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Council-In-Committee Meeting – July 13, 2021

Subject: Growth Management Study: Phase 2A - Land Evaluation Area Review Introduction
Report Number: CD 21-70
Division: Community Development
Department: Planning
Purpose: For Decision

Introduction/Executive Summary:

The purpose of this report is to introduce a component of Phase 2A of the Growth Management Study in order to commence a Land Evaluation Area Review (LEAR), starting with the Lakeshore Special Policy Area.

The commencement of the LEAR study is part of the Provincial Policy Statement, 2020 (PPS, 2020) conformity exercise which could lead to proposed amendments to the Norfolk County Official Plan. It is one of the components of the Growth Management Study within the Community Development Business Plan for 2021-22. The purpose of a LEAR is to evaluate lands located within the Agricultural area to better identify specialty crop areas, agricultural areas, and potential rural land designated areas.

The LEAR is an important project that will be led and completed by staff working collaboratively with ministry staff for technical support. Staff are proposing that the LEAR be completed in 4 phases. It is anticipated that the study will begin in August of 2021 and be completed by mid-2022. This is sooner than initially intended given Council's support during the past budget process for utilizing a temporary "in-house" planning project position which is more efficient and cost-effective vs. full consultant approach.

Community engagement, stakeholder participation and targeted consultation will occur as outlined in the Engagement Strategy.

Discussion:

The Planning Department is embarking on a Growth Management Study (Report CD 21-47) that will ultimately establish growth management principles as well as identify opportunities and options to consider to accommodate growth until 2051. A component of the Growth Management Study that will aid in the identification of opportunities and

options to consider to accommodate growth is the by conducting a Land Evaluation Study. This study will also comprise a portion of the comprehensive review, which will be required prior to addition land being designated for agricultural protection or for additional development.

Norfolk County's Agricultural Areas continue to experience pressure through development applications and increased pressure to expand Urban Area boundaries to accommodate residential and economic growth throughout the municipality.

This report is organized to first provide policy context as a basis for commencing this work. It will then review the permitted types of land evaluation study, followed by staff's recommended approach.

Provincial Policy Statement, 2020 (PPS)

The PPS is a consolidated statement of the government of Ontario's policies on land use planning. The PPS provides policy direction on key land use planning issues such as the efficient use and management of land, environmental protection which includes farmland, housing, as well as providing direction on where development can take place.

There are two areas for discussion:

1. The PPS gives the framework to enable this type of exercise through a provincially approved land evaluation system. This will be discussed further in the subsequent section of this report.
2. The Norfolk County Official Plan does not have a Rural Lands designation. This work could potentially lay the foundation for Council consideration of the creation of this designation in the County.

The PPS defines rural area as a system of lands within municipalities that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas. The Norfolk County Official Plan identifies rural areas to include all land outside of the Urban Areas, Hamlet Areas and Resort Areas. The Rural Area includes lands designated for Agricultural, Major Institutional, Major Public Infrastructure, Parks and Open space, Hazard Lands, Provincially Significant Wetlands and Industrial Influence Area. Despite this, Norfolk County does not have a Rural Lands designation, nor is it defined in the Official Plan. This exercise would lay the groundwork for Council to consider the addition of this designation to the Norfolk County Official Plan. This work, as part of the Growth Study which is a comprehensive review, would also form part of the evaluation of settlement boundaries for urban and hamlet areas.

Each of the following Land Use designations are currently defined within the PPS, but are not defined in the Norfolk County Official Plan. They are as follows:

Prime Agricultural Area means "areas where prime agricultural lands are prominent. This includes areas of prime agricultural lands and associated Canada Land Inventory

Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.”

Prime Agricultural Land means “specialty crop areas and/or Canada Land Inventory Class 1, 2 and 3 lands, as amended from time to time, in this order of priority for protection.”

Specialty Crop Area means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Rural Areas means a system of lands within municipalities that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas.

Rural Lands means lands which are located outside settlement areas and which are outside prime agricultural areas.

As a part of the Land Evaluation Study, there will be a review of the policies of the above noted land use designations of other agricultural municipalities (such as the Niagara Region). Staff will also be reviewing, other municipalities that have previously conducted Land Evaluation Studies, including the City of Ottawa and Peel Region.

Study Types

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) identifies two study approaches to conduct a Land Evaluation Study in relation to agricultural lands. These include:

- Land Evaluation Area Review (LEAR) Study; and
- Agricultural Land Evaluation System (ALES) Study

Land Evaluation Area Review (LEAR) Study

A Land Evaluation Area Review (LEAR) study is a tool developed by OMAFRA to conduct a quantitative analysis to “evaluate the relative importance of lands for agriculture based on the land’s inherent characteristics and other factors affecting agricultural potential (OMAFRA, 2021).

