local level



What does it mean to be *prime*?

- **Prime Agricultural Areas, “Prime Ag”**
 - Major component to the *agricultural land base* and the *agricultural systems approach*
 - **Purpose:**
 - To protect lands “for long-term use for agriculture”
 - **Methods:**
 - Limited to *agricultural use* and uses secondary thereto
 - New *residential lots* (usually) prohibited
 - *Agricultural Impact Assessments*
- **Composed of:**
 - Predominantly *prime agricultural lands*, CLI 1-3 Soil Areas
 - CLI describes what impediments to agriculture are present on site
 - Associated *rural lands*, CLI 4-7 Soil Areas
 - Agricultural activity is present
 - Limited non-agricultural uses
- **Agricultural System Approach**
 - Agri-food network
 - Agricultural Land Base

Official Plans: Amending the *Official Plan*

What is the OPA process?

- *Official Plan Amendment* (OPA)
 - **Pre-consultation**
 - Describe to staff what applicant wants
 - Provide sketches/drawings
 - Strongly recommended
 - **Submission of Application**
 - 30 days to mark as in/complete
 - Payment of all fees
 - **Circulation of Notice of Application**
 - 15 days to circulate
 - 120 m radius plus relevant public bodies
 - Public Notice Sign must be posted
- **Review of Application**
 - 120 days to undertake review
 - Staff planners and partner agencies will exchange notes
 - At least one public meeting is held at 20 days' notice; applicant may present at the public meeting
 - A staff report will be drafted
- **Motion at Municipal Council**
 - It is council that approves OPAs
 - 15 days to issue *notice of decision* or a *notice of refusal*
 - 20 days for proponent to appeal *notice*

Official Plans: Example from the City of Hamilton

Hamilton recently refused proposed *urban boundary expansions* (UBEs)

1

Urban Boundary Expansion Area Planning Applications

The City has received Official Plan Amendment Applications requesting or related to the expansion of Hamilton's urban boundary. For more information on these applications, visit:

- 159 & 163 Sulphur Springs Road - Urban Boundary Expansion Application
- Elfrida - Urban Boundary Expansion Application
- Twenty Road West Lands (Area 2 & Area 3) - Urban Boundary Expansion Application
- Twenty Road West Lands (Area 2 & Area 3) - Secondary Plan Application
- White Church Road Lands - Secondary Plan Application
- White Church Road Lands

We will update as new urban boundary expansion applications are received.

<https://www.hamilton.ca/build-invest-grow/planning-applications/urban-boundary-expansion>

2



City of Hamilton reaches agreement with HOWEA

Home / Build, Invest & Grow / Planning / Urban Boundary Expansion Applications / UBE Application: Elfrida

Description of Proposal

The Official Plan Amendment application seeks to remove the subject lands (approximately 1,209 hectares) from the rural area and add the lands to the urban area. The application states that the proposed urban boundary expansion application will allow the future development of a new, complete urban community that incorporates a wide range of uses to serve the every day needs of existing and future residents.

<https://www.hamilton.ca/build-invest-grow/planning-applications/urban-boundary-expansion/ube-2>



City of Hamilton Report for Consideration

To: Chair and Members
Planning Committee

Date: June 25, 2025

Report No: PED25180

Subject/Title: Official Plan Amendment to Expand the Urban Boundary to Include the White Church Lands

Ward(s) Affected: Ward 11

Recommendations

- 1) That Urban Hamilton Official Plan Amendment UHOPA-25-004 by Urban Solutions Planning & Land Development Inc. on behalf of the Whitechurch Landowners Group Inc., for the City of Hamilton Official Plan Amendment to Report PED25180, to add the lands to the Urban Boundary to provide for an expansion of the City of Hamilton's Urban Boundary and to establish a specific policy for the White Church Urban Expansion on the following basis:
 - a) The application is not consistent with the Official Plan statement (2024); and,
 - b) does not align with the Provincial Official Plan, as it

<https://pub-hamilton.escribemeetings.com/Meeting.aspx?d=85b6550c-0fa0-4688-8485-250239593ec0&Agenda=Merged&lang=English&Item=20&Tab=attachments>

3

4



City of Hamilton PLANNING COMMITTEE REVISED AGENDA

Meeting #: 25-009
Date: June 25, 2025
Time: 9:30 a.m.
Location: Council Chambers (Planning)
Hamilton City Hall
71 Main Street West

Lisa Kelsey, Legislative Coordinator (905) 546-2424 ext. 4605

<https://pub-hamilton.escribemeetings.com/Meeting.aspx?d=85b6550c-0fa0-4688-8485-250239593ec0&Agenda=Merged&lang=English&Item=20&Tab=attachments>



Office of the City Clerk
71 Main Street West, Hamilton, ON L8P 4Y5
Phone: 905-546-2424 Fax: 905-546-2095
www.hamilton.ca

5

NOTICE OF THE CITY OF HAMILTON TO AMEND THE URBAN HAMILTON OFFICIAL PLAN AND ELFRIDA

TAKE NOTICE that the City of Hamilton Council has resolved to amend the Urban Hamilton Official Plan and Elfrida on the 25th day of June 2025 under Section 20(1) of the Planning Act, R.S.O. 1990, c. 33 to permit the removal of the subject lands from the rural area and add them to the urban area.

