

**AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
REPORT 33  
11 APRIL 2018**

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**COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
RAPPORT 33  
LE 11 AVRIL 2018**

**EXTRACT OF DRAFT MINUTES 33  
AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
5 APRIL 2018**

**EXTRAIT DE L'ÉBAUCHE DU  
PROCÈS-VERBAL 33  
COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
LE 5 AVRIL 2018**

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SITE ALTERATION BY-LAW

ACS2018-PIE-EDP-0005

CITY WIDE

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**That Agriculture and Rural Affairs Committee recommend Council:**

- 1. Approve the Site Alteration By-law, attached as Document 1; and**
- 2. Direct staff to conduct a review of the Site Alteration By-law, two years after its approval, and report back on its performance and any recommended improvements.**

Marica Clarke, Program Manager, Natural Systems Policy introduced Amy MacPherson, Planner II who would give a PowerPoint presentation on the report. The presentation is held on file in the City Clerk's office.

Following the presentation the Committee heard from the following delegations:

- 1. \*Tedd Wood – He said that the proposed by-law is not in compliance with the Farming and Food Production Protection Act. It should include a general exemption for Agricultural Uses in order to be in compliance with provincial statute and regulation. He noted that other municipalities have included the wording in their by-law but not Ottawa.**
- 2. \*Klaus Beltzner - Osgoode Ward Advisory Committee – He gave a number of scenarios where questions could arise if as to whether permission was needed**

in order to carry out the work.

3. \*Shirley Dolan – Carleton Landowners Association – Agrees with the motion that will be put forward by Councillor El-Chantiry. Noted that there does need to be that blanket exemption for farms.
4. Mike Westley - Stated that he was opposed to the by-law. He commented that the drainage issues have yet to be resolved let alone dealing with site alteration.
5. Colin Heard – President, North West Goulbourn Community Association – Is concerned with the section on power of entry. Opposed to sections within the by-law.
6. Paul Johanis – Greenspace Alliance – Is in favour of the by-law and believes that a permit driven system would make it easier to track. He would like to see protection of woodlots that border urban areas.

*[ \* All individuals marked with an asterisk either provided their comments in writing or by email; all such comments are held on file with the City Clerk. ]*

The Committee members then asked various questions of staff:

- The section on Power of Entry is actually from the Municipal Act which is the basis of many of the City's by-laws. It does exclude power to enter dwellings. Section 435 of the Municipal Act states that notice must be given.
- City approval can be done by a call or email. Staff have been working with the 311 staff and with By-law Staff.
- Chair Moffatt stated that the farm exemption should be in the By-law. Stephen Willis, General Manager, Planning, Infrastructure and Economic Development said that he will work prior to Council to include that language in the by-law.

#### **MOTION ARA 33/03**

Moved by Councillor El-Chantiry

**WHEREAS Section 10 of the draft Site Alteration By-law as shown in Document 1 of the report concerns the protection of the natural environment within 30 metres**

of any designated Natural Environment Area, Urban Natural Features, or Rural Natural Features Area, or any Natural Heritage Feature identified on the City's Natural Heritage System Overlay; and,

**WHEREAS** some rural residents have expressed concerns about potential restrictions on their ability to manage their lands if these restrictions apply; and,

**WHEREAS** the report was considered and carried by Planning Committee at its meeting of 27 February 2018.

**THEREFORE BE IT RESOLVED** that the Agriculture and Rural Affairs Committee refer this matter to staff with a request to amend Document 1 so that Section 10 only applies to the area generally delineated by the closest municipal road or natural boundary two kilometres outside of the Urban Boundary as shown on Schedule A of the Official Plan; and,

**BE IT FURTHER RESOLVED** that staff include a map showing how the boundary line is applied, as a schedule in the by-law, and bring the report back to Agriculture and Rural Affairs Committee in such time as to permit consideration prior to Council on 9 May 2018; and,

**BE IT FURTHER RESOLVED** that the Agriculture and Rural Affairs Committee direct Legal Services to review the text of the draft by-law to add possible improvements to clarify normal farm practices before the by-law is brought back to Agriculture and Rural Affairs Committee in such time as to permit consideration prior to Council on 9 May 2018.

**CARRIED**

Chair Moffatt thanked the delegations and stated that the report will be going to Council on April 11<sup>th</sup> and the revised rural sections of the by-law to come back to ARAC on May 3<sup>rd</sup> and the Council again on May 9<sup>th</sup>.

The recommendations were **CARRIED as amended** by Councillor E. El-Chantiry's motion.

**DIRECTION TO STAFF:**

- 1) That Legal staff pursue inserting Section 435 of the Municipal Act into the By-law.
- 2) That staff get comment from By-law and Regulatory Services on the level of staffing needed and workload once this By-law is enacted.
- 3) That staff add "Repair and maintenance" to Section 24 (h) on drainage in the By-law.