



City of Hamilton
Agriculture and Rural Affairs
Advisory Committee REVISED

Meeting #: 22-001
Date: March 29, 2022
Time: 7:00 p.m.
Location: Due to the COVID-19 and the Closure of City Hall
All electronic meetings can be viewed at:
City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton>

Carrie McIntosh, Legislative Coordinator (905) 546-2424 ext. 2729

	Pages
1. CEREMONIAL ACTIVITIES	
2. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
3. DECLARATIONS OF INTEREST	
4. APPROVAL OF MINUTES OF PREVIOUS MEETING	
4.1. November 29, 2021	3
5. COMMUNICATIONS	
6. DELEGATION REQUESTS	
7. CONSENT ITEMS	
8. STAFF PRESENTATIONS	
8.1. Normal Farm Practice Peer Review by Agricultural and Rural Affairs Advisory Committee	8
8.2. Farm Labour Residence Policy Review	19

9. PUBLIC HEARINGS / DELEGATIONS

10. DISCUSSION ITEMS

10.1. Salt/Saline Runoff into Agricultural Fields (deferred from the October 14, 2021 and November 29, 2021 meetings) (no copy)

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

*13.1. Farm 911

*13.2. Rural Area Rating

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



Hamilton

Agriculture and Rural Affairs Advisory Committee

MINUTES 21-004

Monday, November 29, 2021

7:00 p.m.

Due to COVID-19 and the Closure of City Hall, this meeting was held virtually.

Present: Councillors B. Clark, L. Ferguson, B. Johnson and A. VanderBeek

A. Spoelstra (Chair), D. Smith (Vice-Chair), J. Mantel,
C. McMaster, A. Payne, C. Roberts, R. Shuker and G. Smuk

Absent: P. Krakar, N. Mills, R. Pearce and M. Switzer

Also Present: Councillor J. Partridge
N. Gill-Aarts, Ontario Federation of Agriculture
S. Brenn, Chamber of Commerce (Flamborough)

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

The Committee Clerk advised that there were no changes to the agenda.

(Ferguson/Mantel)

That the agenda for the November 29, 2021 meeting of the Agriculture and Rural Affairs Advisory Committee be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) April 12, 2021 (Item 4.1)

(Smith/McMaster)

That the Minutes of the April 12, 2021 meeting of the Agriculture and Rural Affairs Advisory Committee be approved, as presented.

CARRIED

(ii) October 14, 2021 – No Quorum Notes (Item 4.2)**(Smuk/Ferguson)**

That the No Quorum Notes of the October 14, 2021 meeting of the Agriculture and Rural Affairs Advisory Committee be approved, as presented.

CARRIED**(d) COMMUNICATIONS (Item 5)****(Smith/McMaster)**

That correspondence Items 5.1 to 5.5, be received, as follows:

- (i) Correspondence from Zoe Kazakos respecting Palm Products in Dairy Cows Feed (referred from Council on March 31, 2021) (deferred from the October 14, 2021 meeting) (Item 5.1)
- (ii) Correspondence from the Town on Plympton-Wyoming requesting Support for their Resolution Requesting that the Federal Government Consider the Concerns of the Agricultural Community and Move to Exempt all Primary Agriculture Producers from Current and Future Carbon Taxes (referred from Council on March 31, 2021) (deferred from the October 14, 2021 meeting) (Item 5.2)
- (iii) Correspondence from Chief Building Official respecting Inclusion of a Farm Business Registration Number on Agricultural Building Permit Applications (deferred from the October 14, 2021 meeting) (Item 5.3)
- (iv) Correspondence from the Region of Peel respecting the Peel Agricultural Advisory Working Group Update 2019, 2020 and Related Initiatives (referred from Council on June 23, 2021) (deferred from the October 14, 2021 meeting) (Item 5.4)
- (v) Correspondence from the Honourable Lisa Thompson respecting a new Canadian Agricultural Partnership (CAP) aimed at increasing deadstock management capacity throughout the province (Item 5.5)

CARRIED**(e) DELEGATION REQUESTS (Item 6)****(Clark/VanderBeek)**

That the following delegation requests be approved for today's meeting:

- (i) Janet Horner, Golden Horseshoe Food and Farming Alliance, respecting their Action Plan (Item 6.1)

- (ii) Aaron Coristine, Jan Vanderhout, Ontario Greenhouse Vegetable Growers, respecting Proposed Amendments to Zoning By-law related to Temporary Agriculture Worker Residences (Item 6.2)

CARRIED

(f) PUBLIC HEARINGS / DELEGATIONS (Item 9)

- (i) **Janet Horner, Golden Horseshoe Food and Farming Alliance, respecting their Action Plan (Item 9.1)**

Janet Horner, Golden Horseshoe Food and Farming Alliance, addressed the Committee respecting their Action Plan, with the aid of a presentation.

- (ii) **Aaron Coristine, Jan Vanderhout, Ontario Greenhouse Vegetable Growers, respecting Proposed Amendments to Zoning By-law related to Temporary Agriculture Worker Residences (Item 9.2)**

Aaron Coristine and Jan Vanderhout, Ontario Greenhouse Vegetable Growers, with aid of a presentation, addressed the Committee respecting proposed amendments to By-law 05-200, Zoning By-law of the City of Hamilton, to improve and support agricultural and economic development, specifically related to Temporary Agricultural Worker Residences.

(VanderBeek/Ferguson)

That the following delegations be received:

- (i) Janet Horner, Golden Horseshoe Food and Farming Alliance, respecting their Action Plan (Item 9.1)
- (ii) Aaron Coristine, Jan Vanderhout, Ontario Greenhouse Vegetable Growers, respecting Proposed Amendments to Zoning By-law related to Temporary Agriculture Worker Residences (Item 9.2)

CARRIED

(g) DISCUSSION ITEMS (Item 10)

- (i) **Salt/Saline Runoff to Agricultural Fields (Item 10.1)**

(Smith/Payne)

That the item respecting Salt/Saline Runoff to Agricultural Fields (Item 10.1) be deferred to the next meeting of the Agriculture and Rural Affairs Advisory Committee.

CARRIED

(ii) Airport Employment Growth District (AEGD) Street Naming (Item 10.2)

Councillor Ferguson provided the Committee with an update respecting the Airport Employment Growth District (AEGD) Street Naming and requested that members forward suggestions of names of farmers who have historically farmed the area, as suggestions for street names in the Airport Employment Growth District.

(Johnson/Roberts)

That the verbal update respecting the Airport Employment Growth District (AEGD) Street Naming be received.

CARRIED

(h) GENERAL INFORMATION/OTHER BUSINESS (Item 13)

(i) Comments from Councillor Johnson respecting the Truck Route Sub-Committee Meeting, November 29, 2021

Councillor Johnson advised the Committee that at the November 29, 2021, Truck Route Sub-Committee Meeting staff were directed to review the recommendations in report PED19073(b) with prioritization given to the Terms of Reference ratified by Council and report back to the Truck Route Sub-Committee by Q1, 2022.

(ii) Comments from Councillor VanderBeek respecting Farm 911 Emergency Signs

Councillor VanderBeek advised the Committee that the Working Group is drafting a policy respecting Farm 911 emergency signs that will be brought to the Agriculture and Rural Affairs Advisory Committee for review prior to forwarding the draft policy to the Technical Working Group.

(iii) Comments from Councillor Johnson respecting Rural Grass Cutting in Urban Settlement Areas

Councillor Johnson advised the Committee that a proposed by-law respecting rural grass cutting in urban settlement areas would be brought to the Agriculture and Rural Affairs Advisory Committee for comment.

(iv) Comments from D. Spoelstra respecting the Site Alteration By-law Review Process

D. Spoelstra advised that Tyson McMann, Business Development Consultant - Food & Beverage, is working with Clerks to determine if it is within the Committee's mandate to provide advice to staff respecting the issuance of

site alteration permits for applications related to agricultural practices and, if so, staff would work to have the process amended.

(h) ADJOURNMENT (Item 15)

(Smith/Ferguson)

That the meeting of the Agriculture and Rural Affairs Advisory Committee be adjourned at 9:02 p.m.