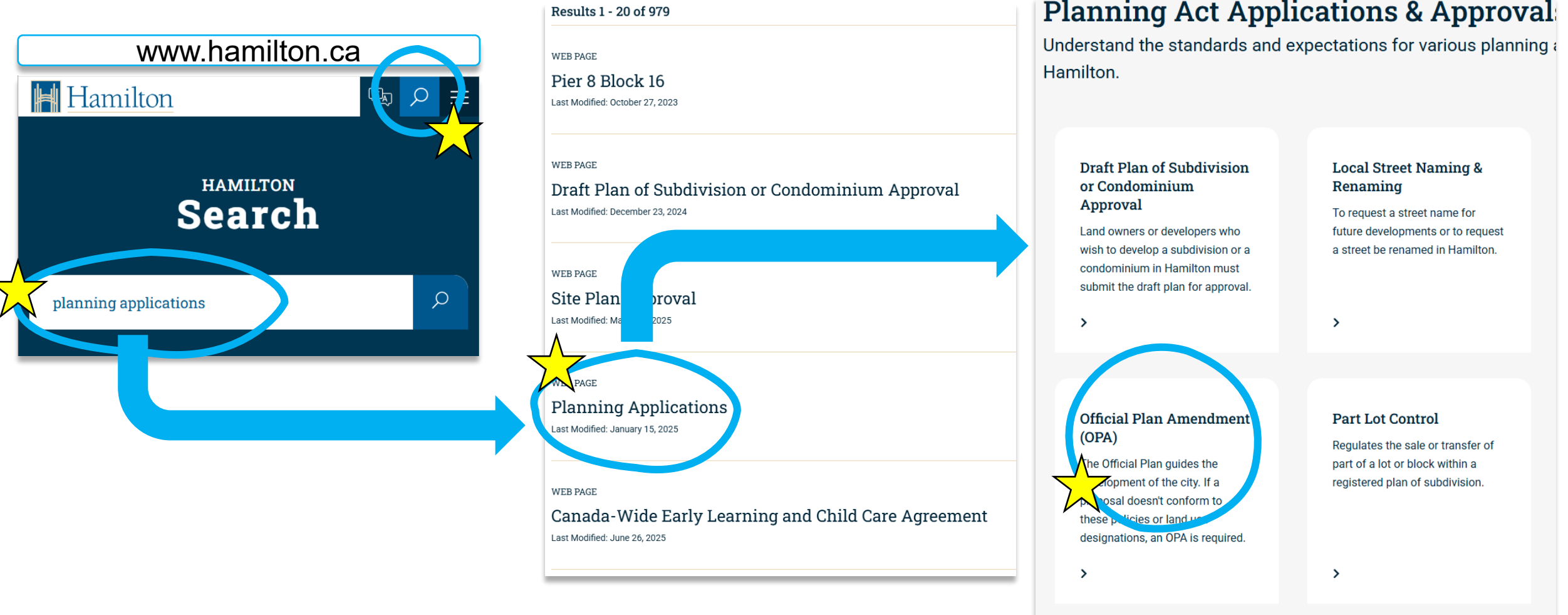
AND TAKE NOTICE that the City of Hamilton Council has received and considered the application for the amendment of the Official Plan and Elfrida.

AND TAKE NOTICE that if the applicant wishes to appeal the decision of Council to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal), by filing a notice of appeal with the Clerk of the City of Hamilton no later than the 29th day of July 2025. A certified cheque or money order in the amount of \$1,100 must be accompanied by a completed Notice of Appeal form setting out the reasons for the appeal of the refusal, payable to the Minister of Finance, Province of Ontario. If an Appellant is a private citizen, registered charity, or non-profit ratepayers' association, they may request the lower filing fee of \$400 if a request for the lower fee is made at the time of filing the appeal. Please use the OLT's Request for Lower Fee form at <https://olt.gov.on.ca/appeals-process/fee-chart/>. Appeal forms are available on the ELTO website <http://elto.gov.on.ca/>.

1.5.1.1

Official Plans: Navigation (1)

