



COUNCIL INFORMATION PACKAGE

SUMMARY

APRIL 16, 2021

1. **C-122-2021**

Correspondence dated April 9, 2021 from the Township of Essa respecting a resolution of support of the Town of Orangeville's resolution pertaining to the request to remove Schedule 3 from Bill 257.

2. **C-123-2021**

Correspondence dated April 9, 2021 from James Moretti, Chief Financial Officer, Avondale Stores Limited requesting a letter of approval for the sale of alcohol on Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Family Day.

3. **C-124-2021**

Correspondence dated April 12, 2021 from the Township of Georgian Bay with a resolution of support of the City of Kitchener's resolution regarding Planning Act Timelines.

4. **C-125-2021**

Correspondence dated April 16, 2021 from the Township of Springwater to Member of Parliament, Doug Shipley, respecting a motion of support regarding Proposed Clean Fuels Standard being considered for legislation.

5. **C-126-2021**

Correspondence received April 9, 2021 from the Town of West Lincoln respecting a Notice of Public Meeting for a Zoning By-law Amendment File No. 1601-004-21 (ZBA) – 6696 Canborough Road

Corporation of the Township of Essa
5786 County Road 21
Utopia, Ontario
L0M 1T0



Telephone: (705) 424-9917
Fax: (705) 424-2367
Web Site: www.essatownship.on.ca

Received April 9, 2021
C-122-2021

April 9, 2021

Town of Orangeville
87 Broadway
Orangeville ON
L9W 1K1

Re: Support – Bill 257, Schedule C

Please be advised that at its meeting of April 7, 2021, Council of the Township of Essa received a copy of the Town of Orangeville's resolution pertaining to the request to remove Schedule 3 from Bill 257.

Please be advised that Council of the Township of Essa shares the same concerns and hereby supports this resolution as presented.

Sincerely,

A handwritten signature in black ink, appearing to read 'Krista Pascoe', is written over a faint, larger version of the same signature.

Krista Pascoe,
Deputy Clerk

cc:

Doug Ford, Premier of Ontario
Jim Wilson, MPP Simcoe-Grey
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Hon. Laurie Scott, Minister of Infrastructure
Association of Municipalities of Ontario (AMO)
Nottawasaga Valley Conservation Authority



April 09, 2021

Township of Wainfleet
31940 Highway 3
PO Box 40,
Wainfleet ON L0S 1V0

Dear Town Council Members,

As you may be aware, Avondale Food Stores operates a long-standing convenience store at 41986 Forkes Road in Wainfleet. The store offers a number of convenience and grocery items and is licensed as an LCBO agency store. Through the rules provided in the Retail Holiday Business Act, the store is granted the permission to open on certain prescribed holidays (listed below), and has always done so in the past. Accordingly, the LCBO agency items have also been granted permission to be sold on said holidays. For the first time this year, the LCBO has requested that all agency stores contact the respective municipality/townships and obtain a letter of approval, for sales of beverage alcohol on these days.

The permissible holidays under the Retail Business Holiday Act are as follows:

- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Family Day

Therefore, we are requesting a letter of acknowledgement from the Township of Wainfleet, to allow for the continuation of the sale of beverage alcohol on these holidays.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read "J. Moretti", with a long horizontal flourish extending to the right.

James Moretti, CPA, CA
Chief Financial Officer
Avondale Stores Limited

**THE TOWNSHIP OF GEORGIAN BAY
Council**

DATE: 12 April 2021

	<u>YEA</u>	<u>NAY</u>	
Councillor Boчек	_____	_____	MOVED BY: <u>Hazelton</u>
Councillor Cooper	_____	_____	
Councillor Douglas	_____	_____	SECONDED BY: <u>Boчек</u>
Councillor Hazelton	_____	_____	
Councillor Jarvis	_____	_____	
Councillor Wiancko	_____	_____	
Mayor Koetsier	_____	_____	

DEFERRED _____ **CARRIED** X **DEFEATED** _____ **REFERRED** _____

BE IT RESOLVED THAT Council supports the City of Kitchener Resolution dated March 22, 2021 regarding Planning Act Timelines.

Peter Koetsier
Mayor



CHRISTINE TARLING
Director of Legislated Services & City Clerk
Corporate Services Department
Kitchener City Hall, 2nd Floor
200 King Street West, P.O. Box 1118
Kitchener, ON N2G 4G7
Phone: 519.741.2200 x 7809 Fax: 519.741.2705
christine.tarling@kitchener.ca
TTY: 519-741-2385

March 31, 2021

Honourable Steve Clark
Minister of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto ON M5G 2E5

Dear Mr. Clark:

This is to advise that City Council, at a meeting held on March 22, 2021, passed the following resolution regarding Planning Act Timelines:

“WHEREAS the City of Kitchener, like many Ontario municipalities, is experiencing significant growth; and,

WHEREAS the City of Kitchener has conducted extensive work through its Development Services Review to remove red tape and improve public engagement; and,

WHEREAS the Province of Ontario's Planning Act provides a legislative framework for processing development applications including established timeframes which permit applicants to appeal to the Local Planning Appeal Tribunal if a Council fails to make a decision within a prescribed timeline; and,

WHEREAS the passing of Bill 108 in 2019 reduced the timelines for processing development applications before they can be appealed to the Local Planning Appeals Tribunal (LPAT) for a non-decision from those outlined in Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017 as follows:

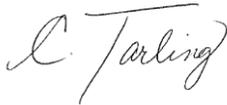
- from seven months (210 days) to four months (120 days) for Official Plan amendments;
- from five months (150 days) to three months (90 days) for Zoning By-law amendments; and
- from six months (180 days) to four months (120 days) for Plans of Subdivision; and

WHEREAS the shortened timeframes create unreasonable pressures on municipalities, even outside the context of navigating city business in a global pandemic, and result in reduced opportunities for meaningful public engagement and limited time for the public to provide written submissions on a development application;

THEREFORE BE IT RESOLVED that Kitchener City Council urge the Province of Ontario to review and reconsider the current timelines established for review of Planning Act applications before an appeal is permitted to the Local Planning Appeals Tribunal and to return to the timelines that were in effect under Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017;

THEREFORE BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Ontario Minister of Municipal Affairs and Housing, to the local MP's and MPP's, to the Federation of Canadian Municipalities, to the Association of Municipalities Ontario, and all other municipalities in Ontario."

Yours truly,



C. Tarling
Director of Legislated Services
& City Clerk

- c: Honourable Tim Louis, M.P.
- Honourable Raj Saini, M.P.
- Honourable Marwan Tabbara, M. P.
- Honourable Bardish Chagger, M.P.
- Honourable Bryan May, M.P.
- Honourable Amy Fee, M.P.P.
- Honourable Catherine Fife, M.P.P.
- Honourable Belinda Karahalios, M.P.P.
- Honourable Mike Harris, M.P.P.
- Honourable Laura Mae Lindo, M.P.P.
- Bill Karsten, President, Federation of Canadian Municipalities
- Monika Turner, Association of Municipalities of Ontario
- Rosa Bustamante, Director, Planning, City of Kitchener
- Ontario Municipalities



www.springwater.ca
2231 Nursery Road
Minesing, Ontario
L9X 1A8 Canada

April 16, 2021

To: MP Shipley,
48 Alliance Blvd Suite 104
Barrie, Ontario

Sent via email

RE: Clean Fuel Standard

Good day,

At its regular meeting on April 7, 2021, Council of the Township of Springwater passed resolution C146C-2021 endorsing the following letter presented by the Township of Springwater's Agricultural Advisory Committee regarding the Clean Fuels Standard:

Dear Mr. Shipley,

The purpose of this letter is to discuss the Proposed Clean Fuels Standard that is being considered for legislation. As members of the Springwater Township Agricultural Advisory Committee, we have serious concerns with this proposal. This proposal in its current form, has the potential to be catastrophic to the Canadian farmer. The proposed rules and regulations for restrictions on land use are detrimental to the long-term viability of Canadian agriculture.

If this proposal goes ahead, Canadian farmers will be unable to make improvements to their land to make it more efficient for the use of crop production, thus making them unable to meet the needs of food supply needed for the ever-growing population. Making improvements to land for crop production is essential to the growing demand in food supply for our country and should not have restrictions placed upon it. Instilling restrictions in this manner is no different than telling a homeowner that any renovations made after a specific date disqualifies any future renovations.

The restrictions being imposed through the Clean Fuels Standard will make it so Canadian farmers are unable to recoup costs that they are spending in order to meet the needs of the growing population in Canada. Having these restrictions in place, will have buyers seeking products elsewhere, out of country. What will this do to Canada's economy?

The ideas proposed, 'setbacks from watercourses and woodlands,' would come at a tremendous cost to the Canadian farmers who have purchased, paid taxes, and cared for, for generations, are suddenly unable to use the land for renewable fuel purposes.

How will these costs be recovered if the farmer is unable to utilize this land for crop production? Is a farmer going to have to build separate grain storage to store products that are ineligible for renewable energy at a cost of hundreds of thousands of dollars? Isn't it important that the Canadian Government work with Canadian farmers, not impose unworkable rules and regulations that hinder crop production and create a competitive disadvantage with other countries?

The Canadian Government has shown little regard for Canadian farmers in some of their policies and proposed legislation in recent years. The Clean Fuels Standard combined with the recent Carbon Tax, has the potential to put many Canadian farmers out of business. We need our governments to work with Canadian farmers in order to provide for the growing need of food supply in our country.

Please contact Chair David Spring to discuss this further at (705) 730-4033. We look forward to your support on this matter.

Sincerely,

A handwritten signature in black ink that reads "Don Allen". The signature is written in a cursive style with a long horizontal stroke at the end.

Don Allen
Mayor, Township of Springwater

David S. Spring
Chairperson of the Springwater Township Agricultural Advisory Committee

Cc:
Hon., Jonathan Wilkinson, Minister of Environment and Climate Change;
MPP Doug Downey,
Hon., Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
All Ontario Municipalities

NOTICE OF PUBLIC MEETING FOR PLANNING MATTERS

Get involved with your input. The Township of West Lincoln Planning/Building/Environmental Committee will hold a Public Meeting in accordance with the Planning Act where the matter(s) below will be considered. The meeting will take place:

VIRTUAL PUBLIC MEETING

DATE: Monday, May 10, 2021

TIME: 6:30PM

LOCATION: ZOOM Meeting*

*Please see below for further details on how to participate on Zoom or through an alternative method

About the Planning Application:

File No. and Name: 1601-004-21 (ZBA) – 6696 Canborough Road – Carlton & Kalmukhanova

An application for Zoning Bylaw Amendment has been submitted for the property located at 6696 Canborough Road (Part 1 of 30R-3892, Concession BF Part Lot 2 & 4). The zoning bylaw amendment has been submitted to rezone the property from an Agricultural 'A' zone to an Agricultural 'A' zone with an exception to permit the property to be used for agricultural value added, on-farm diversified and agri-tourism opportunities. Township Zoning Bylaw 2017-70 as amended, requires a minimum lot size of 10 hectares to permit an on-farm diversified use, however, the subject property is only ±8.3 hectares.

Additional information can be found on the Township's website by searching the File name and number.

If you have any questions about this application, please contact the following planner:

Name Gerrit Boerema, Planner II

Email: gboerema@westlincoln.ca

PLEASE READ: How to have your comments heard:

Due to COVID-19, the Township will be hosting public meetings via ZOOM, an online video-conferencing system. Please submit your written comments by 4 PM Wednesday, April 28, 2021 to have them included in Staff's report for the application. Please submit your comments to jdyson@westlincoln.ca with the file number for the application.

If you submit comments after this date, they will not be included in Staff's report. Please ensure all comments have been submitted prior to Friday, May 7, 2021 at 4pm. The comments will instead be read into the public record during the meeting. While residents are encouraged to make written submissions to the committee, members of the public will also be able to provide verbal comments at Committee and Council through Zoom. Please contact the Township Deputy Clerk by email at jdyson@westlincoln.ca to register to speak at the meeting and you will be provided a link. Please state the date of the meeting and the file number you wish to address. If you are not able to access ZOOM through a computer, there is an option to call into the meeting through phone numbers and a code provided. If you wish to participate and cannot access the meeting through Zoom through a computer or by calling in, please notify the Clerk and all efforts will be made to accommodate your needs.

Important information about making a submission

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln Planning/Building/Environmental Committee before a by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of West Lincoln to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submission at a public meeting, or make written submissions to the Township of West Lincoln Planning/Building/Environmental Committee before a by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Individuals who make written submissions with respect to a Planning Act application should be aware that their submission and any personal information in their correspondence will become part of the public record and made available to the Applicant, Committee and Council.

For more information:

The documents and background material for this application can be made available by contacting West Lincoln's Planning Department at:

Phone: 905-957-3346

E-mail: planning@westlincoln.ca

Website: www.westlincoln.ca

Copies of the Staff Report will be available Friday March 5, 2021 after 4 PM on the Township's website.

If you would like to be notified of Township Council's decision with respect to any planning application, you must make a written request (specifying which file number) to:

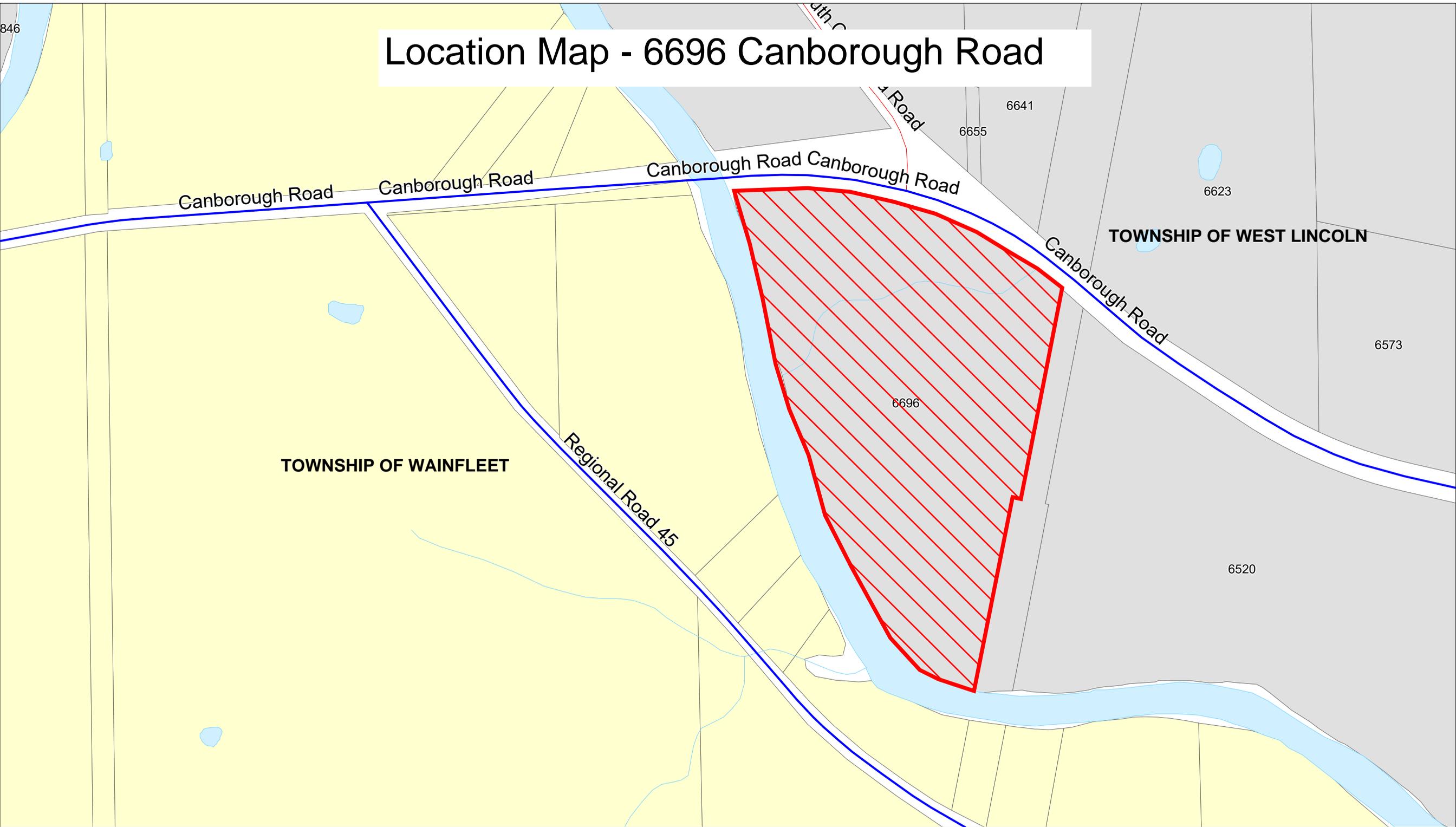
Jessica Dyson, Deputy Clerk

Phone: 905-957-3346

E-mail: jdyson@westlincoln.ca

Dated: Thursday April 8, 2021

Location Map - 6696 Canborough Road



TOWNSHIP OF WAINFLEET

TOWNSHIP OF WEST LINCOLN

Canborough Road

Canborough Road

Canborough Road

Canborough Road

Canborough Road

Regional Road 45

6696

6641

6655

6623

6573

6520

846

**PRELIMINARY PLANNING POLICY JUSTIFICATION
AND
IMPACT ANALYSIS REPORT
For
Michael Carlton and Assylgul Kalmukanova
Re: Riverside Oasis Farm
6696 Canborough Road / Regional Road 63
CON BF PT LOT 3 PT LOT 4 RP; PART 1, 30R3892
Township of West Lincoln, Regional Municipality of Niagara**



Prepared By:
South Coast Consulting
Land Use Planning and Development Project Management

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**PRELIMINARY PLANNING POLICY JUSTIFICATION
AND
IMPACT ANALYSIS REPORT
For
Michael Carlton and Assylgul Kalmukanova
Re: Riverside Oasis Farm
6696 Canborough Road / Regional Road 63
CON BF PT LOT 3 PT LOT 4 RP; PART 1, 30R3892
Township of West Lincoln, Regional Municipality of Niagara**

INTRODUCTION

South Coast Consulting, Land Use Planning and Development Project Management, was retained in 2021 by Michael Carlton and Assylgul Kalmukanova (the land owners who reside on the Subject Property) to prepare this [Preliminary Planning Policy Justification and Impact Analysis Report](#) for Riverside Oasis Farm. A Zoning By-law Amendment application is being submitted to amend the existing Agricultural 'A' zoning to permit *agricultural value added on-farm diversified agri-tourism uses* on the Subject Property. Specifically, The Riverside Oasis Farm will provide a range of sustainably and organically grown food crops for the local area and a unique farm stay and agricultural educational destination. The Farm has a threefold product and service plan to provide for a self-sufficient lifestyle while delivering niche products to the public;

- Organically grown produce from the fields and up to five (5) greenhouses that will be available at a roadside stand on the Subject Property, at farmers markets, and directly to local restaurants;
- A safe educational environment for the public to interact with traditional and non-traditional farm animals, and
- A unique farm-stay in traditional yurt accommodation.