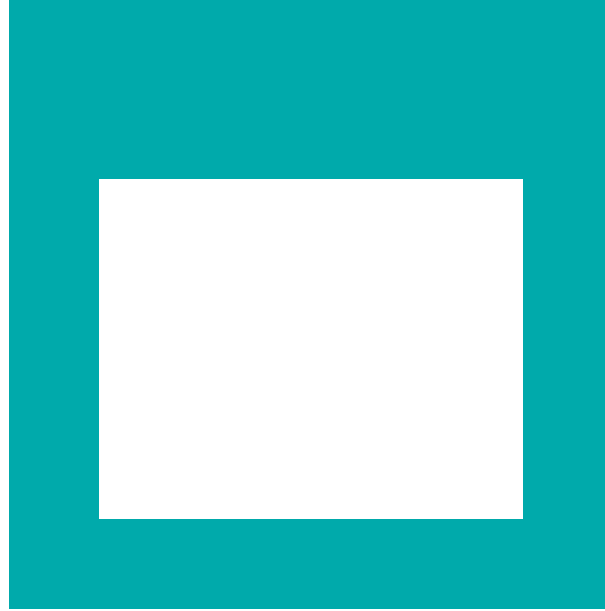
CARRIED

Respectfully submitted,

Andrew Spoelstra, Chair
Agriculture and Rural Affairs
Advisory Committee

Carrie McIntosh

Legislative Coordinator
Office of the City Clerk



Normal Farm Practice Peer Review by Agricultural and Rural Affairs Committee

March 29, 2022

The and Why?

- The City's Site Alteration By-law No. 19-286 prescribes regulations and requirements for site alteration under an Agricultural Operation and in support of Normal Farm Practices.
- Given the lack of City staff expertise in such matters, it is requested that:

“The Agricultural and Rural Affairs Committee provide a peer review and their industry opinion on farming justification reports / memos. In particular, with respect to whether the proposed site alteration works is a “Normal Farm Practice”

Definitions per Site Alteration By-law No. 19-286

The following definitions shall be applied for the purpose of any peer review of Farm Justification Reports / Memos:

“Agricultural Operation” has the same meaning as under the Farming and Food Production Protection Act, 1998, which is, for ease of reference, an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward.

“Normal Farm Practice” has the same meaning as under the Farming and Food Production Protection Act, 1998, which is, for ease of reference, a practice that,

(a) is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances, or

(b) makes use of innovative technology in a manner consistent with proper advanced farm management practices;

“Application” Section (4) The provisions of this By-law regarding site alteration” apply to all land within the City of Hamilton in respect of,

- (a) excavating, depositing or stockpiling fill or topsoil,
- (b) removing topsoil, and
- (c) altering the grade of land

“Normal Farm Practices” Section 5(2) Subject to subsection (3), this By-law does not apply to the removal of topsoil as an incidental part of a normal farm practice including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products undertaken as a permitted or legal non-conforming use of land.

“Removal of Topsoil” Section 5(3) The removal of topsoil as an incidental part of a normal farm practice does not include the removal of topsoil for sale, exchange or other disposition.

“Stockpiling for Agricultural or Commercial Operations”

- Section 6(1) Despite subsection 11(1), this By-law does not prohibit or require a site alteration permit for the stockpiling of fill or topsoil on land for sale or exchange or use as an incidental part of an agricultural or commercial operation undertaken as a permitted use of the land, provided that any such stockpiles,
 - (a) are used, depleted and refreshed on a continuous basis during periods when the stockpiles are actively in use in the agricultural or commercial operation;
 - (b) are removed and the existing grade restored while the agricultural or commercial operation is suspended or during periods when the stockpiles are not actively in use in the agricultural or commercial operation; and
 - (c) no stockpile remains substantially unchanged for longer than 6 months.

Exceptions from Permit Requirement

- Section 7 (2) Despite subsection 11(1), no permit is required for site alteration undertaken in the Rural Area,
 - (a) for the purposes of improving site drainage or soil quality provided that:
 - (i) the site alteration involves a maximum of 500 cubic metres of fill or topsoil, which may include imported fill or topsoil only from within the City of Hamilton;
 - (ii) the Director is notified of the intended site alteration at least 48 hours in advance of commencing site alteration; and
 - (iii) this exception may be used only once with respect to a property, and otherwise a permit is required.