A LEAR study is comprised of two major components:

1. Land Evaluation (LE), which assesses inherent soil and climatic conditions for agriculture. This is done by using mapping (GIS systems) to identify and compare the agricultural capability for common field crops.
2. Area Review (AR), which considers other factors important to agricultural potential such as fragmentation of the land base and how land is used.”

A LEAR study identifies prime agricultural areas and may be supplemented with additional studies and analysis prior to designating agricultural areas as prime agricultural areas (OMAFRA, 2021). A LEAR study not only identifies prime agricultural land and areas, but in turn also identifies what is not considered to be prime agricultural land.

This is done through the use of GIS technology to digitally analyze the data to develop quantitative scores for land within the study area. By mapping the agricultural land base of Norfolk County, this will aid the County in making informed land-use planning and economic development decisions that strengthen the County as a whole.

Scores from both components are weighted and combined to provide an overall LEAR score for each evaluation unit in the study area. The highest scoring evaluation units represent areas with the greatest agricultural potential.

Agricultural Land Evaluation System (ALES) Study

An Agricultural Land Evaluation System (ALES) study is a review that can be conducted to help identify the agricultural land base for designation in the Norfolk County Official Plan (ex: prime agricultural areas).

An ALES focuses not only on soils that are classified as 1-3 but also includes classes 4-7, as well as organic soil. An ALES considers whether improvements have been made (ex: the installation of tile drainage) or when the soil is used for crops that thrive in organic soil.

The province of Ontario outlines that the following characteristics must be considered when conducting an ALES:

- What is the actual land use? Is the land being used or have potential for agricultural purposes?
- Have investments been made into crops (e.g., perennial plant stock such as trees or grapevines), or agricultural infrastructure (e.g., livestock facilities, other agricultural buildings, drainage systems, fencing)?
- What are the lot size(s) in the subject lands? Is there a high degree of lot fragmentation?

To aid in the development of an ALES, OMAFRA recommends two critical elements for the success of the study. These are:

- 1) Identifying an Area Threshold (250 Hectares or larger of lands)
 - a. OMAFRA outlines that areas 250 hectares or larger that do not have prime agricultural area characteristics can be excluded from the prime agricultural area.
- 2) Establishing Designation Boundaries
 - a. When identifying prime agricultural lands for designation, designations should be adjusted to follow a lot line, roadway, rail line or body of water.
 - b. Prime Agricultural areas should not divide individual parcels.
 - i. May be appropriate to identify a designation boundary at a mid-concession point.
 - ii. This is suitable for large lots (40 hectare lots) where land character differs (prime vs. non-prime) from one end of the lot to the other.

LEAR vs. ALES

There are some differentiating elements between a LEAR study and an ALES study. A LEAR study utilizes the two components of the study (Land Evaluation and Area Review) which are weighted and combined to provide an overall LEAR score for each evaluation within in the studied area. The highest scoring units represent areas with the greatest agricultural potential. Another component of a LEAR Study that is different than an ALES study, is that a LEAR study is further supplemented with additional analysis and field verification (ground-truthing) prior to designating prime agricultural areas.

The ALES method uses GIS tools to evaluate relevant data layers (such as current land use designations and soil types) to evaluate and compare characteristics of land prior to the development of designations in Official Plans.

The LEAR study uses the most current mapping available through OMAFRA, this is a resource that the County can access through entering into a Data-sharing Agreement with the province. This resource is the most up-to-date data available to the County without additional cost. Based on the review of each type, staff have determined that the LEAR approach will provide the detailed technical review along with access to current mapping to complete the work based on the proposed schedule. *Staff recommend using the LEAR approach for this project.*

Potential Study Outcomes

There are a number of potential outcomes that may arise as the result of completing a Land Evaluation Study, either through a LEAR Study or an ALES Study.

One of these outcomes is the potential development of new Official Plan Land Use designations.

The Land Evaluation Study would identify alternative land use classification within the current Agricultural Designation of the Norfolk County Official Plan. These could include a “prime agricultural lands” designation or a “specialty crop area” designation or a “rural lands” designation. Identifying areas to protect also enables the creation of lands to consider rural lands that could be considered for additional lot creation outside of settlement areas. This balanced approach would be supported by the science and technical approach to this evaluation work.

Given the vast geographic area of Norfolk, it is recommended to first start this process for lands located within the Lakeshore Special Policy Area. The enabling policy currently existing within this land use designation makes it the logical area to start this work. As this is an in-house project, the County will be reviewed in sections. Future phases for this work, will take place outside of the overall Growth Plan Study work, but will then be linked to the next Official Plan Review study.