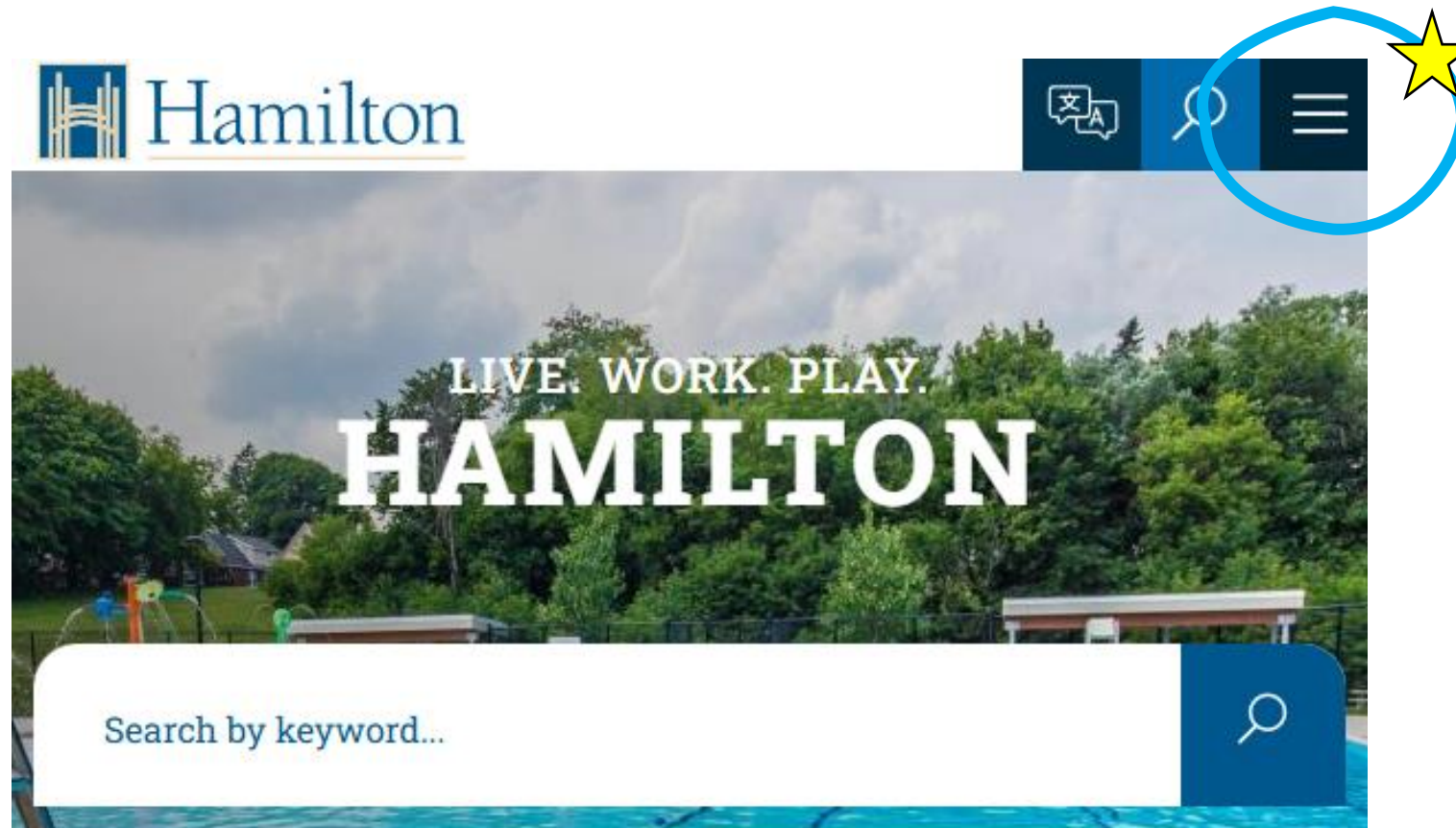
How do you find this information? Look for a search function online.







1.5.2.1

Official Plans: Navigation (2)

You can also navigate the website by internal links



You can also navigate the website by internal links

Programs	 Home & Neighbourhood	 Build, Invest & Grow	 T
	Animals & Pets	InvestinHamilton.ca	Tourism
	Emergency Services	Buying & Selling with the City	Arts & I
Grant Programs	Environmental Stewardship	Construction & Renovation	Festiva
re	Garbage & Recycling	Downtown Entertainment Precinct	Golf Ha
upports	Getting Around	Hamilton Music & Film	Hamilt
cemeteries	HSR	Housing Secretariat	Parks &
	Home & Property	Operating a Business	Recreat
uity & Accessibility	Property Taxes	 <u>Planning & Development</u>	Venues
	Tickets, Fines & Penalties	Starting a Small Business	
	Water, Wastewater & Stormwater		

You can also navigate the website by internal links

Growth & Development in Hamilton

Planning, policies and guidelines for city application processes to develop or modify your property to conform with land use designations and zoning regulations.

FIND A POPULAR TOPIC

Select a Topic



Visit Page



Committee of Adjustment & Delegated Consent Authority

Authorities dealing with Consent (land severance, etc.) and Minor Variance applications.



Planning Applications

The Planning Act is provincial legislation that sets out the ground rules for land use planning in Ontario.



Heritage Properties

Properties protected under the Heritage Act and Municipal By-laws. Most changes require a Heritage Permit to maintain the cultural heritage value.



1.5.2.4

Official Plans: Navigation (2)

