

Technical Memorandum #5

Agricultural Zones

Zoning By-law Review

Town of St. Marys

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Contents

1.	Introduction.....	1
2.	Overview	1
	What are the Agricultural Zones?.....	1
3.	Analysis and Proposed Changes	2
3.1	<i>Planning Act</i> and Provincial Policy	2
3.2	Official Plan – Permitted Uses.....	2
3.3	Official Plan – Lot and Building Requirements	3
3.4	Technical Issues.....	4
4.	Conclusion and Recommendations.....	4
	Appendix A - Correspondence of Agricultural Zones with Official Plan	
	Designations and Use Permissions.....	5

1. Introduction

This Technical Memorandum forms part of the overall background review for the Town of St. Marys Zoning By-law Review.

The Town of St. Marys (“The Town”) adopted a new Official Plan on April 12, 2022, and it was approved by the Ministry of Municipal Affairs and Housing (MMAH) on October 9, 2024. The purpose of the Zoning By-law Review is to implement policy direction provided by the recently approved Official Plan. This Zoning By-law Review will introduce regulations that are concise, easy to understand, and provide clear direction on land use and built form while also providing flexible implementation where appropriate.

As part of this process, the Town of St. Marys is seeking to determine an appropriate approach to the use permissions and regulations for its Agricultural Zones to ensure that it addresses the needs of the Town.

The purpose of this Technical Memorandum is to provide direction on updates to the Zoning By-law regarding agricultural uses, and zoning permissions and standards in the Agricultural Zone categories.

This report will evaluate the existing Agricultural Zones for conformity with the existing policy framework found in Town Official Plan to identify gaps and challenges and determine how to address those gaps.

2. Overview

What are the Agricultural Zones?

The Town Zoning By-law identifies two (2) Agricultural Zones. However, one of the Agricultural Zones was deleted by By-law No. Z107-2014. All references to Agricultural Zone Two (A2) should be deleted. The remaining agricultural zone permits a range of agricultural uses (including agricultural-related uses), residential, and recreational uses and public uses. This zone is intended to implement the Agricultural designation of the Town Official Plan. A more detailed description of the Agricultural Zone One (A1) Zone is provided below:

Table 1 – Agricultural Zone Categories

Zone Symbol	Description of Zone	Associated Official Plan Designation
Agricultural Zone One (A1)	This zone permits existing agricultural uses including a commercial greenhouse, a single-detached dwelling with ancillary uses such as a bed and breakfast establishment and home	Agricultural

Zone Symbol	Description of Zone	Associated Official Plan Designation
	occupation, outdoor recreational uses (hiking trail and public park). Also permitted are a kennel, pet hotel, wayside pit, and accessory uses, buildings and structures.	
Agricultural Zone Two (A2)	Deleted by By-law No. Z107-2014.	N/A

3. Analysis and Proposed Changes

The following are recommended changes based on policy requirements.

3.1 Planning Act and Provincial Policy

The following are the changes that are required to permitted uses to implement the 2024 Provincial Planning Statement:

Table 2 – Recommended Updates to Implement the 2024 Provincial Planning Statement

Section No.	Proposed Zoning By-law Change	Rationale
6.1	A change is required to Section 5.01 of the Town Zoning By-law to permit Additional Residential Units, including on lots serviced by private water and sanitary services. This is addressed in a separate Technical Memorandum.	Policy 4.3.2 of the PPS states that “where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling...”

3.2 Official Plan – Permitted Uses

The following are the changes that are required to permitted uses to implement Official Plan policies:

Table 3 — Recommended Updates to Zoning By-law for Conformity with Official Plan Permitted Uses

Section No.	Proposed Zoning By-law Change	Rationale
6.1	Add “Agriculture-related uses” as a permitted use for A1.	Policy 3.10.2 states that agricultural-related uses are permitted in this designation.
6.1	Add “On-farm diversified” uses” as a permitted use for A1.	Policy 3.10.2 states that on-farm diversified uses are permitted in this designation.
6.1	Revise section 6.1 as follows: (a) Existing agricultural uses;	Policy 3.10.2 states that agricultural uses are permitted. There is no wording that states that only existing uses are permitted.
6.1	Revise section 6.1 as follows: (b) a bed and breakfast establishment within an existing single-detached dwelling ; (d) a home occupations within an existing single-detached dwelling ; (g) an existing single detached dwellings;	Policy 3.10.3.2 states that existing residential uses and the expansion of the dwelling and ancillary uses are also permitted. Therefore, only the existing residential uses and ancillary uses shall be allowed to continue.
6.1	Delete the following uses: (c.1) hiking trail ; (e) a kennel ; (e.1) a pet hotel ; (f) a public park ;	These uses should be deleted because there are no policies that permit these uses within the Agricultural Designation. These uses were also removed in the Ministry of Municipal Affairs and Housing approval of the Town Official Plan.

3.3 Official Plan – Lot and Building Requirements

There are no changes proposed to Lot and Building Requirements to implement Official Plan policies.

3.4 Technical Issues

Table 4 – Recommended changes to the Zoning By-law to Address Technical Matters

Section No.	Proposed Zoning By-law Change	Rationale
Section 7	Delete this section and all references to this section.	This section pertains to the Agricultural Zone Two (A2) Zone and was deleted by By-law No. Z107-2014

4. Conclusion and Recommendations

This Technical Memorandum reviewed the existing Agricultural zones within the Town of St. Marys. It is recommended that the changes outlined in Section 3 be incorporated into the updated Zoning By-law to ensure consistency with the 2024 Provincial Planning Statement and conformity with the updated Town Official Plan, while also maintaining appropriate consideration of the local context, recent planning trends, and technical issues identified by Staff.

Appendix A - Correspondence of Agricultural Zones with Official Plan Designations and Use Permissions

Table 5 - Correspondence of Agricultural Zones with Official Plan Designations and Use Permissions

Official Plan Designations	Official Plan Agricultural Designation Permitted Uses	Agricultural Zones
Agricultural	- Agricultural Uses - Agricultural-related uses - On-farm diversified uses - Existing residential uses and the expansion of dwelling and ancillary uses is also permitted. - Home occupations - Bed and breakfast establishments - Secondary Dwelling Units (Additional Residential Units)	A1