It will be necessary to balance these outcomes when preparing the overall Growth Plan for Norfolk County.

Land Evaluation Study Work Plan and Timelines / Next Steps



***If there are additional resources, these timeframes might be adjusted.**

Phase 1: Project Introduction and Information

Phase one is the project introduction report for the overall Land Evaluation component within the Growth Management Study.

The purpose of this report is to present the topic to Council and obtain direction regarding study approach.

Phase 2: Policy Review & Technical Reports

Phase two of the Land Evaluation Study would include a staff technical report that will outline the existing provincial policy, best practices and what other municipalities are doing (or have done). Staff will be investigating how other municipalities have implemented the outcomes of their Land Evaluation Studies to further understand the implications of developing new land use designations within the respective study area. This report will also outline the parameters for the following evaluation report in Phase 3, as well as identifying the evaluation criteria that will be applied.

This phase will also include a “ground truthing” component in order to physically analyze the areas within the study.

Phase 3: Opportunities & Options

During Phase three of the study, planning staff will be presenting a report that will include the outcome Land Evaluation Study for the Lake Shore Special Policy Area. Staff will be investigating how other municipalities have implemented the outcomes of their Land Evaluation Studies to further understand the implications of developing new land use designations within the respective study area. The remaining areas of the County will be analyzed through the Official Plan Review.

By focusing on one study area at a time, this will allow Council to consider, discuss, offer feedback and provide direction as it pertains to each of the study areas identified. This will also provide County staff to fine tune the study through the feedback that is received from Council.

Phase 4: Preferred Direction & Recommendations

The fourth phase of the study will conclude with a preferred direction report (or reports, as necessary) that offer policy recommendations, as required, due to the commencement of the Land Evaluation Study to facilitate the growth management strategy. Official Plan and Zoning By-law amendments may be required to implement the policy direction.

Phase 4 would bring the previous report that was presented in Phase 3 to provide an overall depiction of agricultural land in Norfolk County.

This report will inform the land use review of the Growth Management Study.

Public Engagement, Participation and Consultation

Public Engagement, Participation and Consultation will be conducted through phase 2, 3 and 4 of the study. Public engagement and consultation will be conducted in accordance a project specific Engagement Strategy that will be prepared as a next step.

Financial Services Comments:

The approved 2021 Capital Budget contains an allocation of \$150,000 for the Growth Management Study project which contains \$35,000 for consulting services and \$115,000 for staff salaries and is fully funded by the General Government Development Charges Reserve Fund. This project budget was reduced from \$300,000 through approved 2021 budget option 4a which created a temporary project planner position to in-source various consulting work over an 18-month period in order to realize net cost savings overall.

Additionally, \$175,000 is currently allocated in the 10-year capital plan in 2022 towards consulting services for the Land Evaluation Area Review (funded 55%/45% Levy/Development Charges), which is a critical component of the overarching Growth Management Study. Community Development staff have indicated that as a result of efficiencies provided by utilizing the additional staffing resource, there is an opportunity to undertake more aspects of the LEAR study in 2021 within the approved budget allocation for the Growth Management Study project. The expectation is that this would further reduce the requirement for external consulting services related to the 2022 LEAR project and would result in budgetary savings. Once the initial phases of the study are prepared, staff will evaluate the 2022 budget requirement to be submitted for Council approval.

Interdepartmental Implications:

A Technical Staff Team will be formed and will have an opportunity to provide feedback throughout the study and any interdepartmental implications can be discussed.

Study Constraints

In order to conduct a Land Evaluation Study, County Staff will require the services of the GIS team. Given service level demands currently being experienced by the GIS team, the project timeframe might be impacted due to capacity. Changes to the project schedule will be communicated on the project webpage and to stakeholders. Any major significant alterations to the final deliverable timing will be communicated to Council.

Consultation(s):

To be conducted throughout the three phases (Phases 2, 3 and 4) of the project.

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Foster Vibrant, Creative Communities".

Explanation:

The study will identify land use designations for the County which will help identify if urban boundary expansions are necessary to accommodate a mix of housing options and economic development.

Conclusion:

In conclusion, staff will be initiating the work required to begin the four phase study. The outcome of the land evaluation study will be essential to determine new land use designations in the agricultural area and where growth may be appropriately accommodated in the long term.

Recommendation(s):

THAT staff report CD 21-70 Growth Management Study: Phase 2A Land Evaluation be received as information;

AND THAT the Land Evaluation Area Review project be initiated as recommended in staff report CD 21-70;

AND THAT the General Manager, Community Development be authorized to execute a Data Use and Non-Disclosure Agreement with the Ontario Ministry of Agriculture, Food and Rural Affairs for the completion of the Land Evaluation Area Review project.

Attachment(s):

N/A

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