You can also navigate the website by internal links

Planning Applications

Draft Plan of Subdivision or Condominium Approval

Formal Consultation

Local Street Naming & Renaming

Municipal Addressing

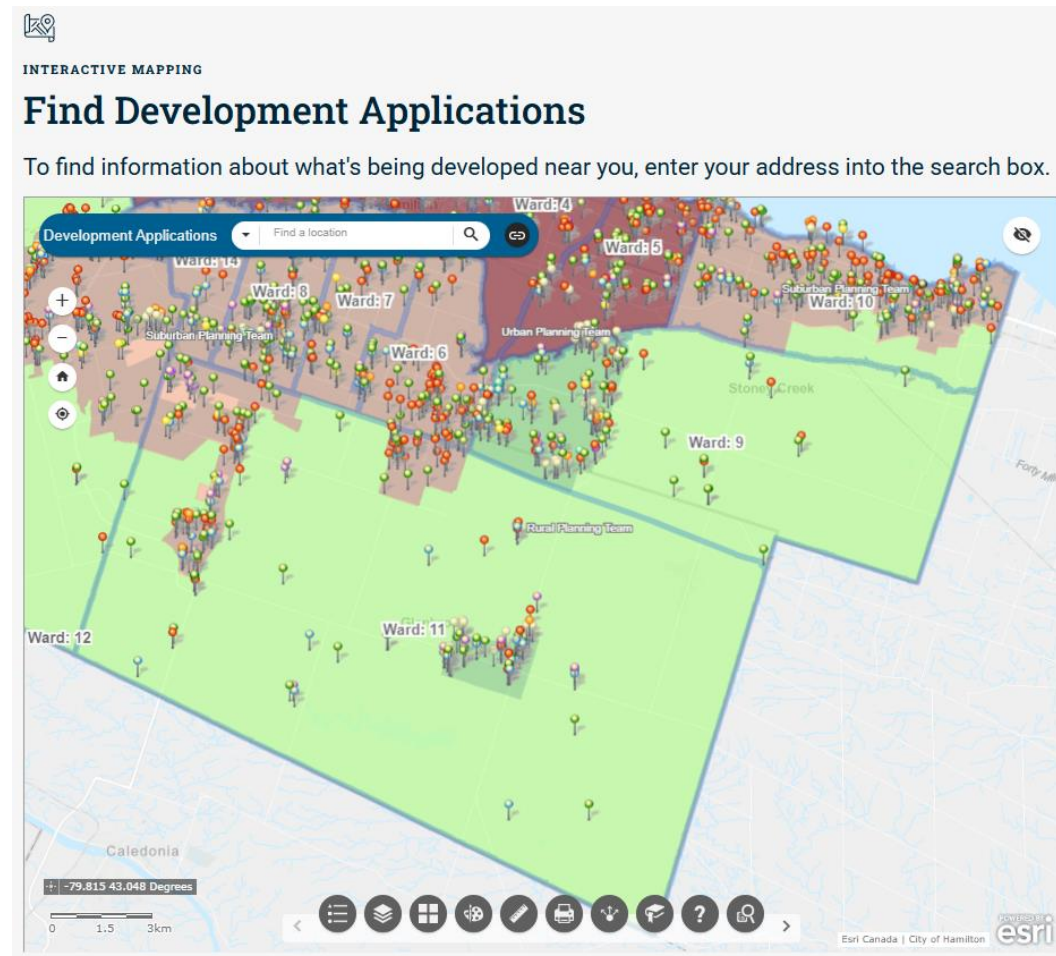


Site Plan Approval

Urban Boundary Expansion

Where Development is Happening in Hamilton

Zoning By-law Amendment



1.5.3.1

Official Plans: Navigation (3)

Official Plan? Never heard of it.

does the township of guelph eramosa have an official plan

All Images News Shopping Videos Web Forums More ▾

The **County of Wellington Official Plan** is the principal document used to guide long range planning for the Township of Guelph/Eramosa. The Official Plan contains various designations that identify the intended use of lands within the Township, including requirements for new lot creation. May 6, 2024



Township of Guelph/Eramosa

<https://www.get.on.ca> > township-services > planning

[Planning | GET - Guelph Eramosa Township](#)

🔍 About featured snippets • 🗨️ Feedback

does wellington county have an official plan

All News Images Shopping Forums Web Videos More ▾

Through this Plan, County Council will outline a long-term vision for Wellington County's communities and resources. The Plan provides policy to attain the long-term vision. Below is the list of maps that form part of the **Wellington County Official Plan**.



Wellington County

<https://www.wellington.ca> > planning-development > of...

[Official Plan & Other Land Use Policies - Wellington County](#)

🔍 About featured snippets • 🗨️ Feedback

Your planning authority will usually have a *Zoning By-Law* to regulate land uses and the placement of structures. Alternatively, there may be a *Community Planning Permit System* (CPPS) in place.

- Updated within 3 years of an *official plan* update
- Legally enforceable, like a law
- Regulates site-specific details
 - Setbacks and building/structure placement;
 - Building Dimensions;
 - Permitted Uses & Prohibited Uses;
- Tends not to regulate building appearance
 - *But not always*
- CPPS and *zoning by-laws* function in very similar ways

