

Section 6 – Permanent Agriculture (PA)

6.1 Preamble

Within a Permanent Agricultural Zone (PA), no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than a permitted use in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

6.2 Permitted Uses

6.2.1 Permitted Principal Uses

- a) A kennel;
- b) A principal single detached dwelling;
- c) Agricultural and farm uses, including a livestock facility and intensive agricultural uses;
- d) Conservation uses including forestry, reforestation and other activities connected with the conservation of soil or wildlife;
- e) Medium Scale or Large Scale Fire Wood Processing Operation;
- f) Open space;
- g) Outdoor recreational uses such as hiking and cross-country ski trails; and/or;
- h) Wayside pits and quarries;
- i) Agriculture-related uses; and/or
- j) On-farm diversified uses.

6.2.2 Permitted Accessory Uses

- a) A bed and breakfast establishment;
- b) A type “A” or a type “B” home occupation in accordance with the provisions of [Section 5.21](#);
- c) A type “A” or a type “B” home industry in accordance with the provisions of [Section 5.20](#);
- d) An accessory building to any of the above principal uses;
- e) An agricultural produce sales outlet for the sale of raw produce grown on this location;
- f) Additional residential unit(s) subject to the provisions of [Section 5.2](#); and/or
- i) Shipping containers where a building permit has been issued.

6.3 Zone Regulations

6.3.1 For the Property

- a) Lot Area: 18.2 hectares (45 acres) minimum;
- b) Lot Frontage: 100 metres (328.1 feet) minimum;
- c) Off-street parking shall be provided in accordance with [Section 5.30](#); and
- d) Livestock facilities shall be in accordance with [Section 5.3](#).

6.3.2 For Principal Building

- a) Front Setback: 20 metres (65.6 feet) minimum;
- b) Rear Setback: 20 metres (65.6 feet) minimum;
- c) Interior Side Setback: 10 metres (32.8 feet) minimum;
- d) Exterior Side Setback: 20 metres (65.6 feet) minimum;
- e) Gross Floor Area of Dwelling: 90 square metres (968.7 square feet) minimum;
- f) Building Height: 11 metres
- g) No building or structure used for the housing, training or care of animals in conjunction with a kennel as defined in this By-law, shall be located less than 150 metres (492.1 feet) from a residential zone or an existing residential use on a neighbouring lot.

6.3.3 For Accessory Building(s)

- a) Front Setback: 20 metres (65.6 feet) minimum;
- b) Rear Setback: 10 metres (32.8 feet) minimum;
- c) Interior Setback: 10 metres (32.8 feet) minimum;
- d) Exterior Side Setback: 20 metres (65.6 feet) minimum; and
- e) Building Height: 45 metres (147.6 feet) maximum

6.4 General Provisions

All special provisions of [Section 5](#) "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the Permanent Agricultural (PA) Zone.

6.5 Special Permanent Agricultural Zones (PA)

All other provisions of the By-law shall apply except as specified by each special zoning requirement.

6.5.1 Special Permanent Agricultural 1 (PA-1)

Part Lot 18, Concession 7

Part 1 on RP 39R-8187 s/e Part 1 on RP 39R-8310

Notwithstanding any provisions of this By-law to the contrary, on lands zoned PA-1 the following special provisions shall apply:

- a) Residential - All residential uses are prohibited;

- b) Non-Residential - use of the existing barns for the housing, raising, fattening or otherwise, of any type of livestock, shall not be permitted.

6.5.2 Special Permanent Agricultural 2 (PA-2)
Part Lot 21, Concession 1
Part 11 on RP 39R-151

Notwithstanding any provisions of this By-law to the contrary, on lands zoned PA-2 the following special provisions shall apply:

- a) Non-Residential - an auction outlet shall be permitted in addition to all other permitted Permanent Agriculture uses.

6.5.3 Special Permanent Agricultural 3 (PA-3)

The lands subject to this By-law amendment are described as follows:
Part Lots 1 and 2, Concession 4

Notwithstanding any provisions of this By-law to the contrary, on lands zoned PA-3 the following special provisions shall apply:

- a) Residential - All residential uses are prohibited.