The purpose this [Preliminary Planning Policy Justification and Impact Analysis Report](#) is to review the proposed *on-farm diversified agri-tourism use* of the Subject Property. This [Report](#) provides the planning rationale in support of the proposed Zoning Bylaw Amendment application and provides justification for the *agricultural value added on-farm diversified agri-tourism uses*. It is recognized an application for Site Plan Control Approval is required to fully implement the proposed development. That application will be submitted under separate cover at a later date.

The purpose of this Report is to also outline the nature of the proposed *development* and to evaluate how the *agricultural value added on-farm diversified agri-tourism uses* complies in the context of the good planning principles, the policies of the Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe ([Growth Plan](#)), the Niagara Region Official Plan ([ROP](#)), the Township of West Lincoln Official Plan ([WLOP](#)),

the Township of West Lincoln Official Zoning By-law (WLZB), and the NPCA Policy Document: Policies For The Administration of Ontario Regulation 155/06 and The Planning Act, June 19, 2019 Consolidation (NPCA Policies), applicable to the Subject Property.

On 2020-08-07 the Township of West Lincoln hosted a formal pre-application consultation meeting to discuss the *agricultural value added agricultural value added on-farm diversified agri-tourism uses* on the Subject Property. The Township's Planning and Public Works, and Buildings Departments, Regional Planning, and Niagara Peninsula Conservation Authority staff attended. The meeting established *Planning Act* applications were required to accommodate the *agricultural value added on-farm diversified agri-tourism uses*.

Since the concept has been refined, the Township is anticipated to host a second pre-application consultation meeting to discuss the agricultural value added on-farm diversified agri-tourism uses. This Report is submitted in anticipation of that meeting. The application and supporting materials will be submitted in accordance with the result of the pre-application consultation meeting.

A Public Open House can be held by the Township with the support of the applicant in the Township Hall in the near future. Notice of the informal public meeting will be circulated to property owners within 120 metres of the Subject Property.

The Subject Property is **designated Good General Agriculture Area** in the ROP. The Subject Property contains and is adjacent to portions of the Region's **Core Natural Heritage System**. Specifically, the Core Natural Heritage System on, and adjacent, to the Subject Property consists of the **Welland River West Provincially Significant Wetland Complex**, **Significant Woodland**, and **Significant Valleyland**. In addition, **Critical (Type 1) Fish Habitat** is provided on site via the Welland River.

The property is also part of the **Growth Plan Provincial Natural Heritage System**. The ROP Core Natural Heritage System features on, and adjacent to, the Subject Property are considered **Key Natural Heritage / Key Hydrologic Features** and the natural heritage policies of the **Growth Plan** apply. **Growth Plan** policies require the completion of a *natural heritage evaluation* when *development* and / or *site alteration* is proposed within 120 metres of *Key Natural Heritage / Key Hydrologic Features*. **Growth Plan Policy 4.2.4.4b)**, allows for waiving the requirement for a *natural heritage evaluation* for new buildings and structures for *agricultural uses* where a minimum 30 metre *vegetation protection zone* from the *Key Natural Heritage Feature* is provided.

Growth Plan policies also require that the 30 metre *vegetation protection zone*, measured from the outside boundary of *Key Natural Heritage / Key Hydrologic Features*, to be established as natural, self-sustaining vegetation. Farm related uses are exempt from this requirement provided the land is, and will continue to be, used for agricultural purposes. *Development* and / or *site alteration* is not permitted within these *Key Natural Heritage / Key Hydrologic Features* or their *vegetation protection zone*.

The **ROP** policies require the completion of an *environmental impact study* when *development* and / or *site alteration* is proposed within 120 metres of a *provincially significant wetland*, 50 metres of a *significant woodland / significant valleyland*, and / or 30 metres of a *fish habitat*. **ROP** policies also provide exemptions.

The Subject Property is **designated Good General Agricultural, Environmental Protection Area, Environmental Conservation Area, and Fish Habitat**, in the **WLOP** and zoned “**Agricultural – A**” and “**Environmental Conservation - EC**” and “**Environmental Protection – EP**”. Within the Agricultural Zone accessory uses to the agricultural use are permitted including *agricultural value added on-farm diversified agri-tourism uses*.

AGRICULTURAL VALUE ADDED ON-FARM DIVERSIFIED AGRI-TOURISM USES DESCRIPTION

This section of the Report provides details about the proposed *agricultural value added on-farm diversified agri-tourism uses*, existing buildings, and their siting. When the Zoning By-law Amendment application is submitted the Description of the *agricultural value added on-farm diversified agri-tourism uses* will also provide a brief description of the other technical supporting studies submitted as part of the complete application identified at the pre-application consultation meeting, and how these studies relate to applicable planning policies.

Conceptual Site Plan

See **Annex 1, Conceptual Site Plan** prepared by Chambers and Associates. There is an existing single detached dwelling, an uninhabitable unused single detached dwelling, and accessory buildings on the Subject Property. The Subject Property is essentially triangular, with the Welland River (Township of Wainfleet) on its west side, Canborough Road on its north side, and an abandoned rail line on its east side. Most of the Subject Property is in agricultural field crop production.

The **Conceptual Site** is an indicative plan reflecting a desirable development scenario for the Subject Property and an articulation of established best practices in design and land use planning. It provides a flexible framework and practical direction for development, and to the extent possible at this time, detail of the anticipated *building / structure* locations, and development parameters.

Site Context

The site context is intended to provide an understanding of where the *agricultural value added on-farm diversified agri-tourism uses* is located and the characteristics of the site and the surrounding area. The Subject Property, Illustrated in *Figure 1, Subject Property Location*, and *Annex 1, Conceptual Site Plan*, on the south side of Canborough Road / Regional Road 63, east of Attercliffe, on the north / east bank of the Welland River, has a total area of about 8.3 hectares and frontage on Canborough Road.

Surrounding Land Uses

Nearby uses include the Robert Land Academy, Dunnville Silo Limited, Attercliffe Canadian Reformed Church, Nyman Electric, agricultural, and large lot rural residential uses. The *agricultural value added on-farm diversified agri-tourism uses* are compatible with the mixed use context of the neighbourhood as illustrated on the *Figure 2, Land Use Schematic*.

Development Concept

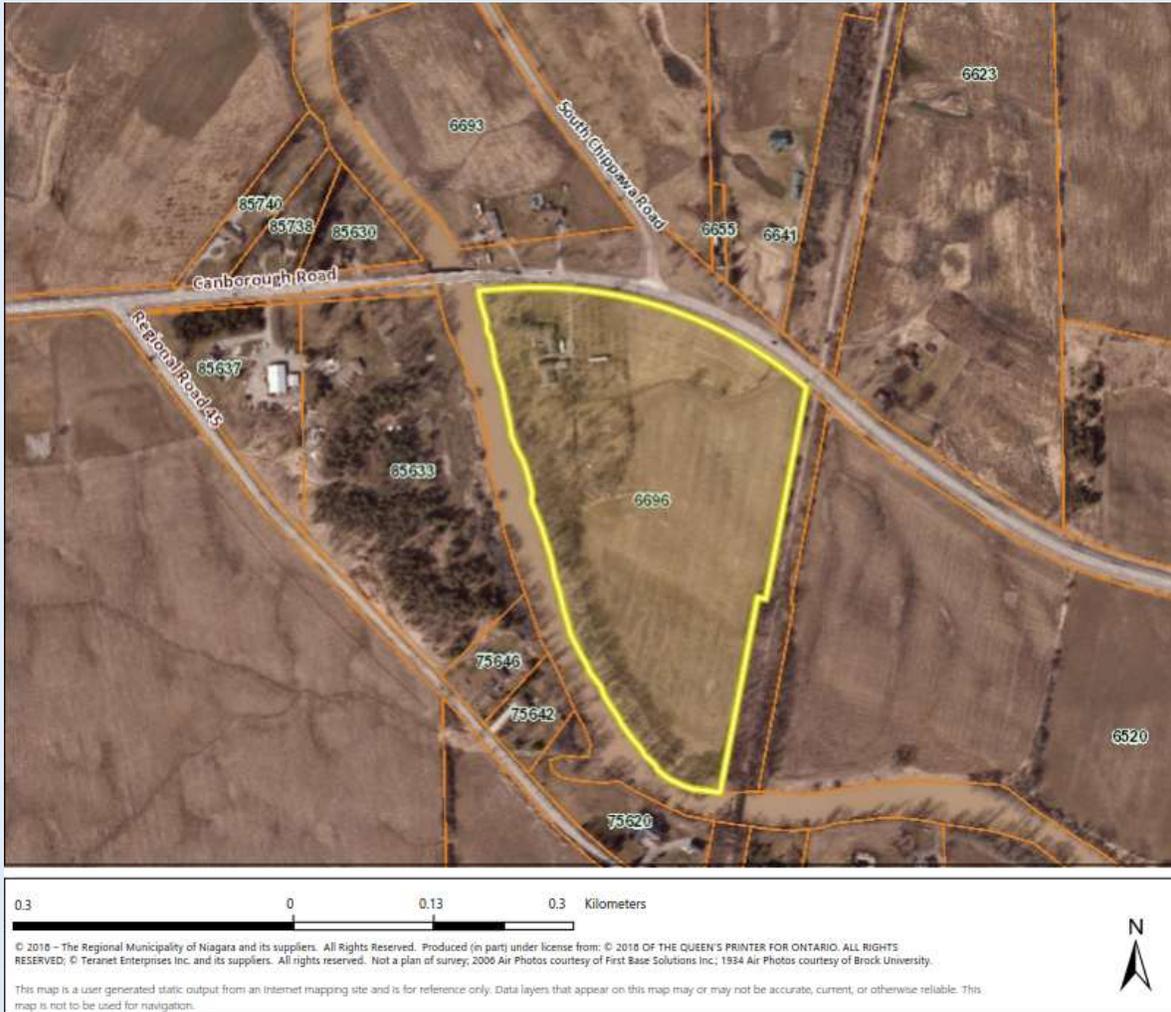
The Subject Property is one parcel, triangular in shape. *Planning Act* approval is required to permit *agricultural value added on-farm diversified agri-tourism uses*. The *agricultural value added on-farm diversified agri-tourism uses* proposes to add five (5) boutique glamping yurts (tents) for short term accommodation, these will be moved from time to time, and up to five (5) greenhouses, the *agricultural use* would also sell farm grown and local produce from a roadside farm stand, at local farmers markets, and to local restaurants.

The *agricultural value added on-farm diversified agri-tourism uses* will create an educational and fun environment for children and adults to interact with farmyard animals, enabling glamping clients to become aware of sustainable practices and how to live off the land using traditional food sources in a considered way.

Up to five (5) high end, boutique yurts, located in a secluded setting on the farm, will be provided for accommodation. Guests will have the opportunity to take part in safe, non-technical farming activities. Accommodation in the yurts will be as sustainable and eco-friendly as possible, ensuring stays have a significantly reduced carbon footprint in comparison to traditional alternatives. The farm aims for organic recognition using local materials and produce.

The Income streams are described in detail in *Figure 3, Income Streams*.

Figure 1
Subject Property Location



POLICY REVIEW SUMMARY

Good planning practice directs a plan and its policies are not written in stone. Policies such as those of the PPS, Growth Plan, ROP, and WLOP reviewed here, are used to try to reach a goal. They are not to be used as a set of threshold measures where the inability to meet every policy results in a proposal's failure. All of the policies may not be and, based on good planning practice, don't have to be, satisfied as though they are zoning by-law regulations. If, on the balance, the proposal satisfies most of the policies and

**Figure 2
Land Use Schematic**

Use -Agriculture Official Plan -Good General Agriculture Zone -A & EP	Use -Agriculture Official Plan -Good General Agriculture Zone -A & I-9	Use -Agriculture Official Plan -Good General Agriculture Zone -A
Use -Non-agricultural Residential Official Plan -Good General Agriculture & Natural Heritage System Zone -A2, EC & H	Subject Property	Use -Agriculture Official Plan -Good General Agriculture Zone -A & EP
Use -Industrial & Non-agricultural Residential Official Plan -Good General Agriculture & Natural Heritage System Zone -A2, EC & H	Use -Non-agricultural Residential Official Plan -Good General Agriculture & Natural Heritage System Zone -A2, I, EC & H	Use -Non-agricultural Residential Official Plan -Good General Agriculture Zone -A & EP

moves the community towards its stated goals, then the proposal should be given serious consideration for approval.

Land use planning in Ontario, Niagara, and West Lincoln is about development. Protecting and preserving resources is important but, land use planning is primarily about promoting and encouraging appropriate development. There are aspects of control to protect valuable and sensitive resources such as significant *cultural* and *natural heritage features*, from negative impacts from nearby uses but, the primary purpose is guiding development.

The philosophy of guiding development is evident starting with the *Planning Act*. The Citizen’s Guide to Land-use Planning (the [Citizen’s Guide](#)) states the *Act*, among other things, promotes sustainable economic development in a healthy natural environment and provides for a land use planning system led by provincial policy. The [Citizen’s Guide](#) further states, the *Act* provides the basis for preparing official plans and planning policies that will guide future development.

The [Citizen’s Guide](#) states the [PPS](#) provides policy direction that will help build strong communities by protecting, among others, *natural heritage features*. Community planning is aimed at identifying common community goals and balancing competing interests of the various parties.

**Figure 3
Income Streams**

Stream	Description
Produce	<p>The primary focus will be the sale of organic goods from the farm. This will maximise the use of land on the farm to grow crops, fruit and vegetables for farmers markets, local restaurants and household customers. The opportunity to ‘pick your own’ and purchase a ‘fruit and veg box’ will be available for fresh produce by passing clientele. The intention will be to grow the farm to organic certified standard and distribute seasonal produce locally. Price per product / box / as required.</p> <p>The farming operation will be setup concentrating on producing seasonal organically cultivated fruit and vegetables. Year 1 focus will be on regenerating the depleted soil nutrients plus new hay fields. Year 2 we will use smaller acreage to plant a variety of vegetables and observe the quality and yield. The goal is to expand slowly each year by testing vegetables and fruits that grow best in our soil. The aim is to setup supply chains with local restaurants who are interested in high quality locally sourced food. This will be coupled with sale of produce at farmers markets, at the roadside / direct at the farm and to guests of the yurts and petting arena. In years 3+ the farm will start working on organic certifications to increase the profile of the farm increase value of the crops at market.</p>
Animals	<p>The secondary focus will be to setup a safe and comfortable environment for both the public and the animals to enable petting and education on care practices with a variety of animals. We will offer the opportunity to ‘spend a day at the farm’ visiting animals and helping with day-to-day activities around the farm. This will provide the guests with a hands-on educational and fun experience with different animals. In time the intention is to arrange school visits from the surrounding local and regional area to provide educational interaction with kids who may have never visited a farm before. Reminiscent of ‘the good old days’ when Big Farming was not so entrenched in the food chain and the harmony of living on a farm supporting the local economy was the norm are a big part of the reasons for starting this venture.</p> <p>An open farm concept will be operational once the number of animals is large enough to feasibly charge for the experience. As the number builds a market research and testing phase will commence to offer close friends and relatives the chance to engage in the activities and report back with improvements and suggestions. Concurrently we will engage in market research activities to ensure the farm offers the activities the public would most like to learn about and understand.</p>

	<p>Initially animal offering will be in a safe environment for enabling guests to interact with while, also providing a sustainable resource such as eggs from chickens and ducks or fibre from a small number of alpacas. It is the intention to have both usual farm animals and a small manageable number of less common animals adding to the draw for visitors. The farm has already engaged with several alpaca breeders and envisage a small heard of around about 10 animals with ample space provided in the barn which was previously used for horses. Additional animals will be chickens, ducks, rabbits, turkeys, bees, goats, and possibly a cow or two.</p> <p>The aim of such diversification is to remain small and manageable to offer guests the opportunity to discover whole lifecycle care of the animals who offer so much to us from wool to eggs to meat.</p>
<p>Farm Stay</p>	<p>The tertiary focus will be nightly accommodation in the yurts; provide a targeted niche product to guests and offering a place in the growing “farm stay” market. There is only limited competition in the Niagara region for a traditional yurt camping boutique experience and none are in a farming setting.</p> <p>The intention is to provide secluded areas for each yurt. The small number of yurts will enable a customer focus on each guest with plans to provide a welcome gift (fruit / vegetable) and offer locally sourced items for purchase.</p> <p>Initially there will be 3 yurts ordered for the site. With a small number being available in anticipation for a limited winter market. The intention is to grow to 5 yurts as the market determines.</p> <p>A preferred supplier has been identified who provides ethical and sustainable yurts in tradition of Mongolian nomads. These are imported from villages that create yurts in Mongolia, where they are still used today in the nomadic environment, with natural materials where possible.</p> <p>The yurts will be 6 metres in circumference with 1.5 metre high walls. Inside will be a finished wooden base floor with insulation and a wood burning stove to provide heat when required. A large queen bed a secondary sofa bed, cushions, and blankets in native and rustic style will be provided. The décor will be a blend of traditional Mongolian and country chic – sourced locally where possible. Up-cycling / recycling will be considered where possible. A small freestanding sink will be provided for hygiene and bottled water for drinking. Solar powered lighting will be setup inside with garden lighting provided in the garden area. The design will be extremely simplistic without the requirement for plumbing facilities.</p> <p>Outside the yurts will be a BBQ / fire pit and a seating area.</p>

Planning Act

A Zoning By-law can be amended to change either the zoning of the land or add special provisions to the zoning for a specific property. An amending by-law can change the zone from one to another, add a use, or change a requirement

Provincial Policy Statement

The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. A basic principle of policy led land use planning, iterated in the PPS is that, when more than one policy is relevant, decision-makers should consider all of the policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, assist decision-maker's understanding how the policies are to be implemented.