[1] The *official plan* handles policies

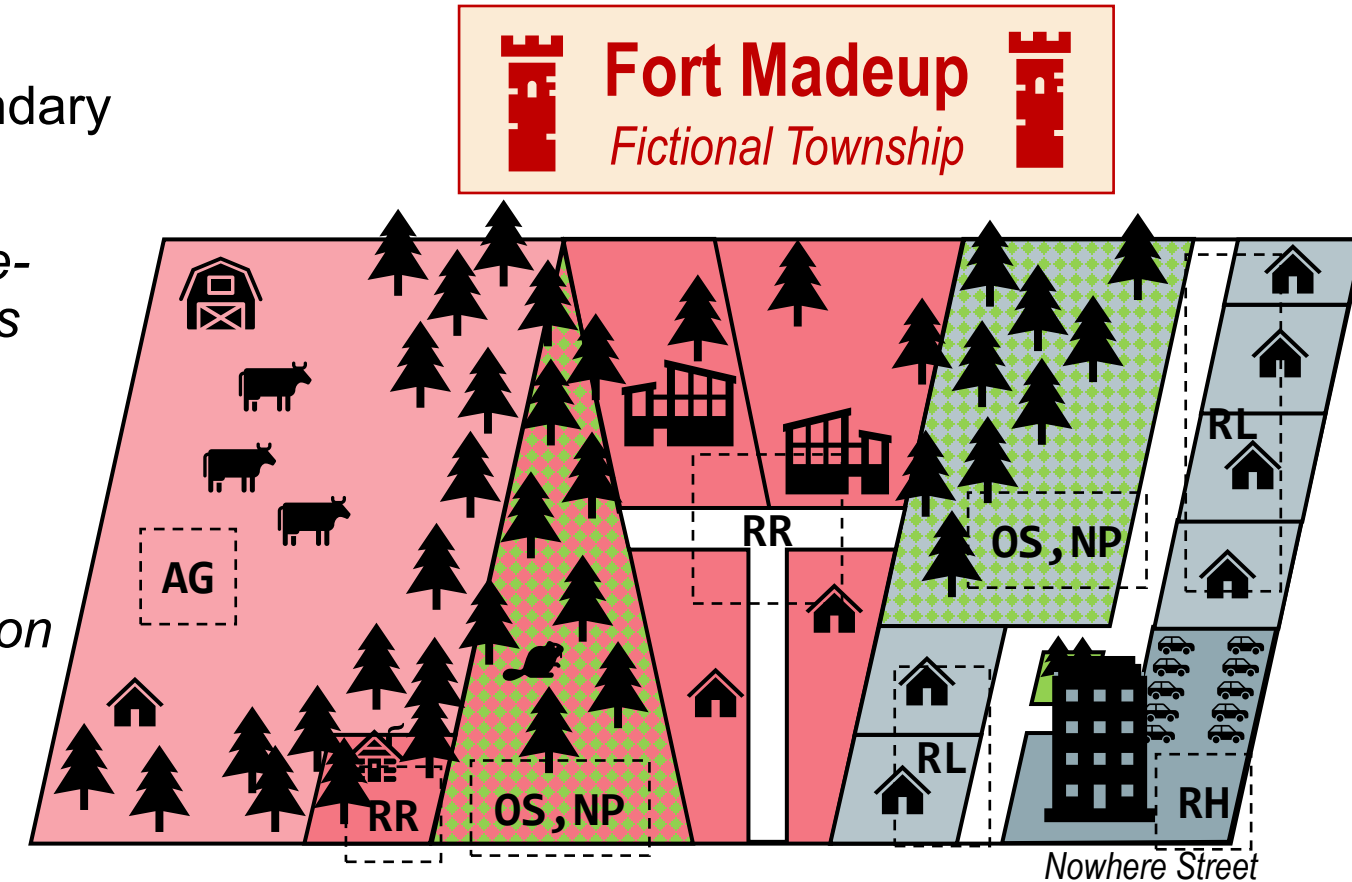
&

[2] The *zoning by-law* handles site-specifics.

Zoning By-Laws: Rural & Agricultural Zones, Permitted Use

Zoning By-Laws list the *permitted uses* for zones. What the zone is named may vary greatly between planning authorities

- *Rural Zone* (R, R#, RR, RU, etc.)
 - The *zoned* area outside of an urban boundary
- (*Prime*) *Agricultural Zone* (A, AG, A#, etc.)
 - Dedicated to *agricultural uses*, *agriculture-related uses*, and *on-farm diversified uses*
- *Residential Zone* (R, RR, R#, RL, RH, etc.)
 - Dedicated to dwellings and living spaces
- Other Zones
 - *Rural Open Space* (OS), *Natural Protection* (NP), *Industrial* (I, E, B, etc.), and so on
- *Zoning Overlays* (N, NP, AL, etc.)
 - Adds zoning provisions and regulations



Zoning by-laws have some common structures

- *Zoning by-laws* are divided into sections and follow some conventions regarding structure and contents
 - General Provisions
 - *Zones and sections*
 - Compiled provision tables
 - Interpreting your ZBL may be time intensive

“One zone one section,” Municipality of Marmora and Lake

SECTION 6 - MA - MARGINAL AGRICULTURE ZONE	60
SECTION 7 - RR - RURAL RESIDENTIAL	63
SECTION 8 - LSR - LIMITED SERVICE RESIDENTIAL	65
SECTION 9 - LSRI - LIMITED SERVICE RESIDENTIAL ISLAND	67
SECTION 10 - WR - WATERFRONT RESIDENTIAL	69
SECTION 11 - MHR - MOBILE HOME RESIDENTIAL	71
SECTION 12 -	--

Table 9.1 - Permitted Residential Uses

(By-laws 2012-67Z, 2014-235Z)

