

**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**

SITE ALTERATION BY-LAW

ACS2018-PIE-EDP-0005

CITY WIDE

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 11th and the revised rural sections of the by-law to come back to ARAC on May 3rd and the Council again on May 9th.

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.