Another important aspect of policy led land use planning is the terms used in the policies. As succinctly outlined in the PPS, some policies set out positive directives, such as "*settlement areas* shall be the focus of growth and development." Other policies set out limitations and prohibitions, such as "*development and site alteration* shall not be permitted." Other policies use enabling or supportive language, such as "should," "promote" and "encourage."

Policy 1.1.1a, which states, Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth. Healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns reflected by the the *agricultural value added on-farm diversified agri-tourism uses* and thus sustaining the financial well-being of the Province and the Township over the long term.

Rural Areas

Rural Areas from the Provincial Policy Statement

Rural Areas like that surrounding the Subject Property are important to the economic success of the Province and the quality of life. *Rural areas* are a system of lands that may include *rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas*, and other resource areas. *Rural areas* and *urban areas* are interdependent in terms of markets, resources and amenities. As encouraged by the PPS the *agricultural value added on-farm diversified agri-tourism uses* leverages rural assets and amenities and protects the environment as a foundation for a sustainable economy.

The *agricultural value added on-farm diversified agri-tourism uses* complies with Policy 1.1.4.1, supporting a healthy, integrated, and viable *rural area* by:

- Building upon the rural character of West Lincoln and Niagara;
- Leveraging rural amenities and assets;
- Using existing rural *infrastructure* and *public service facilities* efficiently;
- Promoting diversification of the economic base;
- Providing opportunities for sustainable and diversified tourism,
- Leveraging natural assets; and
- Providing opportunities for economic activities in *prime agricultural areas*.

On *rural lands* located in municipalities, uses permitted by Policy 1.1.5.2 include and Policies 1.1.5.3 and 1.1.5.4 promote tourism and other economic opportunities like those of this *agricultural value added on-farm diversified agri-tourism uses* compatible with the rural landscape and sustainable by rural service levels.

The requested Zoning By-law Amendment supports an opportunity for diversified rural economy because it does not negatively impact agricultural uses as envisaged by Policy 1.1.5.7.

OMMAFA Guideline 35 states *MDS I setbacks from existing livestock facilities and anaerobic digesters* will generally not be needed for land use planning applications which propose *on-farm diversified uses*.

The land use complies with the *MDS formulae* as required by Policy 1.1.5.8.

Rural Areas from the Growth Plan – Where and How To Grow

Section 2.1 speaks to building compact and complete communities, and protecting agricultural lands, water resources, and natural areas that help reduce greenhouse gas emissions and ensure communities are more resilient to the impacts of climate change. Strong, healthy; and prosperous rural communities are vital to the economic success of the *Greater Golden Horseshoe (GGH)* and contribute to the quality of life. The *Growth Plan* recognizes and promotes the important role of rural towns and villages as a focus of economic, cultural and social activities that support surrounding rural and agricultural areas across the *GGH*. Opportunities to support a diversified rural economy should be promoted by protecting farmland and the viability of the agri-food sector in *rural areas*. Healthy rural communities are important to the vitality and well-being of the larger region and *settlement areas*, and applies protections similar to those in the Greenbelt Plan to provide consistent and long-term protection throughout the *GGH*.

Policy 2.2.9.1 to plan for a variety of cultural and economic opportunities within rural settlements to serve the needs of rural residents and area businesses and **Policy 2.2.9.3** says *development* outside of *settlement areas* may be permitted on *rural lands* for rural land uses that are not appropriate in settlement areas provided they:

- are compatible with the rural landscape and surrounding local land uses;
- will be sustained by rural service levels; and
- will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.

The *agricultural value added on-farm diversified agri-tourism uses* are not appropriate in *settlement areas* and are

- compatible with the rural landscape and surrounding local land uses;
- sustainable by rural service levels; and
- will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.

Rural Areas from the Regional Plan

Unlike the broad concept of rural areas in the **PPS** and **Growth Plan** the *Rural Area* in the **ROP** is land use designation. The Preamble to Rural and Agricultural section of the **ROP** says that in addition to tender fruitlands “The Region also has large areas of good general agricultural lands which are suitable for the production of field crops and for livestock operations.” and “. . . some opportunities for *development*, including . . . commercial, . . . uses compatible with the rural environment also are provided.”

Objectives include “To preserve Niagara's agricultural lands. . . . (**Objective 5.A.1**) To conserve and enhance the natural resources of the *Agricultural* and *Rural Areas*. (**Objective 5.A.3**) “To provide for a limited amount of non-farm development in designated Hamlets, Villages and *Rural Areas*.” (**Objective 5.A.4**) “To provide an efficient and orderly pattern of land uses in the *Agricultural* and *Rural Areas*, which lessens land use conflicts, which requires a minimum of municipal services and conserves natural resources.” (**Objective 5.A.5**) “To protect farmers' right-to-farm by minimizing the potential for conflicts between farm and non-farm uses.” (**Objective 5.A.6**) “To encourage a wide range of *farm diversification uses* in appropriate locations and at a scale suitable to the farm and the *agricultural area* where they contribute to profitable and economically sustainable agriculture.” (**Objective 5.A.8**)

Policy 5.C.5 states *developments* outside the urban areas boundaries will not be provided with municipal *water* and *sewer services* but instead will be expected to depend on private *sewage* disposal systems and private *water* supply. The above policy applies to all lands outside the Urban Areas Boundaries.

Rural Areas from the West Lincoln Official Plan

Like the ROP, unlike the broad concept of rural areas in the PPS and Growth Plan the *Rural Area* in the WLOP is land use designation. One small area of the Township is designated as Rural Area and is predominately used for non-agricultural uses.

Infrastructure

Infrastructure from the Provincial Policy Statement

Policies with respect to *infrastructure* are in Section 1.6.6 and specifically, Section 1.6.6.4 states, where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not provided, *individual on-site sewage services* and *Individual on-site water services* may be used provided site conditions are suitable for the long-term provision of such services with no *negative impacts*.

The *on-farm diversified agri-tourism* yurts rental use currently uses Regular+Sanitizer units rented from and maintained by HALCO Portables. This is a basic unit normally requested to meet a minimum requirement for washrooms.

HALCO says these unit feature additional hand sanitizers urinals and are ideal for 10 persons per 5 day work week or 50 persons for weekend event.

As the *on-farm diversified agri-tourism* yurts rental use matures Double units will be used. HALCO says the double units are great for large construction projects or if both men's and lady's washrooms are required and are excellent for your outdoor weddings. These units are either on a trailer with the washrooms side by side, or on a metal fork lift skid with the women's washroom on one end and the men's on the other end.

HALCO says these units feature monthly rental comes with weekly service. They are ideal for 30 persons per five (5) day work week or 100-150 persons for a weekend event.

The applicant provided examples business providing overnight stays in structures without a septic system or running water illustrated on the next pages. They are on rural properties, do not have running water at the site of the overnight accommodation, but do have onsite toilets.

The applicant says the Township's Building Department is of the opinion hand wash facilities need to be readily available given the current COVID-19 situation. It suggests the Regional Medical Officer be contacted for an opinion prior to further discussion. Communication from Niagara Region Public Health provided by the applicant advises Public Health does not have regulations regarding campgrounds and water supply to sanitary facilities and believes it would be up to the Township for plan review and approval under the building code. The applicant says Public Health stated that for the prevention of illness, sanitary facilities should have potable water, under pressure, to allow for proper handwashing practices.



The applicant provided communication from Grey Highlands to the Township. In Grey Highlands an original concept was to have outhouses serve each yurt. The Chief Building Official for the Municipality states Section 9.31.4.1.(d) of the Ontario Building Code (*OBC*) permits compostable toilets and Part 8 of the *OBC* permits Class One Systems for these. The Grey Highlands applicant had an engineer design a system.

Public Health also stated that if the water supply on the site is non-municipal (private supply) and the farm is open to the public, it would likely fall under *Ontario Regulation 319, Small Drinking Water Systems*. Public Health would need to be notified and inspect the system prior to water being supplied to the public.

Blackstock



The *agricultural value added on-farm diversified agri-tourism uses* satisfy the PPS policies for Building Strong Healthy Communities.

Infrastructure from the Growth Plan

The Growth Plan is a 25-year plan to [among other things]:

- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors;
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions; and

- Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the *agri-food network*. The policies of the Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

The infrastructure policies of the Growth Plan do not relate to rural areas.

Priceville



Infrastructure from the ~~Regional Plan~~

Policy 8.B.19 states the Region will consult and co-operate with other authorities having jurisdiction for the issuance of permits for private water supply and sewage disposal systems to ensure a common objective. The following guidelines are proposed:

- Existing soils and drainage facilities should be compatible to permit such private Installations;
- Proper consideration shall be given to abutting existing development to ensure that problems will not be created for the existing or proposed *development*; and
- The operation of septic tank installations must not result in the pollution of watercourses.

Infrastructure from the West Lincoln Official Plan

Section 14.2 states the agricultural areas of the Township, operate on private water systems; either cisterns, or drilled / dug wells. There are no plans to provide municipal water to other areas of the Township. Policy 14.3.1 states new development on private water or sanitary services in the agricultural and hamlet areas shall only be permitted where the Township is satisfied that lot size, topography, soils, drainage and siting of the buildings will permit the installation of an adequate means of sewage disposal.

Alexandria



Natural Heritage

Natural Heritage from the Provincial Policy Statement

Policies with respect to natural heritage are in Section 2.1 and specifically, Section 2.1.1 regarding the *Wise Use and Management of Resources*, *Natural Heritage* states, natural features and areas shall be protected for the long term. Section 2.1.2 states the diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features* and *ground water features*.

Policy 2.1.4 prohibits *development* and *site alteration* in *significant wetlands* and Policy 2.1.5 prohibits *development* and *site alteration* in *significant woodlands*, and *significant wildlife habitat*, *significant areas of natural and scientific interest*; unless it has been demonstrated that there will be no *negative impacts* on the natural features or their ecological functions. There is not development proposed in any of the prohibited natural features.

Policy 4.2.1d requires all development within all Agricultural Areas to supported by private sewage disposal systems and private water supply in accordance with the requirements of Township of West Lincoln, the Ministry of the Environment and / or the Ministry of

Florence



Municipal Affairs and Housing and that approvals for servicing that are less than 10,000 litres per day will be issued by the Township as per the requirements in the *Ontario Building Code*.

Natural Heritage System from the Growth Plan – Protecting What is Valuable

Section 4.1 speaks to protecting what is valuable, stating the *GGH* contains a broad array of important hydrologic and *natural heritage features and areas*, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources. These valuable assets must be protected and managed as part of planning for future growth. The **Growth Plan** also provides for the identification and protection of a *natural heritage system* for the *GGH* outside of the *Greenbelt Area Section 4.1*, also states the *GGH* is home to important and productive farmland - a finite, non-renewable resource. The fertile soil, favourable climate, and access to water make the *GGH* significant on both a national and international scale. The **Growth Plan** provides for the identification and protection of the *agricultural system* in the *GGH* including a continuous and productive land base, comprised of *prime agricultural areas*, including *rural lands*, as well as a complementary *agri-food network* that together enable the agri-food sector to thrive. Protecting the *agricultural system* will support the viability of the agricultural sector as the region grows.

A *Natural Heritage System for the Growth Plan* has been mapped by the Province to support a comprehensive, integrated, and long-term approach to planning for the protection of natural heritage and biodiversity. **Policy 4.2.2.2** requires West Lincoln to incorporate the *Natural heritage system* as an overlay in **WLOP** and apply appropriate policies to maintain, restore, or enhance the diversity and connectivity of the system and the longterm ecological or *hydrologic functions* of the features and areas as set out in the policies.

According to **Policy 4.2.2.4** provincial mapping of *the natural heritage system for the Growth Plan* does not apply until it has been implemented in the **ROP**. Until that time, the policies in this **Growth Plan** referring to the *natural heritage system for the Growth Plan* will apply outside *settlement areas* to the *natural heritage systems* identified in the **WLOP** that were approved and in effect as of July 1, 2017.

Policy 4.2.4.1 requires that outside *settlement areas*, a proposal for new *development* or *site alteration* within 120 metres of a *wetland* or *significant woodland* within the *natural heritage system for the Growth Plan* or a *key hydrologic feature* will require a natural heritage evaluation or hydrologic evaluation identifying a *vegetation protection zone*, which:

- is of sufficient width to protect the *key natural heritage feature* or *key hydrologic feature* and its functions from the impacts of the proposed change;
- is established to achieve and be maintained as *natural self-sustaining vegetation*; and
- For *key hydrologic features*, *fish habitat*, and *significant woodlands*, is no less than 30 metres measured from the outside boundary of the *key natural heritage feature* or *key hydrologic feature*.

As required by [Policy 4.2.2.3.a](#) and since the *agricultural value added on-farm diversified agri-tourism uses* does not have any new buildings or structures in the Welland River West *Provincially Significant Wetland* Complex, or the area designated Environmental Protection Area, Environmental Conservation Area, or Fish Habitat in the WLOP:

- there are no *negative impacts* on *key natural heritage features* or *key hydrologic features* or their functions;
- connectivity along the system and between *key natural heritage features* and *key hydrologic features* located within 240 metres of each other is maintained for the movement of native plants and animals across the landscape;
- There is no removal of other natural features not identified as *key natural heritage features* and *key hydrologic features*;
- The disturbed area, including any buildings and structures, will not exceed 25% of the *total developable area*, and the impervious surface will not exceed 10% of the *total developable area*; and
- At least 30% of the *total developable area* will remain or be returned to *natural self-sustaining vegetation*.

As provided for in [Policy 4.2.4.4.b](#), and notwithstanding policies 4.2.4.1, neither ongoing *agricultural uses* nor *agricultural value added on-farm diversified agri-tourism uses* are required to undertake a natural heritage or hydrologic evaluation because a minimum 30 metre *vegetation protection zone* is provided from a *key natural heritage feature* or *key hydrologic feature*. As provided for in policy 4.2.4.4.c the *agricultural value added on-farm diversified agri-tourism uses* are exempt from the requirement of establishing a condition of *natural self-sustaining vegetation* because the land is, and will continue to be, used for agricultural purposes; and will pursue best management practices to protect and restore *key natural heritage features*, *key hydrologic features*, and their functions.

There is no *development* or *site alteration* proposed in Welland River West *Provincially Significant Wetland* Complex, or the area designated Environmental Protection Area, Environmental Conservation Area, or Fish Habitat in the WLOP.

Natural Heritage from the Regional Plan

[Policy 7.A.3](#) states new *development*, should be designed to maintain or enhance the natural features and functions of a site and [Policy 7.A.2.9](#) states *development* and *site alteration* must not have *significant* adverse impacts on *ground water* quality or quantity. [Policy 7.B.1.11b](#) says *development* may be permitted without an amendment to the ROP on adjacent lands to Environmental Conservation Areas as set out in [Table 7-1](#) if it has been demonstrated that, over the long term, there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands and the proposed *development* is not prohibited by other Policies in this Plan.

Table 7.1 says an Environmental Impact Statement is only required if the *development* adjacent lands to an Environmental Conservation Area are within 50 metres of *significant woodlands* or significant valleyland, and 30 metres of critical fish habitat (type 1).

Given the definition of *development*, the Zoning By-law Amendment required for the proposed *agricultural value added on-farm diversified agri-tourism uses* the policy set provides for an Environmental Impact Assessment however, given that the location of the yurts is more than 50 metres for the Environmental Conservation Area *significant woodland, significant valleyland, and fish habitat*, an Environmental Impact Assessment may not be required.

As provided for in [Growth Plan Policy 4.2.4.4.b](#), neither ongoing *agricultural uses* and *agricultural value added on-farm diversified agri-tourism uses* are required to undertake a natural heritage or hydrologic evaluation because a minimum 30 metre *vegetation protection zone* is provided from a *key natural heritage feature or key hydrologic feature*. As provided for in policy 4.2.4.4.c the *agricultural value added on-farm diversified agri-tourism uses* are exempt from the requirement of establishing a condition of *natural self-sustaining vegetation* because the land is, and will continue to be, used for agricultural purposes; and will pursue best management practices to protect and restore *key natural heritage features, key hydrologic features*, and their functions.

Natural Heritage from the West Lincoln Official Plan

[Policy 10.7.2l](#) states *development* may be permitted without an amendment to WLOP on adjacent lands to Conservation Areas as set out in Table 10-1 if it has been demonstrated that, over the long term, there will be no significant negative impact on the Core Natural Heritage System or adjacent lands and the proposed *development* is not prohibited by other Policies in this Plan. The proponent is be required to prepare an Environmental Impact Study (EIS).

Further where it is demonstrated that all, or a portion of, an Environmental Conservation Area does not meet the criteria for designation and thus the site of a proposed *development* no longer is located on adjacent lands then the restrictions on development and site alteration set out in this Policy do not apply.)

Given the definition of *development*, the Zoning By-law Amendment required for the proposed *agricultural value added on-farm diversified agri-tourism uses* the policy set provides for an Environmental Impact Assessment however, given that the location of the yurts is more than 50 metres for the Environmental Conservation Area an Environmental Impact Assessment may not be required.

As provided for in [Growth Plan Policy 4.2.4.4.b](#), neither ongoing *agricultural uses* and *agricultural value added on-farm diversified agri-tourism uses* are required to undertake a natural heritage or hydrologic evaluation because a minimum 30 metre *vegetation protection zone* is provided from a *key natural heritage feature* or *key hydrologic feature*. As provided for in [policy 4.2.4.4.c](#) the *agricultural value added on-farm diversified agri-tourism uses* are exempt from the requirement of establishing a condition of *natural self-sustaining vegetation* because the land is, and will continue to be, used for agricultural purposes; and will pursue best management practices to protect and restore *key natural heritage features*, *key hydrologic features*, and their functions.

Agriculture

Agriculture from the Provincial Policy Statement

A significant theme in the PPS is protecting agricultural. [Policy 1.1.5.7](#) provides opportunities to support and promote a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses and [Policy 1.1.5.8](#) requires new land uses to comply with the MDS.

