

CHAPTER 6

RURAL LAND USE POLICY Modification No. 8

This Plan recognizes that policies, which assure proper land utilization, are the keystone of this or any Official Plan.

To reflect the responsibilities of a "Rural - Small Urban" municipality, this Plan makes a primary division of the Township into Identified Settlements, Industrial/Commercial, Industrial, Commercial, Open Space and Rural Land Use designations. This division of land uses is intended to assure, insofar as possible, that the needs of Township residents can be met in a manner so that they will complement each other rather than be in conflict with each other. Unless care is exercised to assure that the needs of each of the groups can be met in separately defined areas, the desires of each will conflict with the needs of the other and the goals of this Plan will be defeated. The land use designations and the policies of this Plan are intended to guide the future use of land within the Township and form the basis for implementation through zoning and other development controls.

6.1 RURAL LAND USE DESIGNATION

The Township values its agricultural character and economy. In developing Rural Land Use policies this Plan attempts to establish a framework - politically, economically, socially, culturally and in land use management policies to protect, preserve and encourage the use of land for farming. Beyond solely providing for food production, it is recognized that maintaining a viable agricultural economy provides an important component of the economic base of the municipality, the region and the country as well as providing an important source of employment.

It is the intent of this Plan to preserve, protect and encourage the continued use of lands designated Rural Land Use for farming, including small-scale On-Farm Business activities and farm-related non-residential uses and mineral aggregate extraction and forestry. Non-farm related uses and buildings shall be encouraged to locate within Identified Settlements, Industrial/Commercial, Industrial, Commercial and appropriate Open Space designations.

All lands outside of Identified Settlements, Industrial/Commercial, Industrial, Commercial and Open Space designations, as shown on Land Use Location Map 'A' of this Chapter, are designated as Rural Land Use.

It is the primary intent of this Plan that uses which are not directly related to food production shall be encouraged to locate within the Identified Settlements or within Industrial/Commercial, Industrial, Commercial or appropriate Open Space designations identified on the Maps in Chapter 7. **Modification No. 9**

6.1.1 FARM-RELATED DEVELOPMENT

Development within the Rural Land Use designation shall primarily be farm-related. This section is intended to indicate which farm-related uses shall be encouraged and how they are to be regulated.

6.1.1.1 Farm Buildings

The construction of new farm-related residential and new/expanded livestock barns or manure storage facilities will conform to the Minimum Distance Separation and satisfactorily address compatibility issues. Notwithstanding this, where new/expanded livestock barns or manure storage facilities have the potential to affect or limit the development of lands designated by this Plan for non-farm uses within Identified Settlements, the Township may not support development applications to permit such livestock barns or manure storage facility construction or expansion.

6.1.1.2 On-Farm Business Activities

On-Farm Businesses may be permitted on farm parcels within the Rural Land Use designation subject to provisions in the Zoning By-law to regulate the nature and scale of the operations. On-Farm Businesses are dry industrial or farm-related commercial activities located on a farm to supplement farm income and it is intended that they shall be minor activities relative to the farm operation, such that the farm remains valued for its agricultural capability and not for its industrial or commercial business potential.

On-Farm Businesses shall:

- a) not be permitted to be severed from the farm parcel;
- b) not include any use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, noise, fumes, vibration, refuse matter or water carried wastes; and
- c) not be detrimental to the environment and shall comply with the environmental policies in Chapter 13 of this Plan.

By-law regulations shall incorporate provisions to ensure On-Farm Businesses:

- a) are limited to dry industrial or farm-related commercial activities;
- b) remain minor in scale relative to the farming operations;
- c) do not undermine the agricultural nature of the area; and
- d) do not have the potential to significantly negatively impact adjacent land uses.

Determination of whether a proposed business activity is or will be minor in scale relative to the farm operation will include an evaluation of the relationship between the existing agricultural operation and the proposed On-Farm Business and may consider such matters as the physical scale and nature, the financial investment and the number of employees in both the farming operation and the proposed On-Farm Business, plus any other factors as may be deemed appropriate.