6.5.4 Special Permanent Agricultural 4 (PA-4)
Part Lots 23 and 24, Concession 7

Notwithstanding any provisions of this By-law to the contrary, on lands zoned PA-4 the following special provisions shall apply:

- a) Residential - All residential uses are prohibited.
- b) Non-Residential - use of the existing barns for the housing, raising, fattening or otherwise, of any type of livestock, shall not be permitted.

6.5.5 Special Permanent Agricultural 5 (PA-5)
Part Lot 22, Concession 7

Notwithstanding any provisions of this By-law to the contrary, on lands zoned PA-5 the following special provisions shall apply:

- a) Residential - All residential uses are prohibited.

6.5.6 PA-6 unused

6.5.7 Special Permanent Agricultural 7 (PA-7) By-law 2004-08
Part Lot 26, Concession 2
Part 2 on RP 39R-8872
7820 Telephone Road

Notwithstanding the permitted uses and provisions of the Permanent Agriculture Zone (PA), as previously amended, within the Permanent Agriculture Exception Zone (PA-7) the following additional uses and provisions shall apply:

(1) Uses Permitted:

- a) Non-Residential Uses
 - i. A truck terminal
 - ii. An accessory business office.

For purposes of this By-law the following definitions shall apply:

Commercial Motor Vehicle - (as defined within the Highway Traffic Act) means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, busses and tractors used for hauling purposes on the highways.

(2) Zone Provisions:

- a) Commercial Motor Vehicle (maximum 10)

6.5.8 Special Permanent Agricultural 8 (PA-8) By-law 2002-49
Part Lot 29, Concession 7
Part 1 on RP 39R-3374

Notwithstanding any provisions of this By-law to the contrary, on lands zoned PA-8 the following special provisions shall apply:

‘Livestock Animal’ shall mean a horse, foal, cow, calf or the combination thereof.

‘Riding Arena’ - shall mean an enclosed area for the display and/or exercising of horses and/or cattle residing on the property but not for stalls and overnight occupancy, storage or other farm animals or uses.

Special Zone Provisions:

- a) Lot area: Minimum 2.8 hectares (7 acres);
- b) Lot coverage: Existing non-residential lot coverage 371.6 square metres (4000 ft²) – maximum
- c) Riding Arena Lot Coverage: 12,000 ft²; and
- d) Nutrient Units Per Lot: Maximum 14.

6.5.8A Special Permanent Agricultural 8A (PA-8A)
Part Lot 25 and 26, Concession A
7875 County Road 2

- a) Notwithstanding [Section 5.26](#) of Zoning By-law 2001-58, the entire property at 7875 County Road 2 (West 1/2 Lot 25 and East 1/2 Lot 26, Concession A, Township of Hamilton) shall be deemed to have frontage on County Road 2 and residential buildings associated with the farm use of the subject property are permitted to locate on the subject property south of the existing railway lines, subject to a setback of 22 metre from the identified Lake Ontario Flood Line which has an elevation of 75.7 metre.
- b) The building area for the farm residence, inclusive of lands associated with the private services and amenity area for the residence shall be located within an area of approximately 91m by 61m, located a minimum of 30.5 metre west of the easterly property line and a minimum of 22 metre north of the identified Lake Ontario Flood line (elevation 75.7 metre).
- c) All existing vegetation shall be retained to the extent possible with the exception of the areas required for the access driveway, areas for the residence and associated accessory buildings, amenity areas and private service areas. Construction and maintenance of the access driveway and railway crossings shall be to the satisfaction of the Township of Hamilton.

- d) The final approval for the residential dwelling shall be subject to Site Plan Approval and a Site Plan Agreement.

The Schedules to Zoning By-law 2001-58 are hereby amended in accordance with Schedule A and A1 attached hereto and as described as follows:

Rezoning the part of the lands south of the CNR right-of-way from Open Space zone (OS) and Environmental Protection-Wetland zone (EP-W) to Special Permanent Agricultural zone (PA-8A), except for those lands identified as Wetlands-evaluated on the Natural Heritage Features Map prepared by the Ontario Ministry of Natural resources dated 11/03/2008, which shall remain zoned as Environmental Protection-Wetland zone (EP-W), as identified on the attached Schedule 1 to this amendment and to permit the construction of a single detached dwelling associated with the farm within the Special Permanent Agricultural zone (PA-8A) within the area identified on the attached Schedule A1.

