

Our File/N/Réf. 11-97-0624  
Your File/V/Réf.

DATE 3 July 1997

TO/DEST. The Chair and  
Members of Regional Council

FROM/EXP. Planning and Development Approvals Commissioner

SUBJECT/OBJET **RESPONSE TO OUTSTANDING P&E INQUIRY NO. 36  
FINES FLOWERS PROPERTY**

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At the Planning and Environment Committee meeting of 24 June 97, following Inquiry was put forward by Councillor van den Ham (PEC Inquiry No. 36):

“That staff prepare a report on the Fines Flowers property (Gloucester), with recommendations as to what can or should be done regarding the land designation, in light of the Committee’s recent decision to redesignate adjacent property from Agricultural Resource to General Rural”.

This is a response to the inquiry.

#### Background

Council refused Regional Official Plan Amendment 64 on December 12, 1996. The intent of the amendment was to change the designation of the Fines Flowers property from Agricultural Resource Area to General Rural Area. The applicant has referred the amendment to the Ontario Municipal Board (OMB).

Fines Flowers has requested that the designation of the property in the new draft Official Plan be changed from Agricultural Resource Area to General Rural Area. The request is supported by an Agricultural Survey prepared by Dillon Consulting Limited. The Legal Department has confirmed Council may deal with the Fines Flowers property as part of the draft Regional Official Plan that will be before Council on July 9. Revisiting the issue does not constitute a reconsideration of the Amendment 64 as the whole draft Regional Official Plan will be before Council.

If Council changes the designation to General Rural Area in the new Regional Official Plan, the applicant will not require the existing Official Plan to be amended by Amendment 64 and an OMB hearing will not be required. The designation of the property will be General Rural Area subject

to approval of the designation in the Official Plan by the Ontario Ministry of Municipal Affairs and Housing.

### Designation of Adjacent Lands

At the public meeting for the draft Official Plan, an Agricultural Survey prepared by Dillon Consulting Limited was submitted in support of changing the designation of the lands on Booth, Keenan and Mowat farms located on Lots 26, 28, and 29 Conc. B.F. Gloucester, from Agricultural Resource Area to General Rural Area. The Fines Flowers site is located on lot 27. The conclusion of the Agricultural Survey was that the soil classification for the properties was not correct (Class 2 according to Ontario Institute of Pedology maps), that the properties have a soil capability for agriculture of Class 3, 4 & 5 with Class 5 being predominant. Recalculation of the LEAR scores based on the revised soil classification indicated that the properties had a poor potential for agriculture.

OMAFRA commented on the soil survey prepared by Dillon did not provide sufficient information to support the suggested soil capability ratings. Dillon responded by recommending that OMAFRA staff revisit the area and discuss various issues with staff from Dillon who conducted the field work and data analysis.

On June 13 Planning and Environment Committee recommended that lots 28 and 29 Conc. B.F. (Booth and Keenan farms) be designated General Rural Area. The Committee recommended that lot 26 (Mowat farm), which scored 132 points in the Dillon survey indicating a good potential for agriculture, remain in the Agricultural Resource Area designation. The Committee also recommended that the Fines Flowers property on lot 27 remain in the Agricultural Resource Area designation as the Dillon survey did not evaluate the agriculture potential of the property.

On June 19 OMAFRA sent a letter in rebuttal to the Dillon response to the original OMAFRA comments. OMAFRA still maintains that the Agricultural Survey does not provide the description of the soil data that is necessary for a pedologist to reach a conclusion as to the accuracy of the survey. Staff from OMAFRA have had discussions with the consultant “regarding the types of information that would normally be expected and are awaiting its arrival.” Without this information OMAFRA maintains its position that the Survey does not provide sufficient information to justify the “suggested” soil capability ratings.

### Fines Flowers Agricultural Survey

An Agricultural Survey prepared by Dillon Consulting Limited has been submitted for the Fines Flowers property. The conclusion of the report was that the original LEAR scores overestimate the agricultural potential of the lands.