6.1.1.2.1 2240 New Jerusalem Road Special Policy Area OPA No. 5

The following policies apply to the property at Part Lot 84, GCT, known as 2240 New Jerusalem Road, generally shown on “The Township of Woolwich Land Use Location Map” Symbol Number 25, and detailed on Schedule A “Township of Woolwich Rural Special Policy Area “2240 New Jerusalem Road” “ both at the end of this Chapter:

- a) A Fabric and Dry Goods store, being a maximum of 45 square metres, shall be permitted as an On-Farm Business in accordance with the policies noted above in Section 6.1.1.2.

6.1.1.2.2 Agri-Tourism OPA No. 8

Agri-Tourism activities may be permitted on farm parcels within the Rural Land Use designation subject to provisions in the Zoning By-law to regulate the nature and scale of the operations. Agri-Tourism means the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation where the principle activity on the property remains as farming and where products used in the activity are produced on the property or related to farming. Such farm related commercial uses are located on the farm to help supplement farm income and are intended to be minor activities relative to the farm operation such that the farm remains valued for its agricultural capabilities and not for its tourism potential.

In addition to the policies in Section 6.1.1.2 above, Agri-Tourism may be permitted provided that the use addresses the following:

- a) Must be related to the farm operation and minor in comparison to the farm operation on which it is located;
- b) Provide the necessary parking and access;
- c) Must have minimal impacts on the farm;
- d) Must be compatible with surrounding land uses;
- e) Maintain the aesthetic balance compatible with the rural area and character; and
- f) May permit uses that are directly related to farming;
- g) Any use not directly related to the farming operation, (being hay or corn maze, petting zoo, hay/sleigh rides, buggy or carriage rides, farm tours, and processing demonstrations), shall be permitted by site specific zoning by-law amendment, and the proposed uses must be reviewed to determine whether the proposed activity is or will be minor in scale relative to the farm operation, and may consider such matters as the physical scale and nature, the financial investment, plus any other factors that may be deemed appropriate;
- h) Uses shall not include a restaurant, gift shop, general retail operation, mini golf, driving range, paint ball, or other non-farm related uses.

6.1.1.3 Farm-Related Residential Development

To accommodate full-time farm employees, including members of the farm household, or to aid retiring farmers, the construction of a second permanent or temporary farm-related residential unit, or the conversion of an existing farm-related residential unit, to create a second or third dwelling unit, may be permitted on a farm. Consents will not be granted for any farm-related residential units created in accordance with this policy. It is an objective of this plan that permitted farm related residential units will be clustered within the farmstead.

6.1.1.4 Farm-Related Non-Residential Uses

Development applications for Farm-Related Non-Residential Uses in the Rural Land Use designation will comply with the following:

- a) will conform to the Zoning By-law and the policies of this Plan;
- b) where feasible, not be located on Prime Agricultural Lands, as identified in the Regional Official Policies Plan;
- c) be prohibited in a woodlot except where an exception from the Regional Tree Cutting By-law has been obtained;
- d) minimize impacts on Environmental Areas in accordance with policies in Chapter 13 of this Plan; and
- e) an analysis of land use compatibility including consideration of the Ministry of Environment Guidelines on Land Use Compatibility.

Lot creation for a Farm-Related Non-Residential Use will only be permitted in Prime Agricultural Areas, as identified in the Regional Official Policies Plan, where the use has been established.

6.1.1.5 Farm Parcel Creation/ Alteration

Where a new farm is proposed to be created, or where part of an adjoining farm is to be severed and merged in title with an existing farm, the development application will comply with the following:

- a) each resultant farm that is created must have a minimum area of 40 hectares and result in a flexible farm unit; or
- b) resultant farms having less than a minimum of 40 hectares will:
 - i) be of a size appropriate for the type of agricultural use(s) proposed. Such development applications will be evaluated to determine if the proposed farm is of sufficient size and nature to be reasonably expected to sustain a commercially viable operation as an independent farm unit, and for flexible re-use for agricultural purposes in the event of business failure; and
 - ii) be permitted by a site specific zoning by-law amendment for the purpose of determining whether a new lot is being created through a development proposal, regard will be had to Policy 6.1.2.1.2

6.1.2 NON-FARM-RELATED DEVELOPMENT

6.1.2.1 Non-Farm-Related Residential Development

6.1.2.1.1 The creation of lots for non-farm-related residential uses will not be permitted within the Rural Land Use area except in accordance with the Surplus Heritage Residence in policy 6.1.2.1.3. and the Infilling policies in Section 6.1.2.1.4. New homes on existing lots of record shall comply with the Minimum Distance Separation requirements.