6.5.9A Special Permanent Agricultural 9A (PA-9A) By-law 2006-50
Part of Lot 28, Concession 3

Lot area: Minimum 7.2 hectares (18 acres)

All other provision of the PA zone shall apply within the PA-9A zone.

6.5.9B Special Permanent Agricultural 9B (PA-9B) By-law 2012-02
Part of Lot 35, Concession 6, more particularly described as
Part 1 on RP 39R-3389 plus additional lands not further described

6.5.9B.1 Zone Regulations

For all principal buildings or uses of existing house:

- a) Lot area (minimum) - 5.86 hectares (14.5 acres)
- b) Lot frontage (minimum) - 83.55 metres (274.13 feet)
- c) Interior side yard (minimum) - 7.88 metres (25.88 feet)
of existing house

6.5.10 A Special Permanent Agricultural 10A (PA-10A) By-law 2012-13
Part of Lot 9, Concession 8, more particularly described as
Part 1 on RP 39R-12602

6.5.10A.1 Zone Regulations

- a) For all principal buildings or uses:
 - i) Lot area (minimum) - 2 hectares (4.9 acres)
 - ii) Lot frontage (minimum) - 65.963 metres (216.41 feet)
- b) For accessory buildings not attached to the principal building:
 - i) Front setback of existing garage - 3.03 metres (9.9 feet).

6.5.10B Special Permanent Agricultural - 10B (PA-10B) By-law 2012-58

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-10B and shown on Schedule "A" attached, the following special provisions shall apply:

Area to be rezoned (maximum)	1.61 acres
Front yard (minimum)	365 metres
Rear yard (minimum)	300 metres
Side yard (minimum)	50 metres

Permitted uses:

All uses permitted within the Permanent Agriculture (PA) Zone plus the following additional permitted use:

- a) A firewood processing establishment.

For purposes of this By-law a firewood processing establishment is defined as an establishment that processes timber, both on-site and off-site, by means of a loader and cutter. The said activity will be limited to the area so zoned for storage and processing of the firewood and timber. The majority of sales and firewood product will be delivered to off-site locations, as opposed to pickup.

The firewood processing establishment will be subject to the Township of Hamilton Site Plan Control By-law and a Site Plan Agreement shall be registered on title accordingly.

All other provisions of By-law 2001-58 shall apply to lands zoned PA-10B.

6.5.11 Special Permanent Agricultural 11 (PA-11) By-law 2013-23
 Part of the South Half of Lot 27, Concession 5, save and except Part 1 on RP 39R-3369 and Part 1 on RP 39R-12778

6.5.11.1 Zone Regulations

- a) Front yard (minimum):
 - i) For the existing single detached dwelling - 14.32 metres (47 feet)
 - ii) For the existing 30'x90' detached barn - 6.09 metres (20 feet)

6.5.12 Special Permanent Agricultural 12 (PA-12) By-law 2014-10
 Part Lot 27 and 28, Concession 3
 Part of Part 1 and Parts 2 and 3 on RP 39R-11991

6.5.12.1 Zone Regulations

- a) Permitted uses: The 2nd single detached dwelling is recognized until such time as it is demolished or destroyed.

6.5.13 Special Permanent Agricultural 13 (PA-13) By-law 2014-07
 Part Lot 34, Concession 2
 Part 2 on RP 39R-12992

6.5.14 Permitted Uses

- a) The following uses are prohibited in the Permanent Agricultural-13 (PA-13) zone as per [Section 2.3.4.1.c. of the Provincial Planning Statement, 2024.](#)
 - i. All principal residential uses;
 - ii. All accessory residential uses.

6.5.14.1 Permitted Uses

- 6.5.15 Special Permanent Agricultural -15 (PA-15) By-law 2015-19
Part Lot 16, Concession 6,
Part 1 on RP 39R-13160

i.	Lot area minimum	2.96 ha (7.31 ac);
ii.	Lot frontage minimum	91.87 m (301.4 ft);
iii.	Front yard setback minimum	11.6 m (38.05 ft)

- a) The minimum lot frontage shall be 98.47 metres (323.06 feet) on Dale Road.
- b) The minimum front setback for the existing farm building shall be 18.01 metres (59.08 feet).
- c) The use of the existing farm buildings shall be restricted from any farm animal housing or manure storage areas as per the Minimum Distance Separation requirements.
- d) Any future farm animal housing or manure storage area shall be permitted on the property subject to compliance with Minimum Distance Separation II calculations for the new structure/use.