In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* ([PPS 2.3.3.1](#)). This policy conflicts with but does not prohibit **limited non-residential uses** ([PPS 2.3.6.1b](#)).

[Policy 2.3.1](#) requires *prime agricultural areas* to be protected for long-term use for agriculture. In *prime agricultural areas*, permitted uses include *agricultural uses* and *on-farm diversified uses* compatible with, and that do not hinder, surrounding agricultural operations. *On-farm diversified uses* include *agri-tourism*, as proposed by this application, in [Policy 2.3.3.1](#).

The Ontario Ministry of Agriculture, Food, and Rural Affairs [Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas \(OMAFRA Guidelines\)](#) help interpret the policies in the PPS on the range of the permitted uses. [Section 1.3](#) states the criteria for uses permitted in *prime agricultural areas* revolve around the objectives of maintaining the land base for agriculture and supporting a thriving agricultural industry and rural economy. The following summarizes the specific criteria for *agricultural*, *agriculture-related* and *on-farm diversified uses*. In addition to the *agricultural use* of growing crops, *on-farm diversified uses* must be:

- Located on a farm;
- Secondary to the principal *agricultural use* of the property; and
- Limited in area.

The *agricultural value added on-farm diversified agri-tourism uses* are located on a farm, they are secondary to the *agricultural use*, and limited in area to the yurts and landscaped area.

On-farm Diversified Uses from the Provincial Policy Statement

On-farm diversified uses are intended to enable farm operators to accommodate value-added and agri-tourism uses such as the *agricultural value added on-farm diversified agri-tourism uses* in *prime agricultural areas*. All of the following criteria must be met to qualify as on-farm diversified uses, in accordance with the *PPS*.

Located on a Farm

On-farm diversified uses must be located on a farm property actively in agricultural use. Section 2.1 of the *OMAFRA Guidelines*, states *agricultural uses* occur on a farm with the expectation of gain or reward. This does not include:

- Production primarily for use or consumption by members of the household of the owner or operator of the agricultural operation, or
- For purposes of pastime or recreation or on a property used primarily for residential purposes.

The planning authority may require evidence that the property is actively farmed. For example, proof may be required that shows the property qualifies for the Farm Property Class under the *Assessment Act, 1990*.

Annex 5, Interim 2021 Tax Bill illustrates the Subject Property is farmlands.

The applicant advises the use of the Subject Property qualifies for the agricultural tax reduction through Agricorp. This is be an exemption status registered in the name of Riverside Oasis Farm / Owners and continues to qualify for the tax reduction. For the upcoming tax year 2022 the owners will seek confirmation of the Farm Business Number

The *agricultural value added on-farm diversified agri-tourism uses* business is located on a farm.

Secondary to the Principal Agricultural Use of the Property

While the *PPS* definition of *on-farm diversified uses* allows for a wide range of on-farm economic opportunities, it also requires those uses be secondary to the principal *agricultural use* of the property. In other words, *agricultural uses* must remain the dominant use of the property. This is measured in spatial and temporal terms. Spatially, the use must be secondary relative to the *agricultural use* of the property. The spatial limits are addressed below under the “limited in area” criterion. Temporal considerations apply to uses that are temporary or intermittent, such as events. Given that *on-farm*

diversified uses must be compatible with surrounding agricultural operations, the frequency and timing of any events must not interfere with cropping cycles or other *agricultural uses* on the farm or in the surrounding area.

Given the use of a total of about 130 square metres, the footprint of the five (5) yurts, and given the access to the Subject Property is directly off the Canborough Road, there is anticipated to be no interference from the *agricultural value added on-farm diversified agri-tourism uses* with the *agricultural uses* on the farm or in the surrounding area.

The *agricultural value added on-farm diversified agri-tourism uses* are compatible with and able to coexist with surrounding agricultural operations, because they:

- permanently displaces a minimal area agricultural land, within the limits discussed under the “limited in area” criterion;
- do not require site grading and / or drainage; and
- meet compatibility requirements (i.e., do not require significant emergency, or water and wastewater services and maintain reasonable noise and traffic levels in the area)

Limited in Area

Many municipalities limit the scale of *on-farm diversified uses* by limiting the number or place of residence of employees, number of businesses, percentage of products sold that are produced on the farm, or floor area of buildings and outdoor storage. However, these factors do not have a direct bearing on the amount of farmland displaced or fully account for all the land occupied by the uses. A preferred approach is to base “limited in area” on the total footprint of the uses, on a lot coverage ratio basis.

The “limited in area” requirement should be based on the total land area unavailable for agricultural production as a result of the *agricultural value added on-farm diversified agri-tourism uses* (i.e. the footprint occupied by the use, expressed as a percentage of lot coverage). The area calculation should account for all aspects related to an *agricultural value added on-farm diversified agri-tourism uses* such as buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and new access roads. The lot coverage ratio should be based on the size of the parcel of land where the use is located. The rationale for using a lot coverage ratio is built on the premise that a large property is generally able to accommodate a larger *on-farm diversified use* than a small property while meeting compatibility requirements.

The [OMAFRA Guidelines](#) recommend the area of existing laneways not be included in area calculations. The footprint of an *agricultural value added on-farm diversified agri-tourism uses* in an existing residence or outbuilding may be calculated at 50% of the area of the office. However, 100% of the area needed for parking and outdoor storage would be included.

The [OMAFRA Guidelines](#) recommend that “limited in area” be relative to the size of the farm property on which the *agricultural value added on-farm diversified agri-tourism uses* is located. The size of the entire farm property and not just the portion of an *agricultural use*, should be considered. The [OMAFRA Guidelines](#) recommend the standard for the acceptable area occupied by *agricultural value added on-farm diversified agri-tourism uses* is up to 2% of a farm parcel to a maximum of 1 hectare (10,000 square metres).

In the case of intermittent *on-farm diversified uses*, such as events, “limited in area” may mean an area greater than the general recommendations. When calculating the area for intermittent *agri-tourism uses*, land producing a harvestable crop is an *agricultural use* is not included in area calculations. However, areas such as playgrounds and loading areas should be included. If more than one *on-farm diversified use* is proposed on a single property, the combined area of all *on-farm diversified uses* should be within the area and lot coverage guidelines. If the area of a proposed *on-farm diversified use* exceeds the recommended area thresholds, the [OMAFRA Guidelines](#) recommend the *gross floor area* of *buildings* for *on-farm diversified uses* be capped at a scale appropriate to *prime agricultural areas*.

The [OMAFRA Guidelines](#) recommended area calculations for *on-farm diversified uses* are:

- Existing laneways shared between agricultural uses and *on-farm diversified uses* are not counted;
- Area of *existing buildings* or *structures*, built prior to April 30, 2014, occupied by *on-farm diversified uses* is discounted (e.g., 50%);
- Area of new *buildings*, *structures*, setbacks, *outdoor storage*, *landscaped areas*, berms, laneways, *parking*, etc. are counted at 100%;
- *On-farm diversified uses* may occupy no more than 2% of the property on which the uses are located, to a maximum of 1 hectare; and
- The *gross floor area* of *buildings* used for *on-farm diversified uses* is limited (e.g., 20% of the 2%).

The *agricultural value added on-farm diversified agri-tourism uses* satisfies the PPS requirement for *on-farm diversified uses* by:

- Taking only limited land, about 130 square metres for the yurts, 28 square metres for the roadside fruit and vegetable stand, 225 metres for parking, and 625 square metres of the existing approximately 1,250 square metre laneway, out of agricultural production;
- Ensuring agriculture remains the main land use in *prime agricultural areas*; the total area taken out of agricultural use by the *agricultural value added on-farm diversified agri-tourism uses* is about 1,000 square metres or 1.2% of the approximately 83,380 square metre Subject Property; and

- Limiting off-site impacts (e.g., traffic or changes to the agricultural-rural character) ensuring compatibility with surrounding agricultural operations

Shall Be Compatible With, and Shall Not Hinder, Surrounding Agricultural

Some uses meeting the other *on-farm diversified uses* criteria may not meet the compatibility criterion. For example, uses attracting large numbers of people onto the farm for non-farm events or for recreational purposes could result in soil, excessive noise and trespass issues possibly incompatible with surrounding agricultural operations. Commercial or industrial uses with a large number of employees or attracting a large number of customers may also not be compatible in the *prime agricultural area*. In addition, some uses may be better suited to *settlement areas* where municipal services are available.

The proposed *agricultural value added on-farm diversified agri-tourism uses* satisfy compatibility considerations because:

- They do not hinder surrounding agricultural operations;
- They are appropriate to available rural services and infrastructure;
- They maintain the agricultural / rural character of the area;
- They are able to meet all applicable environmental standards; and
- The cumulative impact of multiple uses in *prime agricultural areas* is limited and does not undermine the agricultural nature of the area.

The *agricultural value added on-farm diversified agri-tourism uses* do not negatively impact the *prime agricultural area* for long-term use for agriculture by ensuring the continued agricultural use of the Subject Property and by not taking a significant area of agricultural land out of production.

As suggested by the [OMAFRA Guidelines](#), the *agricultural value added on-farm diversified agri-tourism uses* support agriculture in West Lincoln and Niagara through:

- Farm stay visits;
- Selling local produce at farm markets;
- A roadside stand selling local produce where customers can purchase local agricultural products; and
- Being able to co-exist with agriculture without conflict.

Agricultural System from the Growth Plan

The [Growth Plan](#), among other things supports and enhances the long-term viability and productivity of agriculture by protecting *prime agricultural areas*. The policies of the [Growth Plan](#) take precedence over the policies of the [PPS](#) where they conflict, except where the relevant legislation provides otherwise.

An *Agricultural System* for the *GGH* has been identified by the Province. (Policy 4.2.6.1) Outside of the *Greenbelt Area*, provincial mapping of the agricultural land base does not apply until it has been implemented in the *ROP*. Until that time, *prime agricultural areas* identified in the *ROP* are considered the agricultural land base for the purposes of the *Growth Plan* (Policy 4.2.6.8)

Agriculture from the Regional Plan

Objective 5.A.8 of *ROP* is to encourage a wide range of *farm diversification* uses in appropriate locations and at a scale suitable to the farm and the *agricultural area* where they contribute to profitable and economically sustainable agriculture and **Policy 5.B.3a** provides for support for a wide range of *farm diversification* uses in appropriate locations and at a scale suitable to the farm and the *agricultural area* where they contribute to economically sustainable agriculture.

Policy 5.B.18 requires *Farm diversification* uses to complement the principal *agricultural uses* on the property and in the surrounding area and to contribute to the sustainability and viability of the farming operation. All uses outside of *settlement areas* are subject to the *Region's* servicing policies and **Policy 5.B.21** requires the following criteria to be considered when identifying whether or not diversification activities should be permitted:

- Whether the proposed activity is more appropriately located in a nearby *settlement area* or in the *Rural Area*;
- Whether the use is required on or in close proximity to the agricultural operation for it to support and complement the agricultural activity;
- The extent to which the use is compatible with the existing farming operation and surrounding farming operations;
- Whether the scale of the activity is appropriate to the site and the farming operation;
- Whether the use is consistent with and maintains the character of the *agricultural area*;
- The use does not generate potentially conflicting off-site impacts;
- The use is limited to low water and low effluent producing uses, and the site is capable of accommodating the use on private water and private sewage treatment systems;
- The use does not require significant improvements to *utilities* or *infrastructure* such as roads or hydro services;
- The use complies with all other applicable provisions of the Regional Official Plan.

Policy 5.B.22 requires *farm diversification* uses to be small scale in relation to the principal farming operation. Preference is to be given to defining scale on the basis of size of the facilities and relationship to other uses. The appropriate scale for diversification uses may vary depending on the type of use and whether the activities are located in the *Specialty Crop Areas* (Tender Fruit or Grape Areas) or in the other *Prime Agricultural Areas* (Good General Agricultural Areas).

The proposed *agricultural value added on-farm diversified agri-tourism uses* satisfy the objective of the ROP encouraging *farm diversification uses*. They are small scale, in a suitable location, in an appropriate agricultural area, and will contribute to a profitable and economically sustainable agriculture operation.

The proposed *agricultural value added on-farm diversified agri-tourism uses*

- is not more appropriately located in a nearby *settlement area*;
- is close proximity to the agricultural operation supporting and complementing the agricultural activity;
- is compatible with the existing farming operation and surrounding farming operations. *MDS* was reviewed and the proposed lot complies with the required setbacks;
- the scale is appropriate to the site and the farming operation;
- is consistent with and maintains the character of the *agricultural area*;
- does not generate potentially conflicting off-site impacts;
- limited to low water and low effluent producing uses,
- the site is capable of accommodating the use on private water and private sewage treatment systems;
- does not require significant improvements to *utilities* or *infrastructure* such as roads or hydro services; and
- complies with all other applicable provisions of the ROP

The proposal ensures the predominant use of the Subject Property will continue to be *agriculture*.

The proposal is orderly and well planned, has adequate services such as policing and fire protection, does not interfere with the operation of the arterial road system, and does not aggravate any existing problems.

Agriculture from the West Lincoln Official Plan

Objective 4.4.1a) requires the preservation of Good General Agricultural Lands for agricultural purposes.

Policy 4.4.2d requires the location of greenhouses to take into consideration the proximity of adjacent residential and non-farm uses.

Objective 4.6.1c) supports activities that enable farming and farmers to:

- Become more competitive, sustainable and environmentally friendly;
- Adapt to new and changing markets;
- Diversify into and take advantage of new agricultural opportunities;

- Improve the understanding of agriculture by the general public; and
- Broaden operations to diversify economic activities and add value to their primary products.

Like the ROP [Objective 4.6.1d](#)) encourages and [Policy 4.6.2a](#)) provides for a large range of farm diversification activities in appropriate locations and at a scale suitable to the farm and the rural area where they contribute to economically sustainable agriculture, as required by [Policy 4.6.2c](#)) the proposed *agricultural value added on-farm diversified agri-tourism uses* complements the principal *agricultural uses* on the property and in the surrounding area; and contributes to the sustainability and viability of the farming operation.

[Policy 4.6.2g](#)) provides criteria for consideration when identifying whether or not diversification activities should be permitted and [Policy 4.6.2h](#) requires farm diversification activities to be small scale in relation to the principal farming operation with [Policy 4.6.2r](#))) providing criteria for the scale of value-added and diversification activities including:

- The proposed activity is clearly secondary to the main *agricultural use* of the property;
- The agricultural character of the property is not adversely affected by the proposed activity;
- Any buildings associated with the proposed activity do not occupy more than 5 percent of the lot area.

The proposed *agricultural value added on-farm diversified agri-tourism uses* are:

- Not more appropriately located in a nearby urban or hamlet area;
- Reasonable on the agricultural operation for it to support and complement the agricultural activity;
- compatible with the existing farming operation and surrounding farming operations;
- a scale of the activity appropriate for the site and the farming operation;
- consistent with and maintains the character of the agricultural area;
- do not generate potentially conflicting off-site impacts;
- is limited to low water and low effluent producing uses;
- on a site is capable of accommodating the use on private water and private sewage treatment systems;
- do not require significant improvements to infrastructure, such as roads;
- in compliance with applicable regulations; and
- clearly secondary to the main *agricultural use* of the property.

Efficient Development

Efficient Development from the Provincial Policy Statement

The PPS says Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public

health and safety, and facilitating economic growth. Policy 1.1.4.1 states healthy, integrated and viable rural areas should be supported by, among other things, using rural infrastructure and public service facilities efficiently.

Efficient Development from the Regional Plan

ROP Strategic Objective 2.1 and Objective 4.A.1.9 direct growth and development, to *urban* and rural *settlement areas*, and support the viability of *rural areas*. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. Efficient development patterns also minimize the undesirable effects of development, including impacts on air, water, and other resources. Recognizing the diversified opportunities and needs in Niagara and balancing both urban development and the conservation of natural resources by providing a choice of employment locations, the efficient use of lands and the minimization of conflict is the Strategic Objective of the ROP.

The proposed *agricultural value added on-farm diversified agri-tourism uses*:

- Create diversified opportunities for employment;
- Are the efficient use of land;
- Do not create conflict between incompatible uses;
- Do not adversely impact farming;
- Do not introduce incompatible land uses within the agricultural area; and
- Preserve agricultural lands.

As provided for in Policy 5.B.6, the *agricultural value added on-farm diversified agri-tourism uses* ensures the predominant use In Good General Agricultural Areas will be for agriculture. As required by Policy 5.D.7, the *agricultural value added on-farm diversified agri-tourism uses* are:

- orderly and well planned,
- have adequate services such as policing and fire protection,
- do not interfere with the operation of the arterial road system, and
- do not aggravate any existing problems.

As required by Policy 5.D.8, as a condition of site plan control approval, it can be ensured the *development* has an adequate water supply and suitable for private waste disposal systems.

Archaeology

Archaeology from the Provincial Policy Statement

Policy 2.6.2 says *development* and *site alteration* is not be permitted on lands containing *archaeological resources* or *areas of archaeological potential* unless *significant archaeological resources* have been *conserved*.

Archaeology from the Growth Plan

Policy 4.2.7 says *Cultural Heritage Resources* will be *conserved* in order to foster a sense of place and benefit communities, particularly in *strategic growth areas*.

Archaeology from the Regional Plan

Objective 10.C.1.1 is to support the identification and conservation of significant *built heritage resources*, significant *cultural heritage landscapes* and *archaeological resources* and areas of *archaeological potential*. Policy 10.C.2.1.11 requires that where an Archaeological Management Plan has not been completed the Region and local municipalities will require applicants to submit an archaeological assessment, should it be determined that the site meets the provincial and federal criteria for determining areas of archaeological potential. Policy 10.C.2.1.13 says *development* and *site alteration* is only be permitted on lands containing *archaeological resources* or areas of archaeological potential if the significant *archaeological resources* have been conserved by removal and documentation, or by preservation on site. Where significant *archaeological resources* must be preserved on site, only development and site alteration which maintain the heritage integrity of the site will be permitted.