6.1.2.1.2 A new farm or new lot will not be deemed to have been created where consent is given for the following purposes:

- a) to create or alter any easement or right-of-way;
- b) to correct or confirm valid title for a lot which has been previously recognized and held in distinct and separate ownership;
- c) to make minor adjustment to the legal boundaries of lots so as to conform to existing patterns of exclusive use and occupancy, or to rectify problems created by the encroachment of buildings, structures, private water supply or private sewage disposal facilities on abutting lots;
- d) to make a lot boundary adjustment between two abutting non-farm lots recognized by the Zoning By-Law that does not result in the creation of any additional lot held, or capable of being held, in distinct and separate ownership pursuant to the Planning Act; or
- e) to make a lot boundary adjustment between an abutting farm and non-farm lot which results in a substantial increase in the long term agricultural viability of the farm operation, and does not result in the creation of any additional lot held, or capable of being held, in distinct and separate ownership pursuant to the Planning Act.

6.1.2.1.3 Surplus Heritage Residence

Where two or more farms are to be merged in title into one ownership, a lot may be created for a residential dwelling surplus to the needs of the merged farm provided the dwelling is designated in this Plan as a heritage property under the Ontario Heritage Act, subject to:

- a) a lot size of up to 1.2 hectares, except where natural features or existing lot patterns justify inclusion of additional lands; and
- b) the issuance of a Regional Road access permit where access to a Regional Road is required.

6.1.2.1.4 Infilling Policies

The Township may consider permitting the creation of one or more new lots for the purpose of infilling non-farm-related residential units within any existing settlement, which is not an Identified Settlement within this Plan (i.e. Unidentified Settlement). Any infilling severance proposal shall require an amendment to the Zoning By-law and shall be considered in accordance with the following provisions:

- a) that non-farm related residential lots will only be created between two existing non-farm-related residential units or lots that are separated by a distance of not more than 100 meters on the same side of an open public road. The measurement of such 100 meters will be as determined according to the following:
 - i) measurement is established between two points located along the centre-line of the existing right-of-way of an open public road and which points are determined by a line drawn from the centre of such unit and perpendicular to the public road;
 - ii) the distance between the two points is measured along the public road through intersecting public roads; and
 - iii) the point of reference on an adjoining and undeveloped non-farm related residential lot is determined by the mid-point along the public road.
- b) the configuration of the proposed infilling lot shall be compatible with other non-farm residential properties within the surrounding area;
- c) the proposed infilling lot and retained parcel shall have sufficient frontage on an open public road;
- d) the proposed infilling lot shall be suitable to meet Regional Health Unit requirements for the installation of a private water supply and private sewage treatment system;
- e) the proposed infilling lot shall generally be separated from any farm-related non-residential building containing livestock by a distance greater than 120% of the distance determined from the application of the Minimum Distance Separation formula; **Modification No. 10**
- f) shall comply with the Environmental policies in Chapter 13 of this Plan.

6.1.2.2 Non-Farm-Related Non-Residential Development

6.1.2.2.1 The designation of new, or expansions to existing areas, for recreational and/or institutional uses may be permitted in the Rural Land Use Area, subject to a site-specific amendment to this Plan. Such development applications will comply with the following:

- a) the lots accommodating the proposed use will not be located on Prime Agricultural Areas, as defined in the Regional Official Policies Plan;
- b) the need for the proposed use to be located in the Rural Land Use Area is justified taking into consideration the nature of the proposed use and the availability of lands designated within Settlement areas and Agricultural Resource Area identified in the Regional Official Policies Plan for such uses;
- c) the amount of land proposed to be designated and zoned is the minimum appropriate for the requirements of the proposed use based on the nature of the proposed use;
- d) conformity with the Minimum Distance Separation;
- e) the use is clearly demonstrated to be compatible with the adjacent agricultural operations; and
- f) the submission of environmental and servicing studies as required by the policies of this Plan.