- (b) for the purposes of dredging existing ponds provided that:
 - (i) the surface area of the existing pond is not increased;
 - (ii) the depth of the existing pond is not increased beyond its original depth; and
 - (iii) where possible, dredged fill is deposited on the same property without altering existing drainage patterns, and piles or berms of dredged fill are not created adjacent to the pond.
- (c) for the purpose of maintaining existing granular driveways, roads, farm field access roads, or parking areas with appropriate imported granular material including native granular, recycled aggregate, recycled asphalt or recycled concrete provided that previously existing grades are being re-instated and provided the material is obtained from a commercial supplier

Site Alteration Permit Applications

Minor Agricultural Application Requirements

Section 14 (1) This section applies to an application for a site alteration permit for a site alteration proposal involving a maximum of 500 cubic metres of fill or topsoil for a site where an agricultural operation is carried on and the proposed site alteration is part of a normal farm practice, other than as described in subsection 5(2).

Section 14(2) An application for a site alteration permit pursuant to this section shall contain:

- (m) the contact details of the farmer responsible for the agricultural operation;
- (n) a statement of nature of the agricultural operation;
- (o) the farm business registration number of the agricultural operation or proof of membership in an accredited farm organization;
- (p) a description of the normal farm practice;
- (q) any plans or evidence supporting the normal farm practice that the applicant wishes to rely upon, including the qualifications of any person providing such plans or evidence;
- (r) if the proposed site alteration on a site involves fill being transported to the site from any other source site, a statement from the farmer responsible for the agricultural operation or a qualified person that the fill to be transported to the site is suitable for use at the site; and ...

Site Alteration as Normal Farm Practice

Section 15 (4) If an application for a site alteration permit is made for a site where an agricultural operation is carried on or is intended to be carried on and the proposed site alteration is part of a normal farm practice, other than as described in subsection 5(2), the application shall contain:

- (a) the contact details of the farmer responsible for the agricultural operation;
- (b) a statement of nature of the agricultural operation;
- (c) the farm business registration number of the agricultural operation;
- (d) a description of the normal farm practice; and
- (e) any plans or evidence supporting the normal farm practice, including the qualifications of any person providing such plans or evidence.

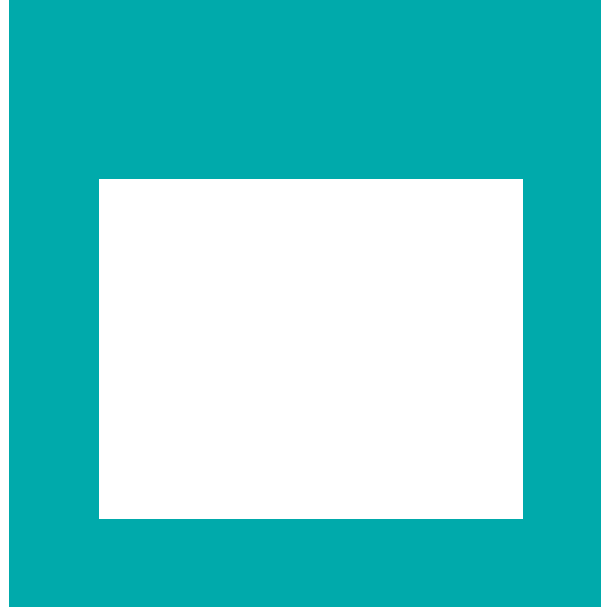


Planning and Economic Development Department
 Growth Management Division
 71 Main Street West, 6th Floor
 Hamilton, Ontario, L8P 4Y5
 Phone: (905) 546-2424 x.5339 Fax: (905) 540-5611

PRE-SCREENING REQUIREMENTS FOR A NORMAL FARM PRACTICE – AGRICULTURAL JUSTIFICATION

Applications for a site alteration permit where an agricultural operation is carried on or is intended to be carried on, whereby the proposed site alteration is part of a normal farm practice shall be subject to prescreening which requires that the following be submitted for determination:

- (a) the contact details of the farmer responsible for the agricultural operation;
- (b) a statement of nature of the agricultural operation;
- (c) the farm business registration number of the agricultural operation or proof of membership in an accredited farm organization;
- (d) a description of the normal farm practice;
- (e) the address, legal description and registered owner of the site;
- (f) the area of the site in hectares;
- (g) up-to-date contact details of the owner of the site, and of the applicant, if not the owner of the site;
- (h) the past, current and intended future uses of the site;
- (i) the purpose of the proposed site alteration;
- (j) estimate of the volume of soil involved in the proposed site alteration in cubic metres;
- (k) an approximate sketch or marked up air photo / plan of the site showing:
 - (i) the property lines;
 - (ii) buildings and other structures including retaining walls;
 - (iii) highways, driveways and paths;
 - (iv) Existing drainage swales, ditches, pipes and culverts;
 - (v) bodies of water and watercourses;
 - (vi) Conservation Authority Regulation boundaries
 - Please consult the Policy Planning Conservation Authority Regulated Areas layer of the City Mapping System:
<https://spatialolutions.maps.arcgis.com/apps/webappviewer/index.html?id=a8f1efc3c3e14823bfb937c6691f4a8f>



WELCOME TO THE CITY OF HAMILTON

Farm Labour Residence Policy Review

March 22, 2022– Planning Committee Meeting

Overall Issues: Farm Labour Residence



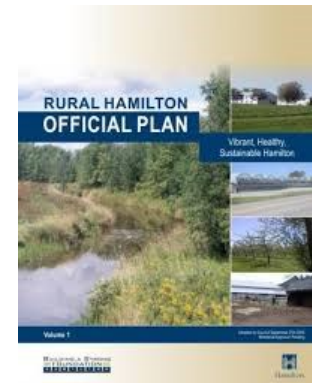
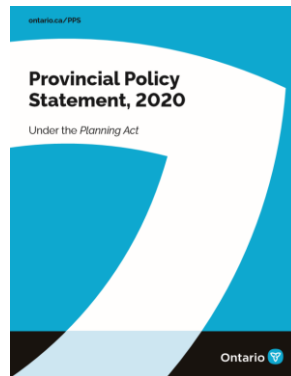
- Evolving industry and operational needs
- Inflexible Official Plan policies and zoning regulations
- Servicing limitations
- Quality of living spaces

Policy Direction

**Planning
Act**

**Provincial Policy
Statement/Provincial
Plans**

**Rural Hamilton
Official Plan
(RHOP)**



Rural Hamilton Official Plan

Policy D.2.1.1.6

A farm labour residence may be permitted on the same lot as the primary farm use subject to the following requirements:

- Farm operation must require additional on-site employment;
- A maximum of one Farm Labour Residence (FLR) permitted per lot;
- Must be serviced by same private sewer and water system as principal dwelling; and,
- Must be removed once no longer required for farm help.

Zoning By-law 05-200

FLR Permitted Zones: Agriculture (A1), Rural (A2) and Extractive Industrial (M12)

Permitted forms:

- (a) Accessory detached dwelling of temporary construction, such as a mobile home; or,
- (b) Accessory detached bunk house of temporary construction.

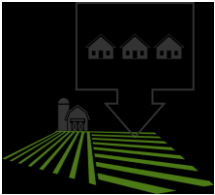
Zoning By-law No. 05-200	
Maximum of one Farm Labour Residence per lot	
Temporary Detached Structure:	Maximum 116.2 m ²
Temporary Bunk house:	Minimum 65.06 m ² or 8.36 m ² , whichever is greater
Shall be located within 30 metres of the farm Dwelling	
Shall utilize the existing driveway to the farm Dwelling	

Best Practices from Canadian Municipalities

General observations through staff's review of other municipalities:

- Maximum 1 FLR per lot (Southern-Ontario)
- Temporary Construction
- “Modest” FLR size (i.e. Gross Floor Area)
- Maximum 40 workers per farm operation
- Adequate private waste disposal and water supply

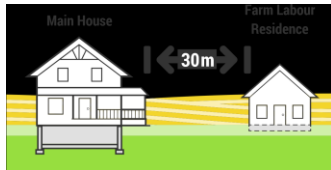
Trends: Development Applications (from 2017- 2021)