Archaeology from the West Lincoln Official Plan

Cultural heritage resources include, but are not necessarily restricted to archaeological sites, buildings and structural remains of historical, architectural and contextual value, and human-made rural, village and urban districts or landscapes of historic and scenic interest. A WLOP is to prevent the demolition, destruction or inappropriate alteration or use of heritage resources.

The PPS defines *conserved* as the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and / or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

The Growth Plan defines *conserved* as the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a

conservation plan, archaeological assessment, and / or heritage impact assessment. Mitigative measures and / or alternative development approaches can be included in these plans and assessments.

An Archaeological Assessment is not required because the development approach for the *agricultural value added on-farm diversified agri-tourism uses* sets it back from the watercourse and there will be no excavations for foundations thus retaining the heritage values of any *archaeological resources*.

Natural Hazards

Natural Hazards from the Provincial Policy Statement

Policy 3.1.1 states *development* is generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and / or *erosion hazards*.

As illustrated on the Conceptual Site Plan in Annex 1, the *development* is directed outside of *hazardous lands* impacted by *flooding hazards*.

Natural Hazards from the Regional Plan

Objective 7.A.4.B is to prevent *site alterations* that will have negative environmental impacts or pose hazards to life or property, **Objective 7.A.6.A** is to minimize the risk of personal injury, loss of life or property damage, public costs and social and economic disruption from natural hazards, and **Objective 7.A.6.B** is to ensure that *development* and *site alteration* do not create new hazards, aggravate existing ones, or have negative environmental impacts.

Policy 7.A.2.1 states *development* and *site alteration* is only be permitted if it will not have negative impacts, including cross-jurisdictional and cross-watershed impacts, on flooding or erosion.

Given the *agricultural value added on-farm diversified agri-tourism uses* will be located outside the floodplain, will not remove vegetation, move the yurts as required to prevent soil compaction, and not significantly increase impervious surfaces it does not have negative impacts on flooding or erosion..

Natural Hazards from the West Lincoln Official Plan

Objective 10.6.1 is to ensure that *development* and *site alteration* do not create new hazards, aggravate existing ones, or have negative environmental impacts. **Policy 11.3** states that except where allowed by the NPCA, *development* is prohibited within a watercourse, *regulatory floodplain, valleyland, hazardous land, and wetland*. **Policy 14.4.1** requires a stormwater management plan to demonstrate the *agricultural value added on-farm diversified agri-tourism uses* will minimize vegetation removal, grading and

soil compaction, erosion and sedimentation, and impervious services. Stormwater management facilities shall not be constructed in Hazard lands or lands that are regulated by the Niagara Peninsula Conservation Authority (NPCA), unless approval is obtained from the NPCA.

Given the *agricultural value added on-farm diversified agri-tourism uses* will be located outside the floodplain, will not remove vegetation, move the yurts as required to prevent soil compaction, and not significantly increase impervious surfaces a stormwater management plan is not necessary.

Natural Hazards from the Niagara Peninsula Conservation Authority

Policy 3.3.3.2 states a work permit is required for any proposed construction, erection or placing of a building or structure of any kind.

Section 4.2.1 states the objectives of the flood hazard policies are to:

- Prevent loss of life;
- Minimize property damage and social disruption;
- Reduce the potential for incurring public costs associated with the impacts of flooding hazards;
- Manage existing risks and reduce the potential for future risks; and
- Promote the conservation of land and a co-ordinated approach to the management of water.

Policy 4.2.2 states permitted uses within the flood hazard shall be consistent with the objectives of the *Conservation Authorities Act* and subject to the Regulation 155/06 (sections 2 and 3). Agriculture uses that do not require permanent, closed structures or any major alteration of the landscape are permitted uses within the flood plain.

No permanent, closed structures or any major alteration of the landscape is proposed within the flood plain.

Zoning By-law

As illustrated on [Figure 2.8, Schedule A, Map F3](#), the Subject Property is zoned “**Agricultural – A**” with “**Environmental Conservation - EC**” and “**Environmental Protection – EP**” overlays. Within the Agricultural Zone accessory uses to the agricultural use are permitted including *agricultural value added on-farm diversified agri-tourism uses*. The Zoning By-law provision are outlined in the following table.

Regulation		Zone Requirements	Comment			
Minimum lot area		40ha	8.338ha - existing lot - satisfied			
Minimum lot frontage		100m	292.07m - existing lot - satisfied			
Minimum front yard	Dwelling	15m -	33.9 m- existing 2 storey dwelling - satisfied			
	Greenhouse	30m	Will comply			
	Mushroom farm building -	150m(1)	n/a			
	Other main building	20m	33.9m – existing 334sqm 1 storey building - satisfied			
Minimum exterior side yard	Dwelling	15m	33.7m existing 2 storey dwelling - satisfied			
	Greenhouse	30m	Can be satisfied			
	Mushroom farm building	150 m(1)	n/a			
	Other main building	20m	18+m – existing 48sqm one storey building - satisfied			
Minimum interior side yard	Dwelling	5m	existing 2 storey dwelling - satisfied			
	Greenhouse	15m(2)	Will comply			
	Mushroom farm building	75m(1)	n/a			
	Other main building	15m	existing 48sqm one storey building - satisfied			
Minimum rear yard	Dwelling	15m	existing 2 storey dwelling - satisfied			
	Greenhouse	15m(2)	Will comply			
	Mushroom farm building	75m(1)	n/a			
	Other main building	20m	existing 48sqm one storey building - satisfied			
Maximum lot coverage	Greenhouses	70%	2%			
	Other buildings or structures	10%	Additional existing buildings and structures: 334sqm accessory building, 10sqm shed, 7sqm animal shelter, and 5 tents TBD			
Maximum height		15m	TBD			
Minimum landscaped open space		No minimum	Satisfied			
Maximum outside storage		5% of lot area	Will comply			
ACCESSORY BUILDING OR STRUCTURES AND ACCESSORY USES IN AN AGRICULTURAL ZONE			Type 1 (0.1 to 10m2)	Type 2 (10.1 to 100m2)	Type 3 (greater than 100m2)	
Maximum ground floor area per building or structure			10 sqm3	100sqm	Based on maximum lot coverage (see below)	
Maximum number of accessory buildings or structures per lot	Accessory Buildings		3	2	Based on maximum lot coverage (see below)	
	Accessory Structures		Based on maximum lot coverage (see below)			

Permitted yards	All Yards except the <i>required front yard</i> or <i>required exterior side yard</i> , except that a Type 1 <i>accessory building or structure</i> used for the retail sale of farm produce shall be permitted in the <i>required front yard</i> and <i>required exterior side yard</i>		Will comply		
Minimum setback to <i>front lot line</i>	No closer to the <i>front lot line</i> than the <i>main building</i> , and in accordance with the minimum <i>yard</i> requirements of the applicable <i>zone</i> , except that a Type 1 <i>accessory building or structure</i> used for the retail sale of farm produce shall not be located any closer than 6 metres to the <i>front lot line</i>		Will comply		
Minimum setback to exterior side lot line	No closer to the <i>exterior side lot line</i> than the <i>main building</i> , except that a detached <i>private garage</i> in the <i>rear yard</i> shall not be located any closer than 6 metres to the <i>exterior side lot line</i> , and a Type 1 <i>accessory building or structure</i> used for the retail sale of farm produce shall not be located any closer than 6 metres to the <i>exterior side lot line</i>		Will comply		
Minimum setback to <i>interior side lot line</i>		1.2m	2m	7.5m	Will comply
Minimum setback to rear lot line					Will comply
Maximum <i>height</i>		3m	5.5	7.5m	Will comply
Maximum <i>lot coverage</i> of all <i>accessory buildings or structures</i> on the <i>lot</i>	Lot area 0.4ha or less	8%, of the <i>lot area</i> , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings and structures</i> in the respective <i>zone</i>		Not permitted on this lot size	n/a
	Lot area 0.5ha to 2ha	Greater of 5% or 32sqm, provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings and structures</i> in the respective <i>zone</i>		n/a	
	Lot area 2.1ha to 10ha	Greater of 2.5% or 1,000 sqm, provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings and structures</i> in the respective <i>zone</i>		Five (5) greenhouses at 30mx100m max dimensions. Total area under cover 300sqm each @ 1500sqm +48sqm+334sqm+10sqm+7sqm+130sqm (tents)= 2500sqm - satisfied	
	Lot area greater than 10ha	Greater of 1% or 2,500sam, provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings and structures</i> in the respective <i>zone</i>		n/a	
Minimum setback from <i>main building</i> (1)		1.5m	3m	Satisfied	
Maximum distance from a <i>main building</i>	The nearest point of a wall of the accessory building must be located within 50 metres of the <i>main building</i> (Bylaw 2018-61)		Can be satisfied		
ON-FARM DIVERSIFIED USES	An <i>on-farm diversified use</i> shall be located on a <i>lot</i> having a minimum <i>lot area</i> of 10ha and containing a permitted <i>agricultural use</i> and associated <i>single detached dwelling</i> , where the specific type of <i>on-farm diversified use</i> is permitted by the applicable <i>zone</i> .		8.3ha		
	A maximum of three (3) <i>on-farm diversified uses</i> shall be permitted on a <i>lot</i> .		Satisfied		
	<i>On-farm diversified uses</i> shall not exceed the following size limits	The area of the <i>lot</i> permanently, temporarily or seasonally devoted to <i>on-farm diversified uses</i> shall not exceed the lesser of 1% of the <i>lot area</i> or 0.5ha, including the area of <i>existing</i> and new <i>buildings and structures</i> , required parking and loading areas, <i>outside display and sales areas</i> , <i>outside storage areas</i> , and any other areas of the <i>lot</i> used for the <i>on-farm diversified use</i> , excluding existing <i>driveways</i> shared with a permitted <i>principal use</i> on the <i>lot</i> and areas that produce a harvestable crop; and		130sqm (tents) + 627sqm (access)= 0.9% - satisfied	

		The total <i>gross floor area</i> that is permanently, temporarily or seasonally devoted to <i>on-farm diversified uses</i> shall not exceed 500sqm including the <i>gross floor areas</i> used within all <i>main buildings or structures</i> and <i>accessory buildings or structures</i> on the <i>lot</i> ; and	130sqm (tents) - satisfied.
		For the purposes of determining the maximum <i>gross floor area</i> permitted in accordance with Subclause (v), the <i>gross floor area</i> that is used for <i>on-farm diversified uses</i> within <i>existing main buildings</i> on the <i>lot</i> shall be discounted by 50%; and,	n/a
		<i>Accessory buildings or structures</i> that are used for <i>on-farm diversified uses</i> shall comply with the requirements of Section 3.1; and,	1 space provided for each tent
		<i>Main buildings or structures</i> that are used for <i>on-farm diversified uses</i> shall comply with the regulations of the applicable <i>zone</i> ; and,	Approval for reduced lot area required
		The total <i>lot coverage</i> of all <i>main buildings or structures</i> and <i>accessory buildings or structures</i> shall not exceed the maximum <i>lot coverage</i> of the applicable <i>zone</i>	Satisfied
	<i>On-farm diversified uses</i> shall be accessory and directly related to the existing permitted agriculture use(s) on the lot and shall primarily serve the <i>existing permitted agricultural use(s)</i> on the <i>lot</i> and the <i>existing permitted agricultural uses</i> on surrounding <i>lots</i> in the area.		Satisfied
	<i>On-farm diversified uses</i> that involve value-added packaging, processing, sale and / or storage of products shall be limited to products produced by, or derived from, the principal <i>agricultural use(s)</i> on the <i>lot</i> as the primary source of the majority of the product, and may include product sourced from <i>agricultural uses</i> on surrounding lots in the area as a secondary source of product.		Satisfied
	Retail sales that form part of <i>on-farm diversified uses</i> shall be subject to the following regulations:	The <i>gross floor area</i> devoted to retail sales shall not exceed 50% of the <i>gross floor area</i> of all <i>buildings and structures</i> used in conjunction with the <i>on-farm diversified uses</i> , to a maximum of 200 square metres of <i>gross floor area</i> for retail use; and,	Can be satisfied
		The <i>gross floor area</i> devoted to retail sale of products that are not produced on, or derived from, agricultural products produced on the lot, shall not exceed 25% of the <i>gross floor area</i> of all <i>buildings and structures</i> used in conjunction with the <i>on-farm diversified uses</i> , and,	Can be satisfied
		A maximum of one (1) retail outlet shall be permitted on a <i>lot</i> ; and,	Can be satisfied
		The maximum area of the <i>lot</i> permitted to be used for <i>outside display and sales areas</i> shall be 25 square metres and such outdoor area shall not be counted as part of the maximum <i>gross floor area</i> permitted for retail use; and,	Can be satisfied
		<i>Outside display and sales areas</i> shall be setback a minimum of 3m to all <i>lot lines</i> ; and,	Can be satisfied

		<i>Outside display and sales areas</i> and any related <i>structures</i> shall not exceed a <i>maximum height</i> of 3m	Can be satisfied
		<i>Outside storage</i> for purposes other than <i>outside display and sales areas</i> on the <i>lot</i> shall be located in a <i>rear yard</i> or <i>side yard</i> and screened from view from <i>public streets</i> and adjacent <i>lots</i> by <i>planting strips</i> in accordance with Subsection 3.9.2, and shall comply with the regulations of the applicable <i>zone</i> .	Can be satisfied
		<i>On-farm diversified uses</i> shall be operated by the <i>person</i> or <i>persons</i> whose principal residence is the <i>dwelling</i> on the <i>lot</i> , and a maximum of two (2) persons other than the residents of the dwelling on the lot are permitted to be employed in the business of the <i>on-farm diversified uses</i> .	Can be satisfied
		<i>On-farm diversified uses</i> that include overnight accommodations shall be limited to a permitted <i>bed and breakfast establishment</i> in accordance with Section 3.4.	Not a B&B
	Notwithstanding the regulations of this Section to the contrary, certain <i>on-farm diversified uses</i> are subject to additional or different regulations contained in other Sections of this By-law, as follows	The requirements of Section 3.4, for <i>bed and breakfast establishments</i> ; and,	Not a B&B
		The requirements of Section 3.7, for <i>home occupations</i> and <i>home industries</i> ; and	n/a
		The requirements of Section 3.8, for <i>private kennels</i> and <i>pet care establishments</i>	n/a
		Parking for <i>on-farm diversified uses</i> shall be provided in accordance with Section 3.12	Can be satisfied
	A <i>sign</i> is permitted to be displayed on the <i>lot</i> for on-farm diversified uses, provided	A maximum of one (1) <i>sign</i> is permitted on a <i>lot</i> for each permitted <i>home occupation</i> ; an	Can be satisfied
		The <i>sign</i> shall not be illuminated; and,	Can be satisfied
		The <i>sign</i> shall have a maximum area of 0.2sqm per side; and,	Can be satisfied
		The <i>sign</i> shall be setback a minimum of 1m to all <i>lot lines</i> and shall not be located within a <i>sight triangle</i> ; and,	Can be satisfied
		The maximum <i>height</i> of the sign shall be 0.8m; and,	Can be satisfied
		The <i>sign</i> shall comply with the <i>Township's Sign By-law</i> .	Can be satisfied

(1) No projection shall be permitted into this required setback. This setback does not apply to a balcony, deck, fence, patio, porch, roof-mounted solar panels, satellite dish/antenna, steps, sunroom, walkway or other accessory structure normally appurtenant to a *main building*.

Reduced lot area approval required.

POLICY AND PLANNING ANALYSIS SUMMARY

The Policy and Planning Analysis provides the basis for establishing why the *agricultural value added on-farm diversified agri-tourism uses* is appropriate and permitted. The Analysis provides an outline of applicable planning policy documents and regulatory context quoting specific policies that are relevant to the issue. The Analysis establishes the basis for a planning opinion by providing detailed analysis of the identified relevant policies and explaining how the *home occupation office* conforms to the policies. The Analysis discusses the appropriateness of the *home occupation office use* in relation to following planning:

- Provincial Policy and Legislation;
 - Provincial Policy Statement;
 - Growth Plan for the Greater Golden Horseshoe;
- Municipal Policy;
 - Region of Niagara Official Plan;
 - Township of West Lincoln Official Plan.
- NPCA Policy

The Policy and Planning Analysis provides the rationale and opinion as to why the *agricultural value added on-farm diversified agri-tourism uses* is appropriate in terms of good planning principles. This includes a discussion of the *agricultural value added on-farm diversified agri-tourism uses*' potential negative impacts and any mitigation required.

Good planning practice directs that the plan and its policies are not written in stone. Policies such as those of the PPS, Growth Plan, Regional Official Plan, and West Lincoln Official Plan reviewed here, are used to try to reach a goal. They are not to be used as a set of threshold measures where the inability to meet every policy results in failure. All of the policies may not be and, based on good planning practice, don't have to be, satisfied as though they are zoning by-law regulations. If, on the balance, the proposal satisfies most of the policies and moves the community towards its stated goals, then the proposal should be given serious consideration for approval.

Land use planning in Ontario, Niagara, and West Lincoln is about development. Protecting and preserving resources is important but, land use planning is primarily about promoting and encouraging appropriate development and complete communities. There are aspects of control to protect valuable and sensitive resources, such as significant cultural and natural heritage features from negative impacts from nearby uses, but the primary purpose is guiding development.

The guidance of development is evident starting with the *Planning Act*. The Citizen's Guide to Land-use Planning (the Guide) states *the Act*, among other things, promotes sustainable economic development in a healthy natural environment and provides for a land use planning system led by provincial policy. The Guide further states, *the Act* provides the basis for preparing official plans and planning policies that will guide future development. The Guide states the *PPS* provides policy direction that will help build strong communities by protecting, among others, agricultural resources. Community planning is aimed at identifying common community goals and balancing competing interests of the various parties.

The Objectives for Agricultural and Rural Areas in the Regional Official Plan, are, among others, to preserve Niagara's agricultural lands and provide an efficient and orderly pattern of land uses. In Good General Agricultural Areas, the predominant use of land will be for *agriculture and farm diversification agricultural related value added uses*. The West Lincoln Official Plan designates the Subject Property Good General Agricultural which permits all types of *agricultural uses and agricultural value added on-farm diversified agri-tourism uses*.