6.1.2.2.2 Minor additions to, or intensification of existing industrial, commercial, recreational and/or institutional uses located outside of a Rural Settlement Area, or minor changes in use thereof, may be permitted. Minor expansions to lot areas may be permitted where:

- a) consideration is given to both the size of the lot addition and the impact of the proposed development on surrounding uses including; and
- b) the lot addition does not result in the creation of any additional lot held, or capable of being held, in distinct and separate ownership pursuant to the Planning Act.

6.1.2.2.3 The creation of lots for Non-Farm-Related Non-Residential uses will not be permitted within the Rural Land Use designation except in accordance with Policy 6.1.2.2.1. For the purpose of determining whether a new lot is being created through a development proposal, regard will be had to the provisions of Policy 6.1.2.1.2. **Modification No. 11**

6.1.2.2.4 The designation of new areas for industrial and commercial development in the Rural Land Use designation is not permitted.

6.1.2.2.5 The creation of lots specifically for the purpose of conserving woodlands or Environmental Areas as designated on the Environmental Areas Map in Chapter 13, may be permitted only where such lands are designated as Open Space in this Plan and zoned to prohibit any use not related to conservation. The creation of such lots will not be permitted where the configuration of the remnant parcels will create the potential for new non-farm uses or lots, or result in farms, which may not be commercially viable in accordance with Policy 6.1.1.5 of this Plan.

6.1.2.2.6 Schools, Churches and Cemeteries

In order to preserve and support the historic social and cultural needs of a unique segment of the Township's existing rural community which rely on horse-drawn vehicles as their sole means of transportation, the Township may, by amendment to the Zoning By-law, permit the establishment of small-scale schools, churches and associated cemeteries where their location in the Rural Land Use designation can be justified and the use complies with the Environmental policies contained in Chapter 13 of this Plan.

6.1.3 AGGREGATE RESOURCES

Chapter 11 of this Plan recognizes the value of aggregate resources and provides policies relative to the need to assure the availability and proper utilization of these resources. The Township adopts the following policies relative to aggregate resources within the Rural Land Use designation.

The establishment of a pit or quarry within the areas designated by this Plan as Rural Land Use, may be permitted after consideration and evaluation of the requirements of Chapter 11 and the remaining policies of this Plan.

6.1.4 EXISTING USES

This Plan recognizes that throughout the Township there are existing uses, which will not conform to the policies established by this Plan.

In many cases it is not desirable to perpetuate the conflicting use of land by means of Official Plan recognition, but at the same time it seems inappropriate that some of these uses, which are recognized as permanent, should be relegated to a non-conforming use status by the Zoning By-law which will implement the policies of this Plan.

In many cases it is the opinion of the municipality that an appropriate zoning category which would permit the specific existing use only on the site together with proper regulations and agreements where required is much to be preferred by the municipality than a non-conforming use status under zoning.

The Township adopts the following policies relative to Existing Uses, which do not conform to the overall policies of this Plan.

The Township may recognize uses which existed at the time of approval of the original Township Official Plan on April 25, 1983. This shall be done by means of appropriate site-specific zoning. Such zoning will permit only the specific uses existing as a permitted use in addition to the uses permitted in the zone which will implement the policies of the Plan for the general area concerned. Such a zoning shall not be considered to be in contravention of the policies of this Plan. **Modification No. 12**

Such a zoning to recognize an existing use, which does not conform to the overall policies of this Plan shall:

- a) only be accomplished by a site specific zoning by-law which will incorporate specific and appropriate regulations relative to the specific use and site;
- b) be limited to the limits of the land owned at the time of the approval of this Plan;
- c) only be considered following public notification and meeting; and

6.2 LAND USE LOCATION MAP AND SCHEDULE

Included in this Chapter of the Plan is a map entitled "Land Use Location Map" and a schedule entitled "Land Use Location Schedule". The maps and policies for the Identified Settlement, Industrial/Commercial, Industrial, Commercial and Open Space Land Use Areas are contained in Chapter 7 of this Plan. **Modification No. 13**

Included in the "Land Use Location Map" and a schedule entitled "Land Use Location Schedule" are the Special Policies Areas for Rural Lands. The policies for these lands are contained within this Chapter, and the detailed maps are provided at the end of this Chapter". **OPA No. 5**

It is the intent of this Plan that all lands within the Township will be included in the Rural Land Use designation save and except for those Identified Settlement Areas, Industrial/Commercial, Industrial, Commercial and Open Space Areas which are detailed by map and policy in Chapter 7 - Settlement Patterns.