**Demand for Multiple
 FLRs Per Lot**



**Variations for
 Increased
 Gross Floor Area**



**Variations for
 Increased
 Separation Distance**



**Convert Primary
 Residence to FLR**

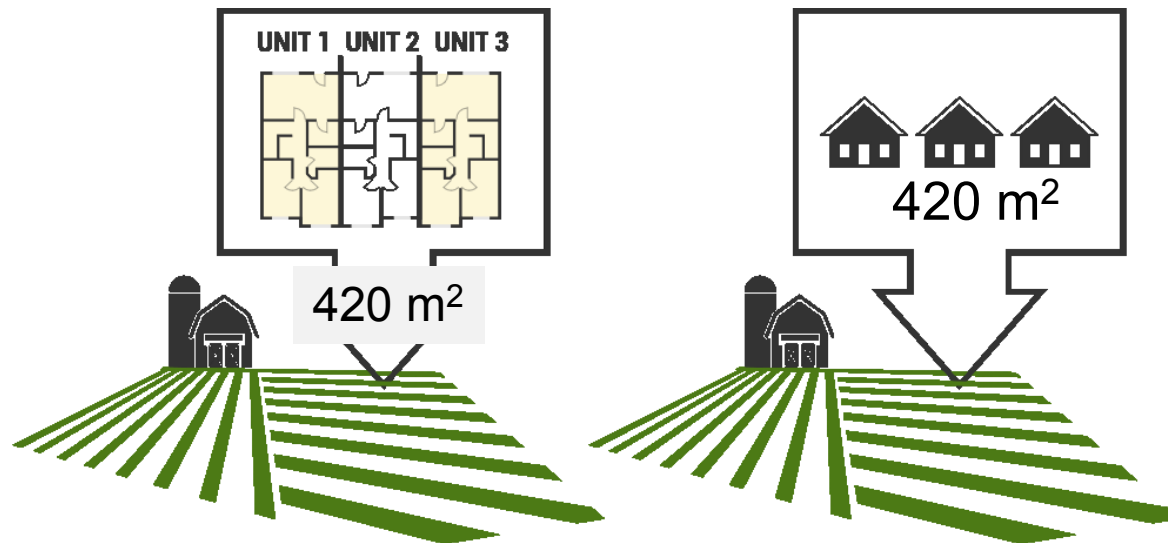


**Request for
 Permanent
 Construction**



Key Issues and Preliminary Recommendations

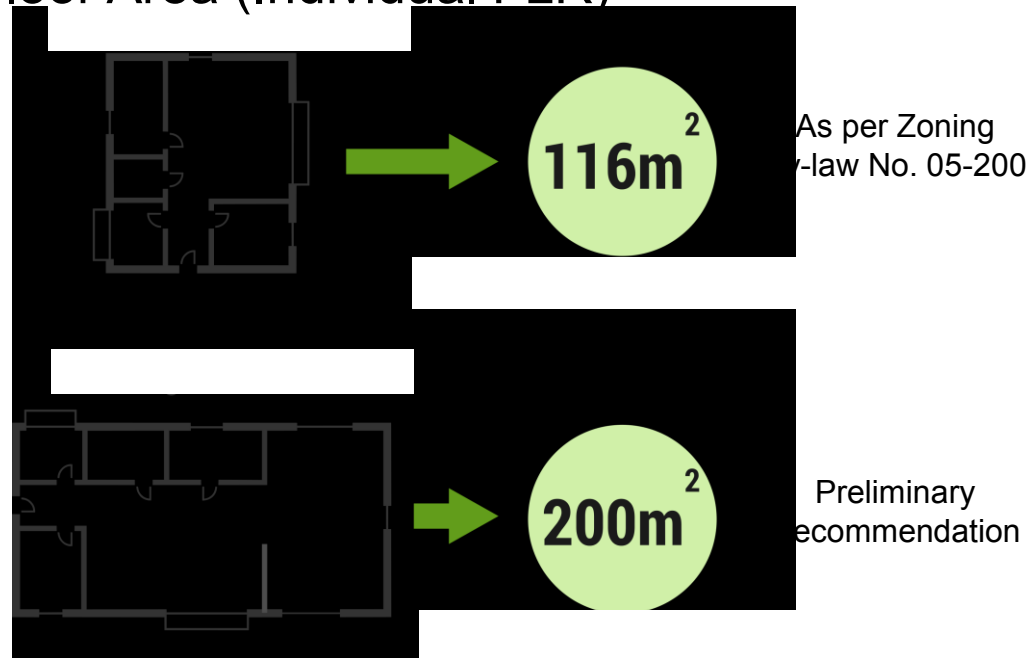
Issue 1. Number of FLRs per lot



Preliminary Recommendation: More than one FLR permitted per lot -
Maximum Aggregate Gross Floor Area of 420 m²