- Regional Strategic Objectives are satisfied including:
 - Efficient use of land through utilization of the existing *single detached dwelling*;
 - Because there is no incompatibility with neighbouring *uses*,
 - minimization of conflict between incompatible *uses*; and
 - Minimizing the introduction of incompatible land *uses* within the *agricultural areas*.

- The Township's Vision of continued viability of agriculture on prime agricultural lands is not offended because there is no impact on existing and potential agricultural operations. Supportive accessory *uses* are encouraged.

- The Township's Goals and Objectives are satisfied including:
 - Provision of an environment for sustainable agriculture and related activities through the protection of *prime agricultural lands* and by preventing incompatible land *uses*;
 - Recognition of the mixed *use* landscape of agricultural areas;
 - Recognizing the benefits of tourism and related commercial establishments as it relates to the economy of the Township and make provisions for its continued growth;
 - Encouragement of more diversified employment opportunities for residents of the Township through the promotion new and expanding commercial businesses;
 - Ensuring the long term sustainability of the Township by expanding the property tax base;
 - Since there is no need for a Severance, support of a pattern of agricultural land holdings that increase the flexibility of agricultural operations and avoid the fragmentation of land ownership by developing undersized and underutilized rural parcels; and

- Promoting small scale secondary uses compatible with and do not hinder surrounding agricultural operations.

OPINION

The *principal use* of Subject Property is an *agricultural use* permitted in the Agriculture 'A' Zone. The *agricultural value added on-farm diversified agri-tourism uses* is a permitted use.

CLOSING

This report is intended solely for Michael Carlton and Assylgul Kalmukanova (the "Client") in providing the Township of West Lincoln this requested Planning Justification Report to obtain necessary *Planning Act* approvals for the proposed on-farm diversified agri-tourism use development at 6696 Canborough Road / Regional Road 63. This report is prohibited to be used by any other party without written consent by an authorized representative of 2198795 Ontario Limited Operating as Steven P Rivers Land Use, Planning & Development (Steven Rivers. This report is considered Steven Rivers' professional work product and shall remain the sole property of Steven Rivers. Any unauthorized reuse, redistribution of, or reliance on, the report shall be at the Client's and recipient's sole risk, without liability to Steven Rivers. The Client shall defend, indemnify and hold Steven Rivers harmless from any liability arising from or related to the Client's unauthorized distribution of the report. No portion of this report may be used as a separate entity; it is to be read in its entirety and shall include all supporting drawings and appendices.

The conclusions and recommendations made in this report are in accordance with my present understanding of the proposed project, the current site use, surface and subsurface conditions, and are based on available information, a site reconnaissance on the date(s) set out in the report, records review and interviews with appropriate people and the work scope provided by the Client and described in the report and should not be construed as a legal opinion. Steven Rivers relied in good faith on the data and information provided by the Client and from other materials as noted in this report. Steven Rivers has assumed that the information provided was factual and accurate. Steven Rivers accepts no responsibility for any deficiency, misstatement, or inaccuracy contained in this report as a result of omissions, misinterpretations or fraudulent acts of persons interviewed or contacted. Reliance on this report is only extended to the Client. No other representations or warranties of any kind, either expressed or implied, are made. Any use which a third party makes of this report, or any reliance on or decisions made based on it, are the sole responsibility of such third parties. If conditions at the property change or if any additional information becomes available at a future date, modifications to the findings, conclusions and recommendations in this report may be necessary.

I trust this information will meet your current requirements. Please do not hesitate to contact me should you have any questions or require additional information.

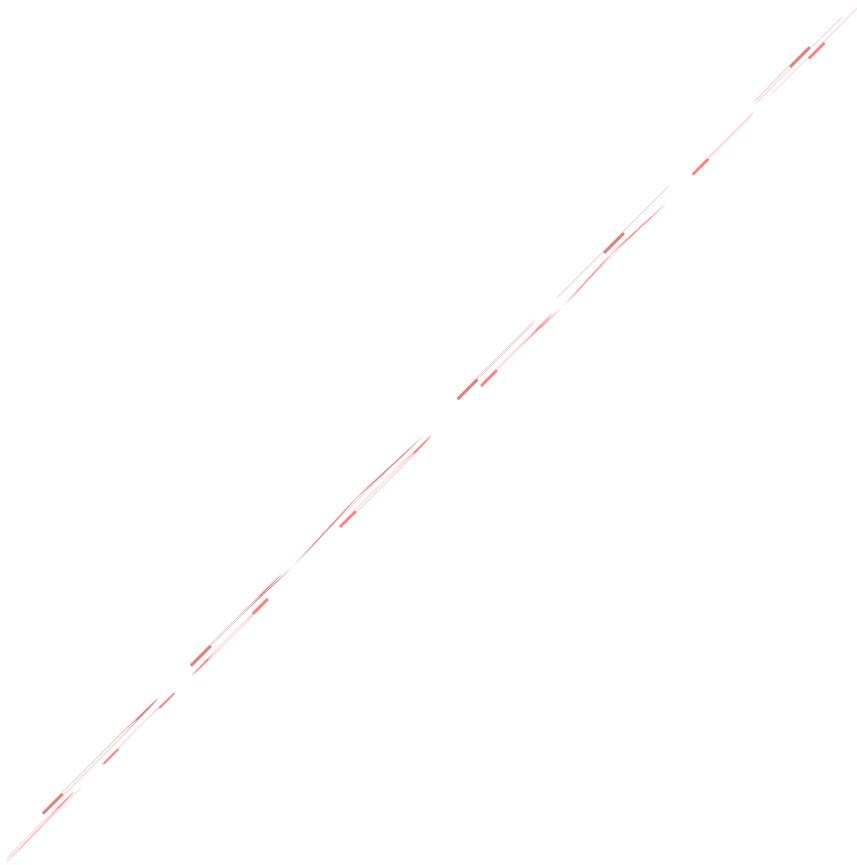
Steven Rivers

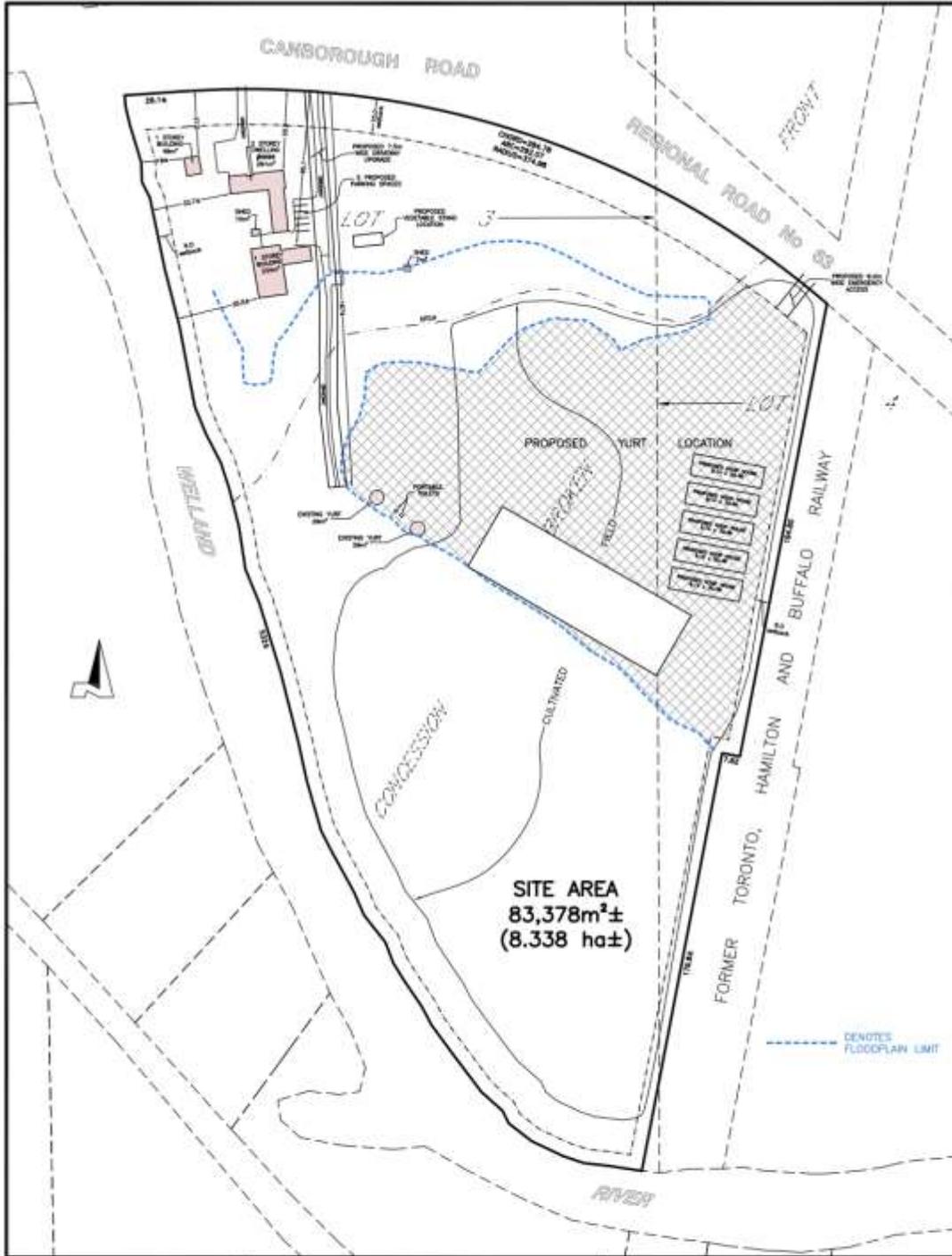
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Phone: 905-733-8843
Email: info@southcoastconsulting.ca

2021-03-02



ANNEX 1
CONCEPTUAL SITE PLAN



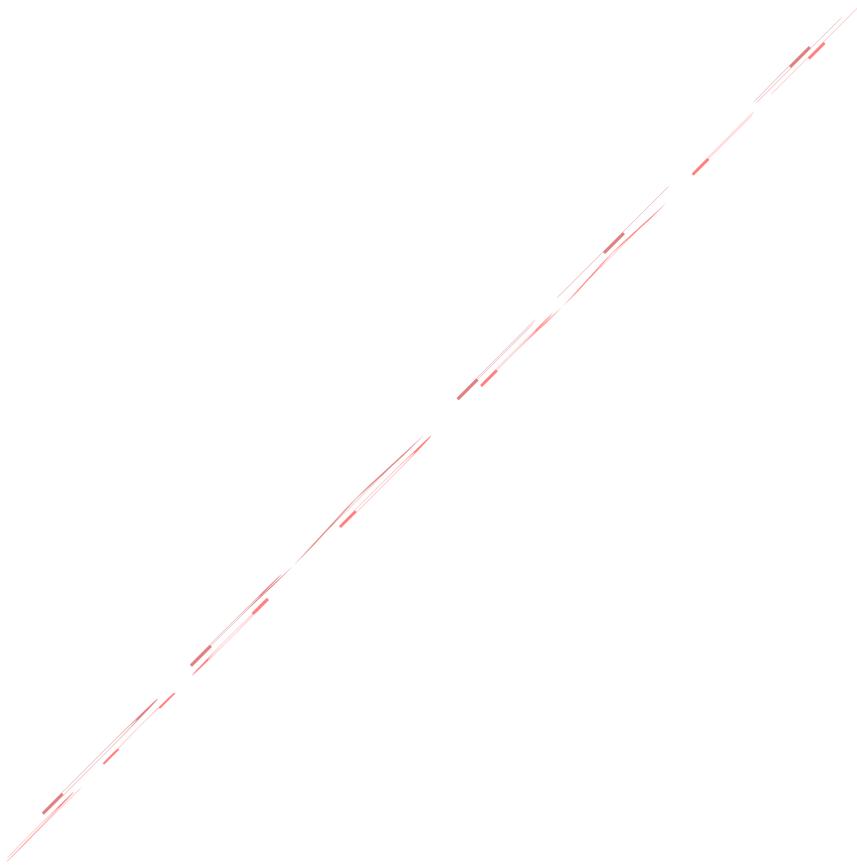


SITE AREA
 83,378m²±
 (8.338 ha±)

	<p>SKETCH SHOWING PROPOSED FEATURES</p>	<p>CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.</p> <p>"THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH SEAL"</p>
	<p>PART OF LOTS 3 AND 4 AND A CONCESSION BROKEN FRONT NEIGHBOURHOOD TOWNSHIP OF CANBOROUGH IN THE TOWNSHIP OF WEST LINCOLN REGIONAL MUNICIPALITY OF NIAGARA SCALE 1:100 METRES</p>	
<p>BENCHMARK: ELEVATIONS HEREON ARE GEODETIC AND WERE DERIVED FROM THE TORONTO 87N NETWORK, NAD83 (CAN), VERSION 3, EPSC 2010.</p>	<p>NOTE! THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, NOT FROM AN ACTUAL SURVEY. DO NOT SCALE FROM THIS DRAWING. ALL MEASUREMENTS ARE +/- MEASUREMENTS.</p>	<p>DATE: _____ DONALD G. CHAMBERS, B. Sc., O.L.S. CHAMBERS AND ASSOCIATES SURVEYING LTD 10 THOROLD ROAD EAST (905) 739-7841 / 739-7844 WILLOW BRIDGE ONTARIO L9C 3T2 FAX (905) 739-7333 www.caas-surveying.com DWG: 21003_MS FILE: 21-03</p>

ANNEX 2

EXCERPTS FROM RELEVANT DOCUMENTS AND COMMENTS



THE PLANNING ACT

One of the purposes of the *Act* is to promote sustainable economic development in a healthy natural environment (sect. 1.1(a)). Provincial interests include the: protection of natural areas, features and functions (sect 1(a)); protection of the agricultural resources (sect. 2(b)); orderly development of safe and healthy communities (sect. 2(h)); provision of employment opportunities (sect. 2(k); and; location of growth and development (sect. 2(k)) among others.

The Council of the Township has the authority under the *Act* (Sections 34 and 39) to zone a property for a permitted use if it implements the policies of the WLOP. The *Act* specifies factors which must be taken into account. It lists in Section 2 topics which the Council of the Township must have regard to, in the form of Provincial Interests. Section 3(5)a adds that the planning tools (zoning) available to Council must be consistent with the *PPS*. Section 14 of the *Places to Grow Act* says they must also conform to the *Growth Plan*. Under Section 24(i) of the *Planning Act*, by-laws must conform to WLOPs like the ROP.

THE PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement, 2019 (*PPS*) came into effect May 1, 2020 and applies to this application.

Preamble

The Preamble to the *PPS* says it provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The *PPS* is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

An important aspect of policy led land use planning is the terms used in the policies. As succinctly outlined in the *PPS*, some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “*development* and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.”

The *PPS* says the policies represent minimum standards. Planning authorities and decision-makers may go beyond these minimum standards to address matters of importance unless doing so would conflict with any policy of the Provincial Policy Statement.

Vision

The PPS focuses growth and development within settlement areas. It recognizes that the wise management of land use change may involve directing, promoting, or sustaining development. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety.

Efficient development patterns optimize the use of land and public investment in infrastructure and public service facilities and minimize the undesirable effects of development, including impacts on air, water and other resources.

Policies

The PPS policies for Building Strong Healthy Communities say “Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.” Healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. (Policy 1.1.1a)

Rural Areas

Rural Areas are important to the economic success of the Province and our quality of life. *Rural areas* are a system of lands that may include *rural settlement areas*, *rural lands*, *prime agricultural areas*, *natural heritage features and areas*, and other resource areas. *Rural areas* and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's *rural areas* have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

Healthy, integrated and viable *rural areas* should be supported by:

- building upon rural character, and leveraging rural amenities and assets;
- promoting regeneration, including the *redevelopment* of *brownfield sites*;
- accommodating an appropriate range and mix of housing in *rural settlement areas*;
- encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
- using rural *infrastructure* and *public service facilities* efficiently;

- promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- conserving biodiversity and considering the ecological benefits provided by nature; and
- providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 2.3. (Policy 1.1.4.1)

When directing development on *rural lands*, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety. (Policy 1.1.5.1)

On *rural lands* located in municipalities, permitted uses are:

- the management or use of resources;
- resource-based recreational uses (including recreational dwellings);
- limited residential development;
- home occupations and home industries;
- cemeteries; and
- other rural land uses. (Policy 1.1.5.2)

Recreational, tourism and other economic opportunities should be promoted. (Policy 1.1.5.3)

Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted. (Policy 1.1.5.4)

Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*. (Policy 1.1.5.5)

Opportunities should be retained to locate new or expanding land uses that require separation from other uses. (Policy 1.1.5.6)

Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses. (Policy 1.1.5.7)

New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *MDS formulae*. (Policy 1.1.5.8)

Long Term Economic Prosperity

The PPS say “Long-term economic prosperity should be supported by . . . providing opportunities to support local food, and promoting the sustainability of agri-food and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts . . .” (Policy 1.7.1h))

Natural Heritage

Policies with respect to natural heritage are in Section 2.1 and specifically Section 2.1.1 with respect to Wise Use and Management of Resources, Natural Heritage states natural features and areas shall be protected for the long term.

Section 2.1.2 states the diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface water features and ground water features*.

Development and site alteration shall not be permitted in:

- *significant wetlands* in Ecoregions 5E, 6E and 7E1; and
- *significant coastal wetlands*. (Policy 2.1.4)

Development and site alteration shall not be permitted in:

- *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;
- *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- *significant wildlife habitat*;
- *significant areas of natural and scientific interest*; and
- *coastal wetlands* in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no *negative impacts* on the natural features or their ecological functions. (Policy 2.1.5)

Agriculture

Prime agricultural areas shall be protected for long-term use for agriculture. *Prime agricultural areas* are areas where prime agricultural lands predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority. (Policy 2.3.1)

Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with guidelines developed by the Province, as amended from time to time. Planning authorities are encouraged to use an *agricultural system* approach to maintain

and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the *agri-food network*. (Policy 2.3.2)

Permitted Uses

In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses*. Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives. (Policy 2.3.3.1)

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agriculture-related uses: means those farm related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and / or services to farm operations as a primary activity.

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in *prime agricultural areas*, including *specialty crop areas*, only as *on-farm diversified uses*.