### Staff Comments

The Agricultural Survey prepared by Dillon states “that the RMOC LEAR scores for the Fines Flowers property were calculated by RMOC staff based on mapping of 1:100,000. The 1:100,000 scale does not give detailed and a site specific representation of the agricultural features of each farm as does the scales used for the evaluation documented herein”.

The advantage of the LEAR evaluation system was that all properties in the Region were evaluated on a consistent basis using the same criteria and the same information base. The statement in the report that different data sources and field techniques are used to assess the agricultural potential and soil capability of these farms indicates that the property is not being evaluated in a way that is consistent with the way all other properties in the Region were evaluated for agricultural potential using the LEAR. The criteria used to evaluate agricultural potential have been modified and as a result the LEAR scores for the property have been lowered. Examples:

1. The LEAR score for the Fragmentation factor is calculated in the LEAR by assigning scores based on the size of the total property. The Dillon report calculated the score for fragmentation based on calculating the percentage of the property in agricultural usage. The scores are not calculated using the same criteria used in the LEAR and as a result the Dillon survey assigned a lower score for Fragmentation. (difference = 4 points)
2. The LEAR factor, Agricultural Land Use, is calculated in the LEAR using the following definition for agricultural use. Agricultural use includes areas that have been under active cultivation (i.e. the land has not regenerated into scrub and forest), pasture, fences, streams, hedgerows, woodlots less than 2 ha in size and buildings. The Dillon survey did not include small woodlots, manicured lawns, swales and hedgerows and the lands associated with the greenhouses. The scores are not calculated using the same criteria used in the LEAR and as a result the Dillon survey assigned a lower score for Agricultural Land Use. (difference = 12 points)
3. The LEAR factor, Adjacent Land Uses is calculated by calculating the percentage of the property that falls within 305m of lands of an incompatible use. Incompatible uses are defined in the LEAR as designated Village or Urban Area in the Regional Official Plan as well as registered or draft approve residential (country lot) subdivisions (note: individual non farm residences are not included in this definition). The Dillon survey measures 305m from each incompatible use, including individual residences. The scores are not calculated using the same criteria used in the LEAR and as a result the Dillon survey assigned a lower score for Adjacent Land Uses. (difference = 10 points).

The Dillon survey suggested a LEAR score for the Fines Flowers property of 104 points. The Dillon survey calculated the scores for the Area Review factors listed above using different criteria than are used for the LEAR. If the Dillon Survey used the same criteria as those used in

the LEAR, the LEAR score for the property would increase to 130 points, the minimum threshold indicating good potential for agriculture.

As with the evaluation of the Booth and Keenan properties, the key factor that determines the appropriate designation for the property is the soil capability rating for agriculture. This factor given the most weight in the LEAR evaluation is the soil capability rating for agriculture. The Dillon survey revised soil capability ratings for the Fines Flowers property and as a result the LEAR scores for the property is significantly reduced. The Ontario Institute of Agrology maps indicate the property has a soil capability of agriculture rating of Class 2. The Dillon survey suggests that 30% of the property is Class 4, 11% is Class 5 and 15.5% is Class 7. The OMAFRA office at Kemptville which is responsible for providing comments on land use and Official Plans has commented that there are several pieces of information that is not provided in the survey and until such time as this information is brought forward, the Ministry sees no rational for changing the soil mapping nor the LEAR scores for the property.

### Conclusion

Although the Agricultural Surveys prepared by Dillon Consulting Limited has concluded that LEAR evaluation overestimates the agricultural potential for the Fines Flowers Property, staff and OMAFRA question the methodology used to arrive at this conclusion. The Survey states that different data sources and field techniques are used to assess the agricultural potential and soil capability of the farm. As a result the property is not being evaluated in a way that is consistent with the way all other properties in the Region were evaluated for agricultural potential using the LEAR. As well, OMAFRA has provided comments on the Agricultural Survey stating that the survey has not provided information to justify the revised soil classification for the property.

Based on the above staff conclude that the appropriate designation for the Fines Flowers property is Agricultural Resource Area in the Official Plan.

*Approved by Pamela Sweet  
on behalf of Nick Tunnacliffe*