USE	A	RU	RS	SLS
Single Detached Dwelling	X(1)	X(1)	X(1)	
Mobile Home Dwelling	X (1)(2)	X (1)(2)	X (1)(2)	
Bed and Breakfast Establishment	X (7)	X (7)	X (7)	
Group Home Type 1	X(9)	X(9)	X(9)	
Seasonal Dwelling		X (1)(3)	X (1)(3)	X (1)
Private Cabin		X (4)	X (4)	X (4)
Private Home Daycare	X	X	X	

GENERAL PROVISIONS SECTION 4

4.12 Commercial Greenhouse

The following provisions shall apply to a *commercial greenhouse*, where it is *permitted* by this By-law:

- a *commercial greenhouse* is a facility that measures 23,226 square metres or greater in size;
- the following regulations shall apply to all *buildings* and *structures* associated with a *commercial greenhouse*:
 - the minimum *lot frontage* shall be 120 m;
 - the minimum *front yard setback* shall be 30 m;

“General Provisions,”
Haldimand County

“Compiled provision table,”
City of Greater Sudbury

Zones permit land uses, sometimes “as-of-right” but often subject to regulations and permitting.

- *Zoning by-laws* regulate
 - Land Use
 - Permitted uses
 - Uses permitted as-of-right
 - Prohibited uses
 - Buildings and structures
 - Types of building allowed
 - Building dimensions and area
 - Lot coverage or “footprint”
 - Density or intensity
 - Setbacks
 - **Note: ZBL is not the *Building Code***
- Lot survey characteristics
 - Minimum lot size
 - Minimum lot dimensions
 - Lot geometry
 - Usually requiring “regular” geometry (square, rectangle, etc.) where possible

We keep mentioning that *agricultural use* is permitted in certain zones. So, what is an *agricultural use*?

- Municipalities are instructed to use the definition provided by the MMAH in the *Provincial Planning Statement* (2024):
 - **Agricultural uses:**
 - the growing of crops, including nursery, biomass, and horticultural crops;
 - raising of livestock;
 - raising of other animals for food, fur or fibre, including poultry and fish;
 - **aquaculture**;
 - apiaries;
 - agro-forestry;
 - maple syrup production;
 - and **associated on-farm buildings** and structures, including, but not limited to
 - livestock facilities,
 - manure storages,
 - value-retaining facilities,
 - and **housing for farm workers**, when the size and nature of the operation requires additional employment.
- But your municipality may have local regulations and policies that restrict upon this definition

Zoning By-Laws: Amending the Zoning By-Law

What is the ZBLA process?

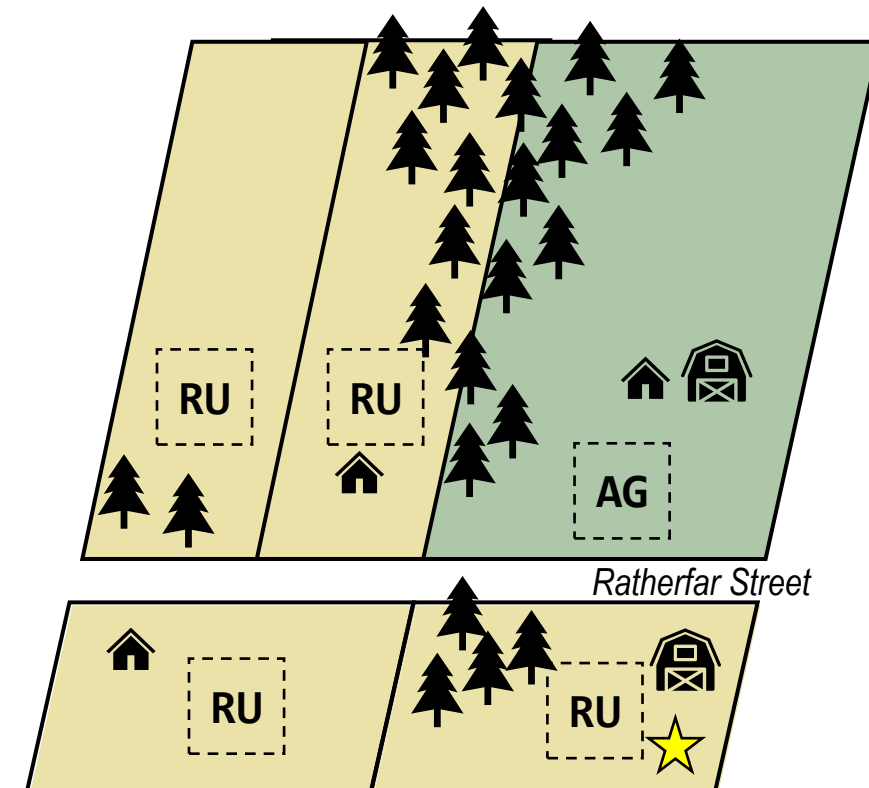
- *Zoning By-Law Amendment (ZBLA)*
 - **Pre-consultation**
 - Describe to staff what applicant wants
 - Provide sketches/drawings
 - Strongly recommended
 - **Submission of Application**
 - 30 days to mark as in/complete
 - Payment of all fees
 - **Circulation of Notice of Application**
 - 15 days to circulate
 - 120 m radius plus relevant public bodies
 - Public Notice Sign must be posted
- **Review of Application**
 - 90 days to undertake review
 - Staff planners and partner agencies will exchange notes
 - At least one public meeting is held at 20 days' notice; applicant may present at the public meeting
 - A staff report will be drafted
- **Motion at Municipal Council**
 - It is council that approves OPAs
 - 15 days to issue *notice of decision* or a *notice of refusal*
 - 20 days for proponent to appeal *notice*