a) All principal residential uses;

- b) All accessory residential uses
 - 2. The minimum lot frontage shall be 98.47 metres (323.06 feet) on Cavan Road and 438.3 metres (1438.02 feet) on Donaldson Road.
- 6.5.18 Special Permanent Agricultural -18-ORM (PA-18-ORM) By-law 2017-11
Part of Lot 2 in Concession 4, Hamilton Township
- 1. Notwithstanding the permitted uses in the Oak Ridges Moraine Core zone, the Oak Ridges Moraine Countryside zone and the Oak Ridges Moraine Environmental zone, the following uses are prohibited in the Permanent Agricultural-18-ORM (PA-18-ORM) zone as per [Section 2.3.4.1.c. of the Provincial Planning Statement, 2024](#), as amended.
 - a) All principal residential uses;
 - b) All accessory residential uses
- 6.5.19 Special Permanent Agricultural -19-ORM (PA-19-ORM) By-law 2017-24
Part of Lot 31 in Concession 7, Hamilton Township
Part 2 on RP 39R-13518
- 1. Notwithstanding the permitted uses in the Oak Ridges Moraine Linkage zone and the Oak Ridges Moraine Environmental zone, the following uses are prohibited in the Permanent Agricultural-19-ORM (PA-19-ORM) zone as per [Section 2.3.4.1.c. of the Provincial Planning Statement, 2024](#), as amended.
 - a) All principal residential uses;
 - b) All accessory residential uses
 - 2. Notwithstanding any zone provisions to the contrary, the following zone provisions shall apply to this parcel:
 - a) Minimum lot area 22.36 hectares (55.25 acres);
 - b) Minimum lot frontage 136.73 metres (448.58 feet)
- 6.5.20 Special Permanent Agricultural -20-ORM (PA-20-ORM) By-law 2017-24
Part Lot 31, Concession 7
Part 1 on RP 39R-13518
- 1. Notwithstanding any zone provisions to the contrary, the following zone provisions shall apply to this parcel:
 - a) Minimum lot area 8.09 hectares (19.99 acres);
 - b) Minimum lot frontage 94.03 metres (308.49 feet).
- 6.5.21 Special Permanent Agricultural -21-ORM (PA-21-ORM) By-law 2017-46
Part of Lot 11, Concession 6
- 1. Notwithstanding the permitted uses in the Oak Ridges Moraine Linkage zone and the Oak Ridges Moraine Environmental zone, the following uses are prohibited in the Permanent Agricultural-21-ORM (PA-21-ORM) zone as per [Section 2.3.4.1.c. of the Provincial Planning Statement, 2024](#), as amended.

- a) All principal residential uses;
- b) All accessory residential uses

2. Notwithstanding any zone provisions to the contrary, the following zone provisions shall apply to this parcel:

- a) Minimum side setback of existing foundation: 3.76 metres (12.33 feet)

6.5.22 Special Permanent Agricultural -22 (PA-22) By-law 2018-35
 (the retained parcel of application B-26/17)
 3218 Hickerson Road
 Part of Lot 3 in Concession 4, Hamilton Township
 More particularly described as
 Part of Part 1 on RP 39R-2655

6.5.22.1 Zone Provisions

- a) The property enjoys broken frontages along Clapperton Road and Hickerson Road with the minimum frontage of 86.86 m +/- (285 ft +/-) along Hickerson Road between the properties known as 9707 Clapperton Road and 3318 Hickerson Road.
- b) The remaining provisions of [Section 6.3](#) shall remain in force and effect in respect of the PA-22 zone.