Key Issues and Preliminary Recommendations

Issue 2. Gross Floor Area (Individual FLR)



Preliminary Recommendation: Maximum Gross Floor Area of 200 m²

Key Issues and Preliminary Recommendations

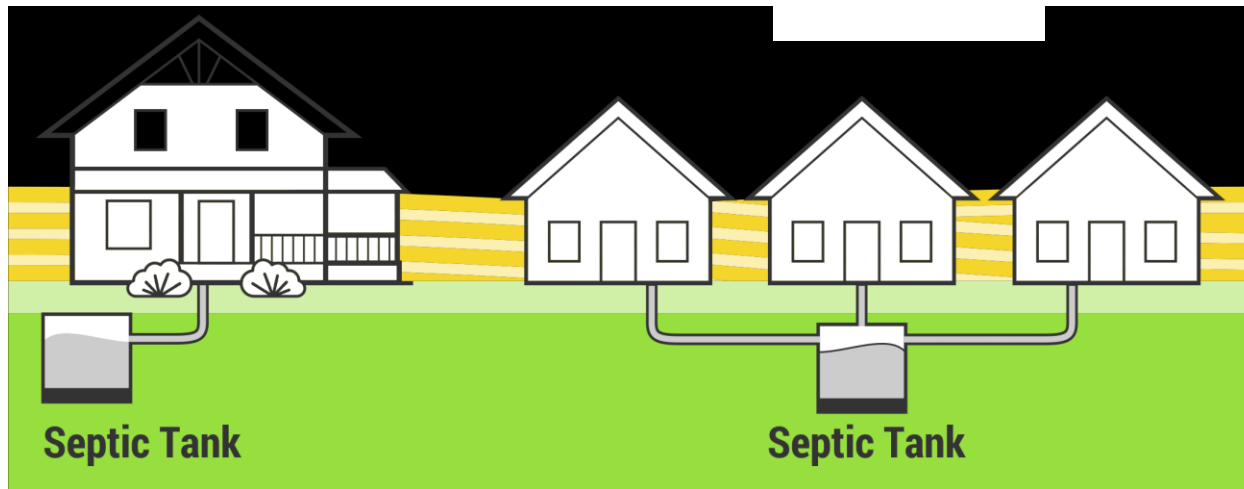
Issue 3: Built Form



Preliminary Recommendation: FLRs to remain as Temporary Structures

Key Issues and Preliminary Recommendations

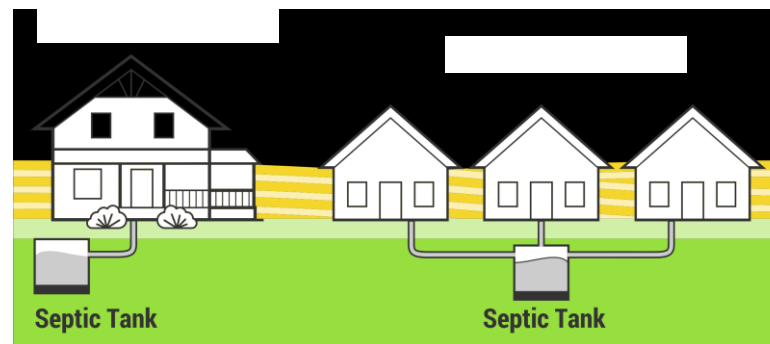
Issue 4: Private Servicing



Preliminary Recommendation: Separate Private Servicing between FLR and Principal Farm Residence