2.6.1

Zoning By-Laws: Fictionalized Example #1

The Fictional County of Outtatheway does not allow agricultural use in its *Rural-General Zone*

- Two years ago, Ruby MacGregor bought a vacant property in Outtatheway and has just finished setting up her farm business
 - When she filed for an FBR, Outtatheway County took notice
 - She receives a *Compliance Order* to cease *agricultural use*
- **Why did this happen?**
 - **Outtatheway does not permit any *agricultural use* in RU**
 - *Rural Zone* mostly permits *residential uses* and related
 - *Agricultural Zone* permits *agricultural use*
 - The minimum lot size for this AG is 50 ac (20 ha)
 - Ruby has a problem: Her property is not even close to the minimum lot size of 50 ac.
 - She attends pre-consultation, where the planners explain what she's up against



2.6.2.1

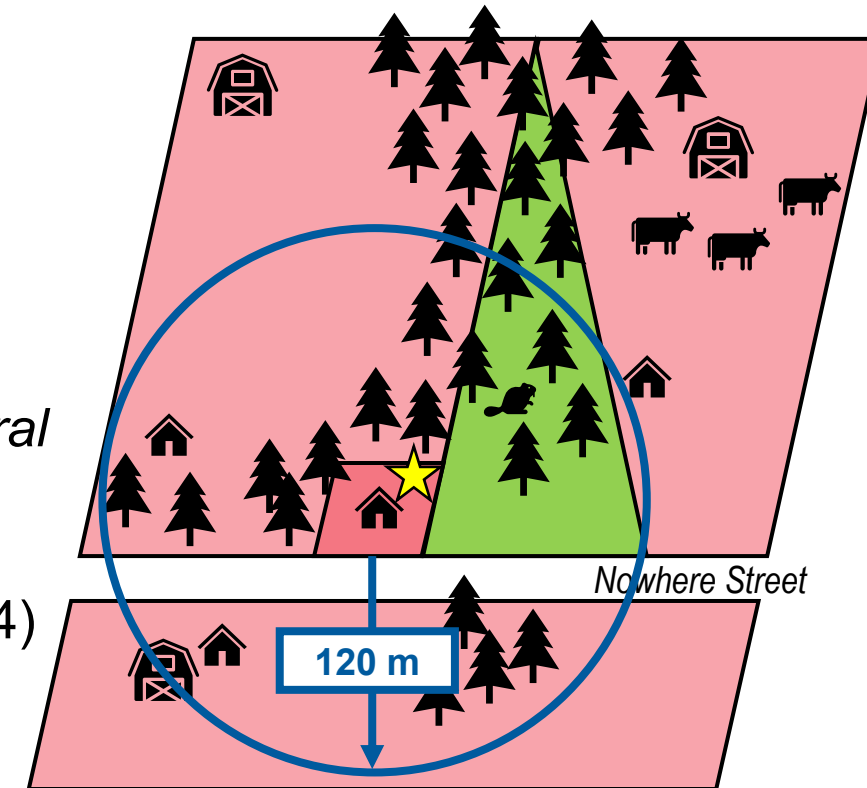
Zoning By-Laws: Fictionalized Example #2

The Fictional Municipality of Nowherenearehere has approved a ZBLA to sever a farm dwelling and rezone



The Fictional Municipality of
Nowherenearehere

- Gordon Gagnon (Gagnon Farms) has applied for:
 - *Consent to sever land* under the *surplus farm dwelling severance* policy
 - Rezoning *severed lot* from *Agriculture* to *Rural Residential*
 - Rezoning retained lot from *Agriculture* to *Specialty Agriculture*
- In consideration of the application:
 - Nowherenearehere's *official plan* designates its *prime agricultural areas* as the *Agriculture Zone*
 - PPS (2024) allows this kind of severance, Nowherenearehere's *official plan* is out of date and references old policy (PPS, 2014)
 - *Notice of complete application* is circulated
 - Public is invited to comment, concerns are minor
 - *Consent* is granted, which Gordon files, and ZBLA is approved