In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards. (Policy 2.3.3.2)

New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*. (Policy 2.3.3.3)

Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas

Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas The Ontario Ministry of Agriculture, Food, and Rural Affairs Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (The [OMAFRA Guidelines](#)) are intended to help municipalities, decision makers, farmers and others interpret the policies in the [PPS](#) on the range of uses

permitted in *prime agricultural areas*. Section 1.1 states The [OMAFRA Guidelines](#) help municipalities interpret the policies in the [PPS](#) on the uses permitted in *prime agricultural areas*, comprise the provincial guidelines referred to in Policy 2.3.3.1 of the [PPS](#), and provide guidance on *agricultural, agriculture-related* and *on-farm diversified uses*. The Guidelines are meant to complement, be consistent with and explain the intent of the [PPS](#) policies and definitions. . .

Section 1.3 states “the criteria for the uses permitted in *prime agricultural areas* revolve around the objectives of maintaining the land base for agriculture ([PPS Policy 2.3.1](#)) and supporting a thriving agricultural industry and rural economy ([PPS Vision](#) and [PPS Policy 1.1.4](#)).” The following Table summarizes the specific criteria for *agricultural, agriculture-related* and *on-farm diversified uses*.

Type of Use	Criteria As Provided By PPS Policies And Definitions
Agricultural	<ol style="list-style-type: none"> 1. The growing of crops, raising of livestock and raising of other animals for food, fur or fibre 2. Includes associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment 3. All types, sizes and intensities of <i>agricultural uses</i> shall be promoted and protected in accordance with provincial standards [the nursery] 4. <i>Normal farm practices</i> shall be promoted and protected in accordance with provincial standards
Agriculture-Related	<ol style="list-style-type: none"> 1. Farm-related commercial and farm-related industrial uses 2. Shall be compatible with and shall not hinder surrounding agricultural operations 3. Directly related to farm operations in the area 4. Supports agriculture 5. Provides direct products and / or services to farm operations as a primary activity 6. Benefits from being in close proximity to farm operations
On-Farm Diversified	<ol style="list-style-type: none"> 1. Located on a farm 2. Secondary to the principal <i>agricultural use</i> of the property 3. Limited in area 4. Includes, but is not limited to, home occupations, home industry, <i>agri-tourism uses</i> and uses that produce value-added agricultural products 5. Shall be compatible with, and shall not hinder, surrounding agricultural operations

The intent of the PPS and these guidelines is to allow uses in *prime agricultural areas* that ensure *settlement areas* remain the focus of growth and *development* and:

- agriculture remains the principal use in *prime agricultural areas*
- *prime agricultural areas* are protected for future generations
- land taken out of agricultural production, if any, is minimal
- regard is given to the long-term (multi-generational) impact on *prime agricultural areas*
- *normal farm practices* are able to continue unhindered
- agricultural and rural character and heritage are maintained as much as possible
- uses are compatible with *agricultural uses*
- they make a positive contribution to the agricultural industry, either directly or indirectly
- servicing requirements (e.g., water and wastewater, road access, fire services, policing) fit with the agricultural context. (Section 1.4)

Agricultural Uses

In general, the larger the farm parcel, the more adaptable it is to changing conditions and the more efficient it is to run the farm. Keeping farms large enough to maintain flexibility is key to agricultural viability and to achieving the PPS requirement of protecting *prime agricultural areas* for long-term use in agriculture.

Lot size may vary depending on the agricultural use. For traditional field crops, large lots are optimal. Higher value specialty crops tend to be located on smaller parcels. In all cases, lots must still be large enough to maintain flexibility for future changes in the type or size of the agricultural operation.

Agriculture-Related Uses

As described in the PPS definition, *agriculture-related uses* are farm-related commercial and industrial uses. They add to the vitality and economic viability of *prime agricultural areas* because they are directly related to and service farm operations in the area as a primary activity. These uses may be located on farms or on separate *agriculture-related* commercial or industrial properties.

All of the following criteria must be met to qualify as *agriculture-related uses* in *prime agricultural areas*. (Section 2.2.1)

1. Farm-related commercial and farm-related industrial use. (from the PPS definition of *agriculture-related uses*) (not applicable in this situation) Farm-related commercial uses may include uses such as retailing of agriculture-related products (e.g., farm supply co-ops, farmers' markets and retailers of value-added products like wine or cider made from produce grown in the area), livestock assembly yards and farm equipment repair shops if they meet all the criteria for this category of uses. Farm-related industrial uses may include uses such as industrial operations that process farm commodities from the area such as abattoirs, feed mills, grain dryers, cold/dry storage facilities, fertilizer storage and distribution facilities, food and beverage processors (e.g., wineries and cheese factories) and agricultural biomass pelletizers

if they meet all the criteria for this category of uses. Many of these uses add value to the agricultural commodities produced in the area.

2. Shall be compatible with, and shall not hinder, surrounding agricultural operations. (from PPS Policy 2.3.3.1) “Surrounding agricultural operations” are interpreted in these guidelines to include both the property on which the use is located and the area of potential impact around the property. The area of impact may vary depending on the use. To be compatible with and not hinder surrounding agricultural operations, *agriculture related uses* should meet all of the following:
 - Ensure surrounding agricultural operations are able to pursue their agricultural practices without impairment or inconvenience. While *agriculture-related uses* (and *on-farm diversified uses*) may or may not be subject to *the minimum distance separation formulae*, proximity to nearby livestock facilities may still be a consideration in locating these uses. This will help to avoid conflict between new uses and farming due to odour or other nuisances related to *normal farm practices*. Examples of other potential sources of conflict include noise that disturbs nearby farm operators and their livestock, trespass incidents, soil compaction, dust and impacts on water quantity or quality. Some uses can result in an increase in traffic that may conflict with slow-moving farm vehicles on local roads.
 - Uses should be appropriate to available rural services (e.g., do not require the level of road access, water and wastewater servicing, utilities, fire protection and other public services typically found in settlement areas). Approval for a new land use on a property with individual, on-site water and sewage services requires demonstration of “no negative impacts” as per Policy 1.6.6.4 of the PPS. Urban-type uses typically unsuitable in prime agricultural areas include large food or beverage processing plants. These facilities should be on municipal services. . . . *Agriculture-related uses* that are compatible when first established may expand and grow over time. Before building permits are issued, the municipality needs to be satisfied that zoning requirements are met. If the compatibility criterion or any other PPS criteria cannot be met, the building permit may be withheld and the expanded business may need to be relocated to a suitable location outside of the prime agricultural area. PPS Policy 2.3.4.1 b) addresses lot creation for agriculture-related uses. Lot creation may be permitted for *agriculture-related uses* provided that any new lot is limited to a minimum size needed to accommodate the use and its wastewater and water servicing requirements. A best practice is to consider alternatives before creating a new lot.
 - Maintain the agricultural/rural character of the area (in keeping with the principles of these guidelines and PPS Policy 1.1.4). Compatibility may be achieved by: – re-using existing buildings or locating businesses within existing buildings unless an alternative location reduces overall impacts on agriculture in the area – designing new structures to fit in aesthetically with the agricultural area – minimizing outdoor storage and lighting – avoiding major modification of land and removal of natural heritage features – visually screening uses from neighbours and roadways – limiting the use of signage and ensuring that any signage fits with the character of the area

- Meet all applicable provincial air emission, noise, water and wastewater standards and receive all relevant environmental approvals. A use that will result in air, noise or odour emissions (e.g., fabrication plant or equipment repair shop) may require an Environmental Compliance Approval issued under the Environmental Protection Act, 1990. Some uses that have high water requirements or generate a significant amount of wastewater (e.g., produce washing, food processing and wine-making) could require a Permit to Take Water and/or sewage works approvals under the Ontario Water Resources Act, 1990.
 - The cumulative impact of multiple uses in prime agricultural areas should be limited and not undermine the agricultural nature of the area. Whether a proposed new use is compatible depends in part on other uses in the area and how the area would be affected by all of these uses. For example, the cumulative impact on ground and surface water in the area, wear and tear on roads, traffic safety and demand for policing and fire protection are basic compatibility considerations. The principles of permitted uses identified in Section 1.4 and all compatibility components discussed in this section are to be maintained. The PPS requires prime agricultural areas be protected for long-term *agricultural use* and that impacts from non-agricultural uses in the *prime agricultural area* are mitigated. The discussion on impact mitigation in Sections 3.1.3 and 3.2.4 may also be applicable to *agriculture-related uses* and *on-farm diversified uses*.
3. Directly related to farm operations in the area. (from the PPS definition of *agriculture-related uses*) (not applicable in this situation) *Agriculture-related uses* must be directly related to farms in the area, primarily providing products or services that are associated with, required by or that enhance agricultural operations in the area. “Directly related to” means that the use should reflect the type of agricultural production in the area. . . . For a value-added facility to be classified as an *agriculture-related use*, “in the area” would refer to the area where the feedstock (e.g., crops or livestock) originates. “In the area” is not based on a set distance or on municipal boundaries. It is based on how far farmers will reasonably travel for the *agriculture-related* products or services. . . . Uses that provide products or services beyond the immediate agricultural area . . . , are not *agriculture-related uses*. They do not directly relate to farm operations in the area. Even if these uses provide some products or services to farms in the area, they are located in serviced industrial or commercial land in settlement areas, rather than prime agricultural areas.
 4. Supports agriculture. (from the PPS definition of *agriculture-related uses*) This criterion limits uses to those primarily focused on supporting agriculture. For example, a grain elevator used by farmers in the area supports and benefits area farms.
 5. Provides direct products and/or services to farm operations as a primary activity. (from the PPS definition of *agriculture-related uses*) This criterion requires that agriculture-related uses directly service farm operations as a primary activity. Direct products and / or services” refers to uses that serve an agricultural need or create an opportunity for agriculture at any stage of the supply chain (e.g., seed or fertilizer supplier, farm equipment repair, value-added food and beverage processing and distribution or retail of agricultural commodities grown in the area). General-purpose commercial and industrial uses that serve a broad customer base (e.g., building supply centres, window manufacturers, fencing companies, paint stores, pre-cast concrete

businesses and contractors' yards) are not *agriculture-related uses* even if they have farm operators as customers. Serving farm operations must be a primary function or main activity of the business. As a rule, general purpose commercial and industrial uses should be located outside of *prime agricultural areas* (i.e., in *settlement areas* or on *rural lands*). Many hamlets, villages and towns near active agricultural areas cluster general purpose and *agriculture-related uses* within their *settlement areas*, within easy access to farm operations. Some provide servicing to encourage economic development. Directing growth and *development* that is not imperative in *prime agricultural areas* to *settlement areas* is consistent with PPS Policy 1.1.4.2. In the past, some farm implement dealerships and repair shops have located in *prime agricultural areas* because of land availability and proximity to customers. Municipalities may have permitted this to achieve efficient development patterns in *settlement areas*. Given that current PPS policy emphasizes the need for *agriculture-related uses* to provide direct products and / or services to farm operations as a primary activity, a farm equipment dealership or farm equipment repair shop might be justified as an *agriculture-related use* in a *prime agricultural area* if servicing farm operations in the area is a primary focus of the business and all other *agriculture-related uses* criteria are met. However, businesses that sell or repair farm implements, along with items catering to a broad customer base such as lawn mowers, snow blowers, other machinery, parts, toys and clothing, should be directed to *settlement areas*, *rural lands* or lower priority agricultural lands as discussed in Section 3.2. Uses that process and / or store predominantly non-agricultural source materials (e.g., compost, leaf and yard waste, food processing waste, sewage biosolids) are not *agriculture-related uses*, even if the products of such facilities are spread on farmland. The primary function of such facilities is to manage non-agricultural waste streams, rather than produce a product for application to farmland. Facilities that process and / or store agricultural source materials from agricultural operations in the area as their primary activity may fit the definition of *agriculture-related uses*. . . .To assess whether a proposed use meets the test of providing direct products and / or services to farm operations as a primary activity, municipalities should require evidence demonstrating that the use will service farm operations as a primary business activity (i.e., inputs are primarily produced in the area or customers are primarily farm operators in the area). As a best management practice, municipalities may require evidence that the use cannot be located in *settlement areas* or on *rural lands*.

6. Benefits from being in close proximity to farm operations. (from the PPS definition of *agriculture-related uses*) To meet this criterion, *agriculture-related uses* must benefit from or need to be located near the farm operations they serve. Benefits may include more effective or efficient operations due to access to feedstock, roads suited to slow-moving farm vehicles, reduced transportation distance and risk of spoilage and marketing opportunities associated with being part of an agricultural cluster.

Agriculture-Related Uses

A wide variety of uses may qualify as *on-farm diversified uses* based on the PPS definition, as long as they meet the criteria described below. On-farm diversified uses should be related to agriculture, supportive of agriculture or able to co-exist with

agriculture without conflict. On-farm diversified uses are intended to enable farm operators to diversify and supplement their farm income, as well as to accommodate value-added and agri-tourism uses in *prime agricultural areas*. All of the following criteria must be met to qualify as on-farm diversified uses, in accordance with the PPS.

- Located on a farm - (from the label “*on-farm diversified uses*” and from the definition’s requirement that the use be secondary to the principal “*agricultural use*” of the property)

On-farm diversified uses must be located on a farm property that is actively in agricultural use. The *on-farm diversified uses* provisions in the PPS do not apply to small residential lots in the prime agricultural area (not applicable in this situation).

As noted in Section 2.1 of these guidelines, *agricultural uses* occur on a farm with the expectation of gain or reward. This does not include production primarily for use or consumption by members of the household of the owner or operator of the agricultural operation, for purposes of pastime or recreation, or in a park, on a property used primarily for residential purposes or in a garden located in a public space. The planning authority may require evidence that the property is actively farmed. For example, proof may be required that shows the property qualifies for the Farm Property Class under the *Assessment Act, 1990*.

- Secondary to the principal agricultural use of the property - (from the PPS definition of on-farm diversified uses) While the PPS definition of *on-farm diversified uses* allows for a wide range of on-farm economic opportunities, it also requires those uses be secondary to the principal *agricultural use* of the property. In other words, *agricultural uses* must remain the dominant use of the property. This is measured in spatial and temporal terms. Spatially, the use must be secondary relative to the *agricultural use* of the property. The spatial limits are addressed below under the “limited in area” criterion. Temporal considerations apply to uses that are temporary or intermittent, such as events. Given that *on-farm diversified uses* (and *agriculture-related uses*) must be compatible with surrounding agricultural operations, the frequency and timing of any events must not interfere with cropping cycles or other agricultural uses on the farm or in the surrounding area. Even temporary uses must meet all criteria for on-farm diversified uses. Acceptable uses must be compatible with and able to coexist with surrounding agricultural operations, and:
 - permanently displace little-to-no agricultural land, within the limits discussed under the “limited in area” criterion
 - do not require site grading and/or drainage unless it improves conditions for agricultural production
 - are one-time uses or held infrequently when impacts to agriculture are minimal • any land used for a temporary use must be immediately returned to agriculture
 - a harvestable crop is produced on the land the year in which the temporary use is implemented (if applicable)
 - meet compatibility requirements (e.g., do not require significant emergency, water and wastewater services; maintain reasonable noise and traffic levels in the area)

- impacts to the site itself and surrounding agricultural operations are mitigated (e.g., compaction, drainage, trespassing)

If all criteria are met, events may be accommodated through a temporary use zoning by-law under the *Planning Act, 1990*, provided no permanent alterations are proposed to the land or structures (e.g., stages, washrooms or pavilions). The temporary zoning must be structured in a way that the farmland is returned to agriculture immediately following the event (e.g., detailed provisions to avoid soil compaction, timing events to avoid impacts on cropping systems). The intention is that these uses are permitted only on an interim basis. The *Municipal Act, 2001*, authorizes municipalities to pass by-laws, issue permits and impose conditions on events. These by-laws may require site plans, traffic plans, emergency plans and security plans. These by-laws can help ensure uses are reasonable without the need for other approvals. Large-scale, repeated or permanent events are not on-farm diversified uses and should be directed to existing facilities such as fairgrounds, parks, community centres and halls, settlement areas or rural lands. Guidelines on new venues in prime agricultural areas are provided in Section 3.2 Limited Non-Agricultural Uses (not applicable in this situation).

- Limited in area - (from the PPS definition of on-farm diversified uses) While PPS policies enable a wide variety of on-farm economic opportunities, the PPS also requires those uses are limited in area. This criterion is intended to:
 - minimize the amount of land taken out of agricultural production, if any;
 - ensure agriculture remains the main land use in prime agricultural areas; and
 - limit off-site impacts (e.g., traffic, changes to the agricultural-rural character) to ensure compatibility with surrounding agricultural operations

Many municipalities limit the scale of *on-farm diversified uses* by limiting the number or place of residence of employees, number of businesses, percentage of products sold that are produced on the farm or floor area of buildings and outdoor storage. However, these factors do not have a direct bearing on the amount of farmland displaced or fully account for all the land occupied by the uses. A preferred approach is to base “limited in area” on the total footprint of the uses, on a lot coverage ratio basis. Guidance on the “limited in area” criterion is based on a review of existing municipal approaches in Ontario, observations and experiences of OMAFRA staff across the province, benchmarking against existing diverse farms, development of scenarios and stakeholder input. Realistic scenarios to predict how much land could be used for *on-farm diversified uses* on small, medium and large farms are provided in Appendix 2. Appendix 3 offers an example of an existing, diversified farm with a combination of permitted uses, illustrating how the on-farm diversified uses portion of the property is calculated (not applicable in this situation).

The approach to the “limited in area” criterion is intended to:

- achieve the balance between farmland protection required by the PPS and economic opportunities for farmers;

- improve consistency among municipalities in terms of the land area that could be used for such uses;
- level the playing field for different types of *on-farm diversified uses*;
- provide flexibility as *on-farm diversified uses* and owners change; and
- simplify implementation

The “limited in area” requirement should be based on the total land area that is unavailable for agricultural production as a result of the *on-farm diversified use* (i.e., the footprint occupied by the use, expressed as a percentage of lot coverage). The area calculation should account for all aspects related to an *on-farm diversified use* such as buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and new access roads. The lot coverage ratio should be based on the size of the individual parcel of land where the use is located, not the total area of a farm operation which could include several parcels. The rationale for using a lot coverage ratio is built on the premise that a large property is generally able to accommodate a larger *on-farm diversified use* than a small property while meeting compatibility requirements.