The purpose of the Land Use Location Map is to indicate the approximate location of these areas within the Township. **Modification No. 14**

LAND USE LOCATION SCHEDULE

NAME-CLASSIFICATION	CHAPTER NUMBER	POLICY NUMBER	PAGE
Identified Settlement Areas			
Crowsfoot Corner Settlement Area (Residential Settlement)	7	7.6	7-14
Bloomington Settlement Area (Service Settlement)	7	7.7	7-16
Winterbourne Settlement Area (Service Settlement)	7	7.8	7-18
Heidelberg Settlement Area (Urban Settlement)	7	7.9	7-20
West Montrose Settlement Area (Service Settlement)	7	7.10	7-22
Floradale Settlement Area (Service Settlement)	7	7.11	7-24
Maryhill Settlement Area (Service Settlement)	7	7.12	7-26
Mundil Settlement Area (Residential Settlement)	7	7.13	7-28
Weber Settlement Area (Residential Settlement)	7	7.14	7-30
Conestogo Settlement Area (Urban Settlement)	7	7.15	7-32
Breslau Settlement Area (Urban Settlement)	7	7.16	7-41
St. Jacobs Settlement Area (Urban Settlement)	7	7.17	7-63
Elmira Settlement Area (Urban Settlement)	7	7.18	7-95
Shantz Station Settlement Area (Service Settlement)	7	7.19	7-98
Eldale Road Settlement Area (Service Settlement)	7	7.20	7-101

NAME-CLASSIFICATION	CHAPTER NUMBER	POLICY NUMBER	PAGE
Martin Grove Settlement Area (Residential Settlement)	7	7.21	7-103
Industrial and Commercial Land Use Areas			
Stockyards Industrial/Commercial Area and King and 86 Power Centre (1) (Arthur St. S./Weber St.)	7	7.23	7-113
South Breslau Industrial Area (Woolwich St. S./Fountain St.)	7	7.24	7-115
Shantz Station Commercial Area (Victoria St. N./Shantz Station Rd.)	7	7.25	7-117
Bast Place Industrial/Commercial Area (Lobsinger Line/Bast Pl.)	7	7.26	7-119
Nelson Monuments Industrial Area (Bridge St. E.)	7	7.27	7-121
Open Space Areas			
Three Bridges Open Space Area (Hawksville Rd.)	7	7.28	7-123
St. John's Kilmarnock Open Space Area (Shantz Station Rd.)	7	7.29	7-125
Waterloo Rod and Gun Open Space Area (Kressler Rd.)	7	7.30	7-127
Rural Special Policy Areas			
2240 New Jerusalem Road Special Policy Area	6	6.1.1.2.1	6-12

(1) OPA 49 (as approved by the Ontario Municipal Board dated February 28, 2003) is to the previous Township Official Plan and renumbered for purposes of consolidation to this Official Plan.

SCHEDULE A

TOWNSHIP OF WOOLWICH
RURAL SPECIAL POLICY AREA
"2240 New Jerusalem Road"