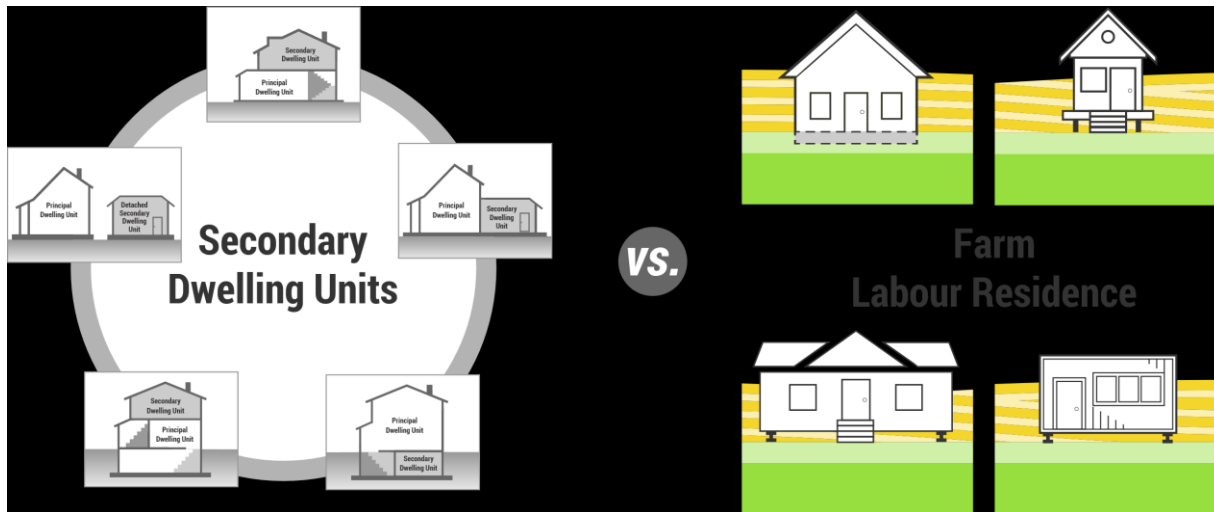
Private Servicing Considerations

- FLRs are encouraged on larger farm parcels to support sustainable private services.
- Baseline requirements for private sewage system may support increased occupancy and sewage capacity.
- Separate septic systems may reduce groundwater quality risks from increased FLR density.
- The intent of the shared servicing policy is to discourage rural farm severances and farm land fragmentation. The Rural Hamilton Official Plan prohibits severances of farm labour residences.



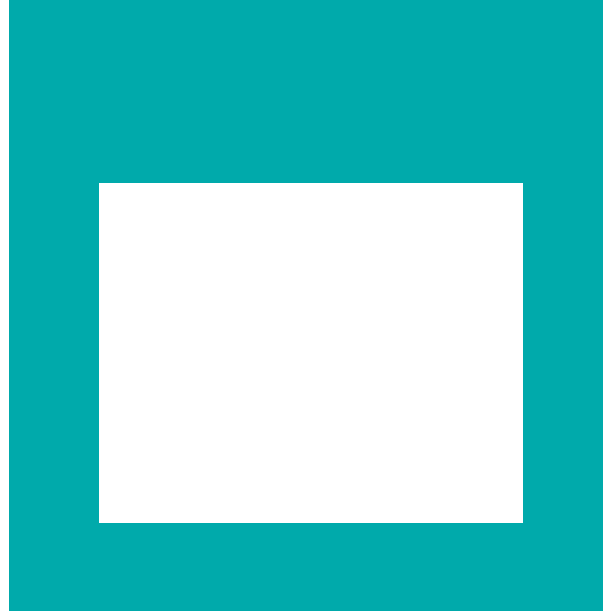
Key Issues and Preliminary Recommendations

Issue 5: Compatibility with Secondary Dwelling Units



Preliminary Recommendation:

- Remove references to Accessory Apartments in RHOP
- Permissions for FLR and SDU on same lot to be further reviewed



THANK YOU

THE CITY OF HAMILTON PLANNING COMMITTEE