2.6.2.2

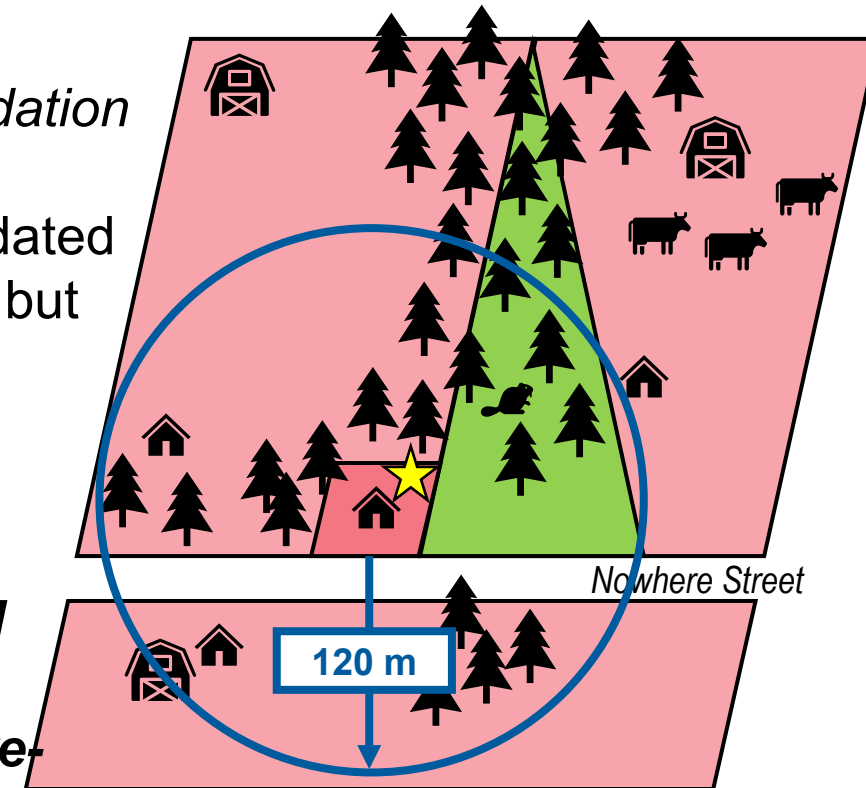
Zoning By-Laws: Fictionalized Example #2

The Fictional Municipality of Nowherenearhere has approved a ZBLA to sever a farm dwelling and rezone



The Fictional Municipality of
Nowherenearhere

- **Outcome of Gordon Gagnon's (Gagnon Farms) severance?**
- *Consent to sever a surplus farm dwelling pursuant to farm consolidation*
 - PPS, 2024, Policy 4.3.3.1.c grants farmers this ability
 - Nowherenearhere's *official plan* is out of date (hasn't been updated since 2015), as it still references PPS (2014), Policy 2.3.4.1.c, but this doesn't matter—the new PPS (2024) takes primacy
- Nowherenearhere local requirements:
 - Only entire buildings may be severed
 - Dwelling must be habitable
 - **Severed lot rezoned appropriately to *Rural Residential***
 - ***A restrictive covenant*** is registered on title
 - Retained lands rezoned from *Agriculture* to *Agriculture-Special*



Not all lands are subject to municipal organization. More common in North Ontario are *Crown Lands*, unorganized private lands, and planning boards.

Crown Lands

- Subject to the *Public Lands Act* (MNR)
- *Crown Land Use Policy Areas* (CLUPA is not zoning)
- *Land Use Permits*, can open the door to purchasing lands
- *Work permits* to build structures
- Technically subject to the PPS as interpreted by MNR
- *Crown Lands* can be privately acquired through *disposition*

Planning Boards

- May enact *official plans* and *zoning by-laws*
- May include *Crown Lands*, municipal lands, and unorganized private lands
- Should not contradict planning tools used by municipalities

Unorganized Private Lands

- Property within no municipality or board, but yet privately owned
- In these lands, the MMAH is your planning authority

1. The Crown Lands system is known to be slow.

&

2. Planning in North Ontario can be usual due to the MNR's alternative system.

Permitting *agricultural use* on *Crown Lands* is slow but not impossible.

- There are six CLUPAs used by MNR
 - **General use area (GUA)**
 - Recommended provincial park
 - Recommended conservation reserve
 - Forest reserve
 - Provincial wildlife area
 - Enhanced management area
- *Agricultural use* most compatible with GUAs
 - Permitting *agricultural use* on Crown Lands is slow, may require one or multiple of:
 - *Occupational Authority Agreement*
 - *Work Permit*
 - *Land Use Policy Amendment*



Crown Land Use Policy Areas: An example Area, G2619



- G2619, *General Use Area (GUA)*
 - “The primary use will be continued extraction of resources (forestry, mining, trapping).”
 - *Land Use Amendment 2004-030*
 - MNR is the proponent
 - Adds new *Conservation Reserves and Protected Areas*
- *Agricultural Uses in G2619*
 - Agriculture is not a permitted use
 - MNR does not identify *agriculture* as a valid Crown Land Disposition here
- While anyone can apply to buy or rent Crown Land, the proposal must be consistent with the MNR’s policies

Designations can change. You too can participate in local planning.

Official Plan

- Designates a *settlement area, prime agricultural area*, etc., and applies broad land use policies towards municipal goals
- Amendments take longer and have more requirements

Zoning By-Law (ZBL)

- Concerns *permitted uses*, setbacks, building dimensions, etc.
- Amendments should be faster than an OPA
 - Does not change *official plan* designations

Crown Land Use Policy Area (CLUPA)

- Development permitted through *occupational authority agreements* and *work permits*
- *Land Use Amendments* can modify policies

Amending a Provincial Plan*

- Greenbelt Plan, Niagara Escarpment Plan, Oak Ridges Moraine Conservation Plan

1. Become familiar with your local planning system
2. Keep informed about what's being proposed
3. Stay connected with your local federation and community groups

End

Commentary & Questions Period