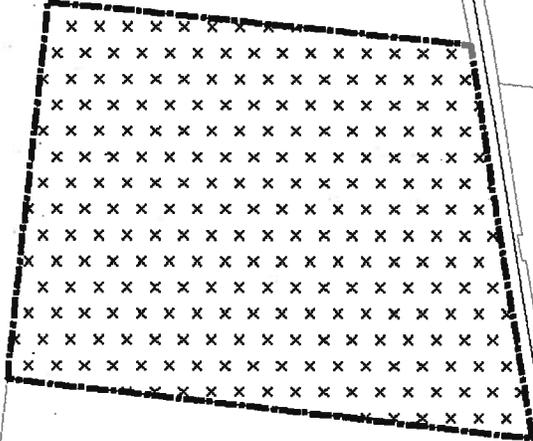
Legend

Rural Special Policy Area
See Section 6.1.1.2.1



NEW JERUSALEM RD

SCOTCH LINE RD



HIDDEN ACRES LANE

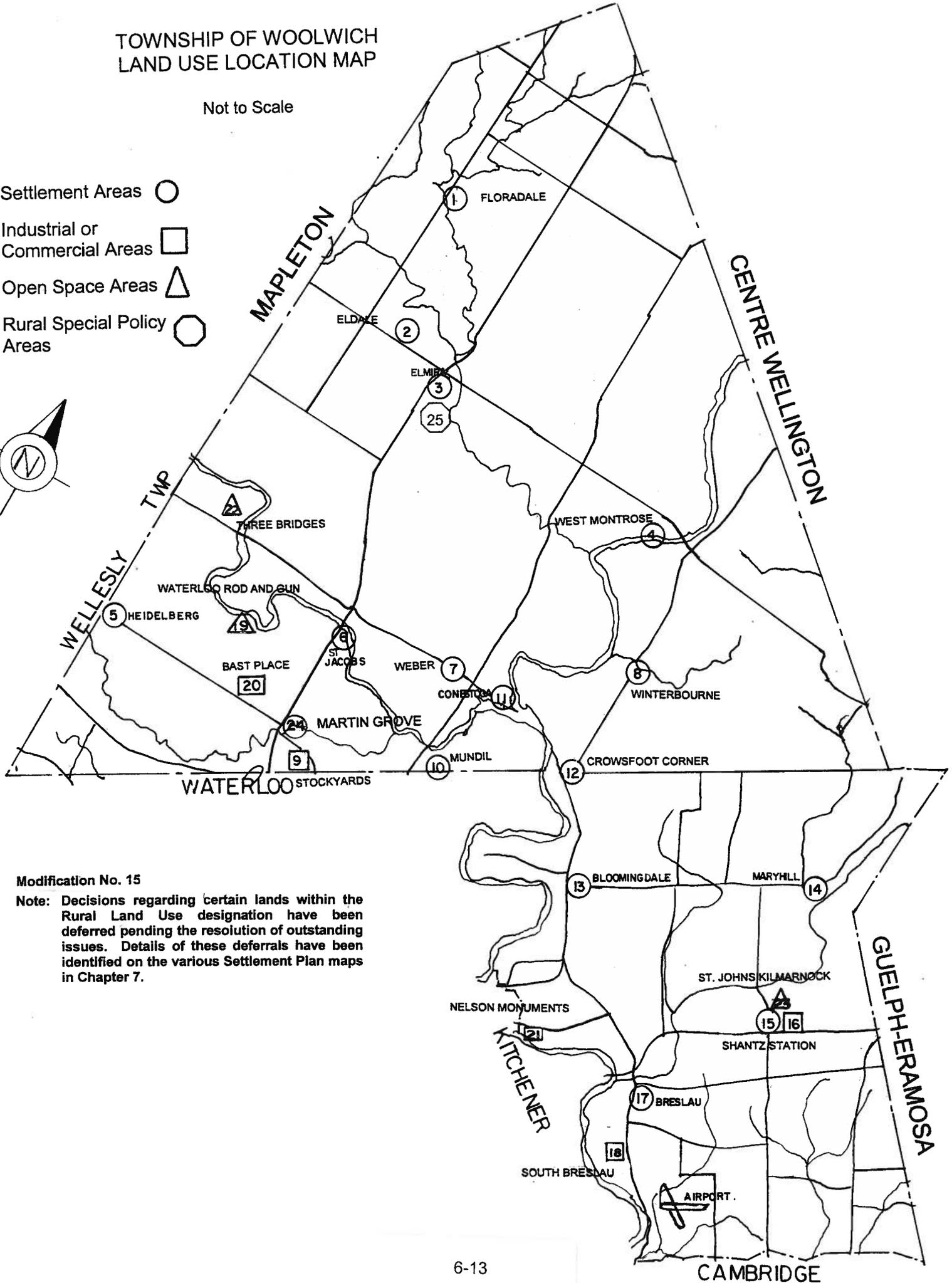
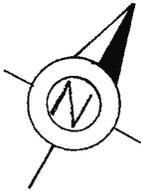


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TOWNSHIP OF WOOLWICH LAND USE LOCATION MAP

Not to Scale

- Settlement Areas ○
- Industrial or Commercial Areas □
- Open Space Areas ▲
- Rural Special Policy Areas ○



Modification No. 15

Note: Decisions regarding certain lands within the Rural Land Use designation have been deferred pending the resolution of outstanding issues. Details of these deferrals have been identified on the various Settlement Plan maps in Chapter 7.