6.5.23 Special Permanent Agricultural -23-ORM (PA-23-ORM) By-law 2018-60
 Vacant land on Cavan Road
 Part Lot 17 and 18, Con 7
 Save and Except Part 1 on RP 39R-13829

6.5.23.1 Permitted Uses

- a) All principal residential uses;
- b) All accessory residential uses

6.5.24 Special Permanent Agricultural -24 (PA-24) By-law 2019-64
 The lands subject to this by-law amendment are described as follows:
 (the retained/remnant lands of consent applications B-18/18)
 Part of Lot 26, Con 1
 Now more specifically described as
 Part of Part 3 on RP 39R-318
 (save and except Parts 1 and 2 on RP 39R-14000)

6.5.24.1 Minimum front setback to the existing building shall be 17.94 metres (58.85 feet).

6.5.25 Special Permanent Agricultural -25-ORM (PA-25-ORM) By-law 2019-80
 Part of Lot 10, Con 6

- 1. Notwithstanding the permitted uses in the Oak Ridges Moraine Linkage zone and the Oak Ridges Moraine Environmental zone, the following uses are prohibited in the Permanent Agricultural-25-ORM (PA-25-ORM) zone as per [Section 2.3.4.1.c. of the Provincial Planning Statement, 2024](#), as amended.
 - a) All principal residential uses;
 - b) All accessory residential uses

2. Notwithstanding any zone provisions to the contrary, the following zone provisions shall apply to this parcel:

- a) Minimum front setback of existing barn foundation fronting on Eagleson Road: 6.11 metres (20.04 feet);
- b) Minimum side setback of existing barn foundation fronting on Eagleson Road: 1.86 metres (6.10 feet).

6.5.26 Special Permanent Agricultural -26-ORM (PA-26-ORM) By-law 2020-04
Part of Lot 8, Con 8
Now more specifically described as Part 1, 5, 6 and 7 on RP 39R-14043

Zone Provisions

- 1. Notwithstanding the permitted uses in the Oak Ridges Moraine Countryside zone, the following uses special provisions shall apply:
 - a) Non-Residential Use: A nursery/greenhouse use shall be permitted in addition to all other uses permitted in [Section 6.2](#) of this By-law;
 - b) Minimum front setback of existing frame building fronting on Sully Road 11.77 metres (38.61 feet), as existing on the date of the passage of this by-law;
 - c) Minimum front setback of existing greenhouse fronting on Sully Road 18.85 metres (61.84 feet), as existing on the date of the passage of this by-law.

6.5.27 Special Permanent Agricultural -27 (PA-27) By-law 2020-05
Part of Lot 31 and 32, Con 3
Part of Part 1 on RP 39R-11523

Zone Provisions

- 1. Notwithstanding the permitted uses in the Permanent Agriculture (PA) zone, the following uses are prohibited in the Permanent Agricultural-27 (PA-27) zone as [per Section 2.3.4.1.c. of the Provincial Planning Statement, 2024](#), as amended.
 - a) All principal residential uses;
 - b) All accessory residential uses

6.5 27B Special Permanent Agricultural – 27B (PA-27B) By-law 2021-33
Part Lot 35, Con 3
Part 2, on RP 39R – 14251

Notwithstanding any provisions of this By-law to the contrary, on lands zoned PA-27B the following special provisions shall apply:

- 1. Residential: All residential uses are prohibited

All other provisions of this by-law shall apply.

6.5.28 Special Permanent Agricultural – 28 (PA-28) By-law 2021-34
Part Lot 32, Con 3
Part 2 on RP 39R-14250

- 1. Residential: All residential uses are prohibited.

- 2. Non-Residential: Use of existing barns or buildings located on the property as of the date of the passing of this by-law, for the housing, raising, fattening or otherwise, of any type of livestock, shall not be permitted.

6.5.29 Special Permanent Agricultural – 29 (PA-29) By-law 2024-05
Part of Lot 25, Concession 5,
Being Part Lots 1 and 2 on RP 39R-14732,

Notwithstanding Sections [6.3.1](#) a), [6.3.1](#) b) and [5.34](#) of this By-law to the contrary, the following special zone provisions shall apply to lands zoned Special Permanent Agriculture 29 (PA-29):

- 6.5.29.1 Minimum lot area 2 ha
Minimum lot frontage 60.96 m
Maximum floor area for a Type ‘A’ home industry shall be 92.9 m².

6.5.30 Special Permanent Agricultural – 30 (PA-30) By-law 2024-07
Part of Lot 12, Concession 3

Notwithstanding any provision of this by-law to the contrary, on lands zoned Special Permanent Agriculture 30 (PA-30), all residential uses shall be prohibited.

Notwithstanding [Section 6.3.2](#), to the contrary, on lands zoned Special Permanent Agriculture 30 (PA-30) the minimum lot area requirement shall be 4 ha.