Where available, uses should be within existing agricultural buildings or structures no longer needed to support agricultural production. Reusing existing buildings or structures can help to:

- reduce the amount of farmland consumed;
- maintain the agricultural / rural character of the area; and
- ensure existing buildings are kept in good repair or improved.

As farmers expand and modernize their agricultural operations, they often prefer to build new structures based on current standards rather than retrofit older buildings. This can result in surplus buildings that could be repurposed. It is recommended that for “limited in area” calculations, the area of existing buildings used for *on-farm diversified uses* be discounted at an appropriate rate (e.g., 50%). Be aware that a change in the use of a building may result in a change in building code requirements (Section 2.5.7). If an *on-farm diversified use* occupies the same footprint as a demolished building, the land area for the use may be similarly discounted. This recognizes that it is unlikely that land under a demolished building will be returned to an agricultural use. However, preference should be given to reuse of existing buildings where possible (not applicable in this situation). It is recommended that the area of existing laneways not be included in area calculations. This will encourage on-farm diversified uses to locate within existing farm building clusters and minimize impacts on agricultural production. If an existing barn (or a barn destroyed by fire,) is restored for an *on-farm diversified use* with the same footprint as the existing barn, only 50% of the building’s footprint is counted in the area calculations. Likewise, the footprint of a home occupation in an existing residence or outbuilding may be calculated at 50%

of the area of the office. However, 100% of the area needed for parking and outdoor storage would be included. Existing laneways are not counted in the area calculations but 100% of the area for new laneways would be included (not applicable in this situation). These guidelines recommend that “limited in area” be relative to the size of the farm property on which the *on-farm diversified use* is located. The size of the entire farm property, including land subject to an easement, and not just the portion of a farm that is in *agricultural use*, should be considered. For example, a use occupying 1 ha on a 50 hectare farm may be “limited in area,” while a 1 ha use on a 15 ha farm may not be. These guidelines recommend that the standard for the acceptable area occupied by an *on-farm diversified use* is up to 2% of a farm parcel to a maximum of 1 ha (10,000 square metres). The examples of on-farm diversified uses in Appendix 2 show the variety of uses that could be placed on different-sized parcels of land, while staying within the recommended maximum lot coverage of 2% (not applicable in this situation). In the case of *on-farm diversified uses* that are intermittent, such as events, “limited in area” may mean an area greater than the general recommendations above (Section 2.3.1.1). When calculating the area for *agri-tourism uses* such as wagon rides or corn mazes, lands producing a harvestable crop are agricultural uses that are not included in area calculations. However, areas such as playgrounds and loading areas for hayrides should be included (not applicable in this situation). If more than one *on-farm diversified use* is proposed on a single property, the combined area of all on-farm diversified uses should be within the above area and lot coverage guidelines. If the area of a proposed *on-farm diversified use* exceeds the recommended area thresholds in these guidelines, give consideration to PPS Policy 2.3.6 on non-agricultural uses in the prime agricultural areas. *On-farm diversified uses* that are proposed to grow beyond the area limits, either incrementally or otherwise, are not supported. Since the PPS requires *settlement areas* to be the focus of growth and development, large-scale industrial and commercial buildings appropriate in settlement areas (due to servicing, accessibility, etc.) are not permitted in *prime agricultural areas*. It is recommended that the gross floor area of buildings for *on-farm diversified uses* be capped at a scale appropriate to *prime agricultural areas*. Municipalities may set the building size cap based on a maximum lot coverage ratio (i.e., proportion of the 2% of the property that may be used for on-farm diversified uses to be covered by buildings). Alternatively, municipalities may define maximum gross floor area limits numerically (e.g., maximum gross floor area for properties 15–20 ha is 600 m², and so on for different sized properties). Regardless of how the cap is set, the area of existing buildings, should not be discounted when calculating the gross floor area of buildings for on-farm diversified uses.

Recommended Area Calculations for On-Farm Diversified Uses

- existing laneways shared between agricultural uses and *on-farm diversified uses* are not counted;

- area of existing buildings or structures, built prior to April 30, 2014, occupied by *on-farm diversified uses* is discounted (e.g., 50%);
 - area of new buildings, structures, setbacks, outdoor storage, landscaped areas, berms, laneways, parking, etc. are counted at 100%;
 - *on-farm diversified uses* may occupy no more than 2% of the property on which the uses are located, to a maximum of 1 ha; and
 - the gross floor area of buildings used for on-farm diversified uses is limited (e.g., 20% of the 2%).
- Includes, but is not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products - (from the PPS definition of on-farm diversified uses) The PPS definition provides a number of examples of *on-farm diversified uses*. Beyond these examples, other uses may also be suitable, subject to meeting all PPS criteria. The PPS language related to uses that are not related to agriculture (i.e., home occupations, home industries), suggests that in *prime agricultural areas*, these operations must be at a reasonable scale, as discussed under the “secondary to...” and “limited in area” criteria. Municipalities may wish to encourage *on-farm diversified uses* that relate to agriculture (e.g., *agri-tourism* and value-added uses) by streamlining approvals for these uses.
 - Shall be compatible with, and shall not hinder, surrounding agricultural operations - (from PPS Policy 2.3.3.1) Refer to the discussion of this policy under *agriculture-related uses* (Section 2.2) as it applies equally to *on-farm diversified uses*. Some uses that meet other *on-farm diversified uses* criteria may not meet the compatibility criterion. For example, uses that attract large numbers of people onto the farm for non-farm events or for recreational purposes could result in soil compaction on the farm itself, excessive noise and trespass issues that may be incompatible with surrounding agricultural operations. Commercial or industrial uses that have a large number of employees or attract a large number of customers may also not be compatible in the *prime agricultural area*. In addition, some uses may be better suited to *settlement areas* where municipal services are available (PPS Policy 1.6.6). Municipalities should consider how effectively any impacts can be mitigated before allowing different uses in *prime agricultural areas*.

Compatibility Considerations

- Does not hinder surrounding agricultural operations
- Appropriate to available rural services and infrastructure
- Maintains the agricultural / rural character of the area
- Meets all applicable environmental standards
- Cumulative impact of multiple uses in *prime agricultural areas* is limited and does not undermine the agricultural nature of the area

Nano or micro-breweries and small distilleries may fit the definition of *on-farm diversified uses* if they are able to meet all PPS criteria for that category of uses. However, these uses should be appropriate to available rural water and wastewater services. High water use/effluent generation operations are generally inappropriate in *prime agricultural areas* and may require capacity beyond what is available on the site. The appropriate scale to qualify as an on-farm diversified use needs to be assessed on a case-by-case basis (not applicable in this situation). In *prime agricultural areas* with multiple *on-farm diversified uses* on several farms, the collective impact of these uses should be limited and not undermine the agricultural nature of the area or the health of the environment. Whether a proposed new *on-farm diversified use* is compatible depends on other uses in the area and how the area would be affected by all of these uses.

PROVINCIAL GROWTH PLAN

The Growth Plan for the Greater Golden Horseshoe ([The Growth Plan](#)) is a 25-year plan to [among other things]:

- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors;
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions; and
- Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the *agri-food network*. The policies of the Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. The GPGGH uses the definition from the PPS for *Prime Agricultural Areas* and *development*. The Plan provides several definitions not in the PPS including:

Where and How to Grow

Building compact and complete communities, and protecting agricultural lands, water resources and natural areas will help reduce greenhouse gas emissions and ensure communities are more resilient to the impacts of climate change. Strong, healthy and prosperous rural communities are also vital to the economic success of the *Greater Golden Horseshoe (GGH)* and contribute to the quality of life. The Growth Plan recognizes and promotes the important role of rural towns and villages as a focus of economic, cultural and social activities that support surrounding rural and agricultural areas across the *GGH*. Opportunities to support a diversified rural economy should be promoted by protecting farmland and the viability of the agri-food sector in *rural areas*. Healthy rural communities are important to the vitality and well-being of the larger region. ([Section 2.1](#))

Rural Areas

Subject to the policies in [Section 4](#), *development* outside of *settlement areas* may be permitted on *rural lands* for:

- the management or use of resources;
- resource-based recreational uses; and
- other rural land uses that are not appropriate in *settlement areas* provided they:
 - are compatible with the rural landscape and surrounding local land uses;
 - will be sustained by rural service levels; and
 - will not adversely affect the protection of *agricultural uses* and other resource-based uses such as *mineral aggregate operations*. ([Policy 2.2.9.3](#))

Protecting What Is Valuable

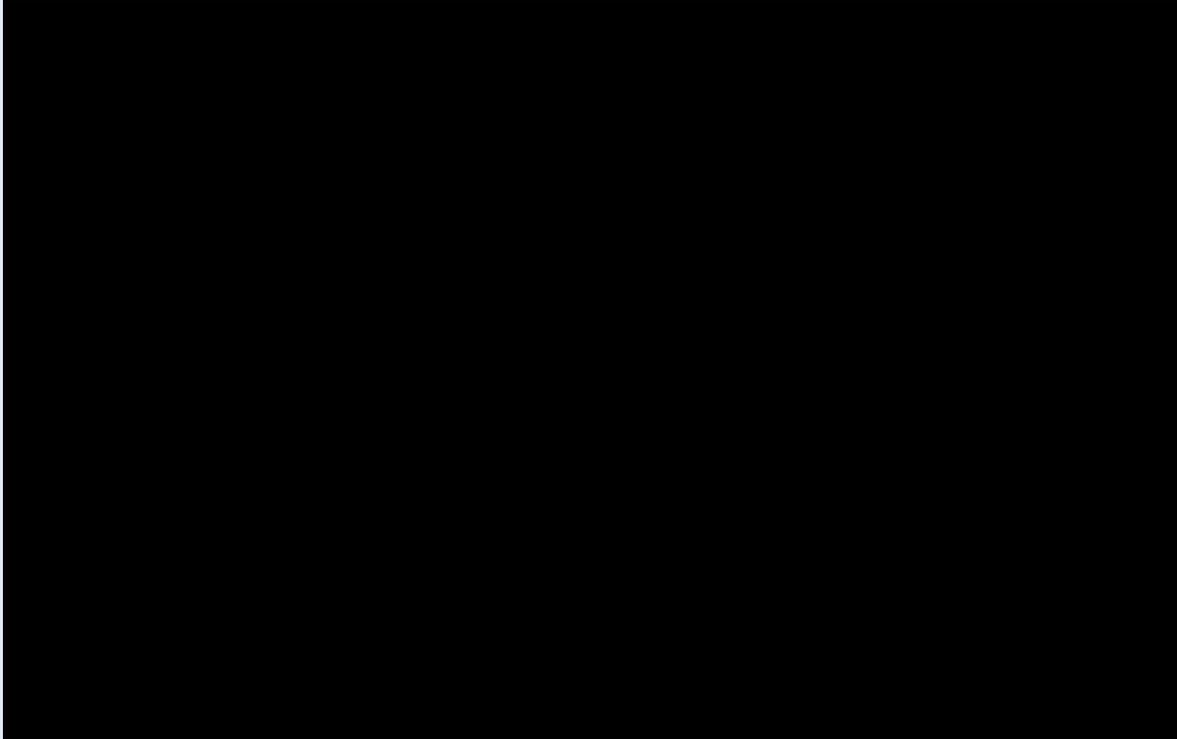
The Context for Protecting what is Valuable, states the *GGH* contains a broad array of important hydrologic and *natural heritage features and areas*, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources. These valuable assets must be wisely protected and managed as part of planning for future growth. The Growth Plan also provides for the identification and protection of a *natural heritage system* for the *GGH* outside of the *Greenbelt Area* and *settlement areas*, and applies protections similar to those in the Greenbelt Plan to provide consistent and long-term protection throughout the *GGH*.

The Context for Protecting what is Valuable, also states the *GGH* is home to some of Canada's most important and productive farmland, which is a finite, non-renewable resource. The region's fertile soil, favourable climate, and access to water make it *significant* on both a national and international scale. This Plan provides for the identification and protection of the *Agricultural system* in the *GGH*. The *Agricultural system* includes a continuous and productive land base, comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands*, as well as a complementary *agri-food network* that together enable the agri-food sector to thrive. Protecting the *Agricultural system* will support the viability of the agricultural sector as the region grows. ([Section 4.1](#))

Natural Heritage System

A *Natural Heritage System for the Growth Plan* has been mapped by the Province to support a comprehensive, integrated, and long-term approach to planning for the protection of the region's natural heritage and biodiversity. The *Natural Heritage System for the Growth Plan* excludes lands within settlement area boundaries that were approved and in effect as of July 1, 2017. ([Figure A2.1, Natural Heritage System Excerpt](#)) ([Policy 4.2.2.1](#))

Figure A2.1
Natural Heritage System Excerpt



Municipalities will incorporate the *Natural heritage system* as an overlay in official plans, and will apply appropriate policies to maintain, restore, or enhance the diversity and connectivity of the system and the longterm ecological or *hydrologic functions* of the features and areas as set out in the policies in this subsection and the policies in subsections 4.2.3 and 4.2.4. (Policy 4.2.2.2)

Within the *Natural Heritage System for the Growth Plan*:

- *new development* or *site alteration* will demonstrate that:
 - there are no *negative impacts* on *key natural heritage features* or *key hydrologic features* or their functions;
 - connectivity along the system and between *key natural heritage features* and *key hydrologic features* located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;
 - the removal of other natural features not identified as *key natural heritage features* and *key hydrologic features* is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;

- except for uses described in and governed by the policies in subsection 4.2.8, the disturbed area, including any buildings and structures, will not exceed 25 per cent of the *total developable area*, and the impervious surface will not exceed 10 per cent of the *total developable area*;
- with respect to golf courses, the disturbed area will not exceed 40 per cent of the *total developable area*; and
- at least 30 per cent of the *total developable area* will remain or be returned to *natural self-sustaining vegetation*, except where specified in accordance with the policies in subsection 4.2.8; and
- the full range of existing and new *agricultural uses, agriculture-related uses, on-farm diversified uses, and normal farm practices* are permitted. However, new buildings or structures for *agricultural uses, agriculture-related uses, or on-farm diversified uses* are not subject to policy 4.2.2.3 a), but are subject to the policies in subsections 4.2.3 and 4.2.4. (Policy 4.2.2.3)

Provincial mapping of *the Natural Heritage System for the Growth Plan* does not apply until it has been implemented in the applicable upper- or single-tier official plan. Until that time, the policies in this Plan that refer to *the Natural Heritage System for the Growth Plan* will apply outside *settlement areas* to the *natural heritage systems* identified in official plans that were approved and in effect as of July 1, 2017. (Policy 4.2.2.4)

Upper- and single-tier municipalities may refine provincial mapping of *the Natural Heritage System for the Growth Plan* at the time of initial implementation in their official plans. For upper-tier municipalities, the initial implementation of provincial mapping may be done separately for each lower-tier municipality. After the *Natural Heritage System for the Growth Plan* has been implemented in official plans, further refinements may, only occur through a municipal comprehensive review. (Policy 4.2.2.5)

Beyond the *Natural Heritage System for the Growth Plan*, including within *settlement areas*, the municipality:

- will continue to protect any other *natural heritage features and areas* in a manner that is consistent with the PPS; and
- May continue to protect any other *natural heritage system* or identify new systems in a manner that is consistent with the PPS. (Policy 4.2.2.6)

Outside of *settlement areas*, *development or site alteration* is not permitted in *key natural heritage features* that are part of the *Natural Heritage System for the Growth Plan* or in *key hydrologic features*, except for:

- forest, fish, and wildlife management;
- conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
- activities that create or maintain *infrastructure* authorized under an environmental assessment process;

- *mineral aggregate operations* and wayside pits and quarries;
- expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses which bring the use more into conformity with this Plan, subject to demonstration that the use does not expand into the *key hydrologic feature* or *key natural heritage feature* or *vegetative protection zone* unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;
- expansions or alterations to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:
 - there is no alternative, and the expansion or alteration in the feature is minimized and, in the *vegetation protection zone*, is directed away from the feature to the maximum extent possible; and
 - the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and
- small-scale structures for recreational uses, including boardwalks, footbridges, fences, docks, and picnic facilities, if measures are taken to minimize the number of such structures and their *negative impacts*. (Policy 4.3.2.1)

Outside of *settlement areas*, proposals for large-scale *development* proceeding by way of plan of subdivision, vacant land plan of condominium or site plan may be permitted within a *key hydrologic area* where it is demonstrated that the *hydrologic functions*, including the quality and quantity of water, of these areas will be protected and, where possible, enhanced or restored through:

- the identification of planning, design, and construction practices and techniques;
- meeting other criteria and direction set out in the applicable watershed planning or *subwatershed plans*; and
- meeting any applicable provincial standards, guidelines, and procedures. (Policy 4.2.3.2)

Outside *settlement areas*, a proposal for new *development* or *site alteration* within 120 metres of *key natural heritage feature* within the *Natural Heritage System for the Growth Plan* or a *key hydrologic feature* will require a natural heritage evaluation or hydrologic evaluation that identifies a *vegetation protection zone*, which:

- is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;
- is established to achieve and be maintained as *natural self-sustaining vegetation*; and
- for *key hydrologic features*, *fish habitat*, and *significant woodlands*, is no less than 30 metres measured from the outside boundary of the *key natural heritage feature* or *key hydrologic feature*. (Policy 4.2.4.1)

Development or site alteration is not permitted in the *vegetation protection zone*, with the exception of that described in policy 4.2.3.1 or *shoreline development* as permitted in accordance with policy 4.2.4.5. (Policy 4.2.4.3)

Notwithstanding policies 4.2.4.1, 4.2.4.2 and 4.2.4.3: new buildings and structures for *agricultural uses, agriculture-related uses, or on-farm diversified uses* will not be required to undertake a natural heritage or hydrologic evaluation if a minimum 30 metre *vegetation protection zone* is provided from a *key natural heritage feature* or *key hydrologic feature*. (Policy 4.2.4.4.b)

Notwithstanding policies 4.2.4.1, 4.2.4.2 and 4.2.4.3 uses permitted in accordance with policy 4.2.4.4 b) are exempt from the requirement of establishing a condition of *natural self-sustaining vegetation* if the land is, and will continue to be, used for agricultural purposes; and will pursue best management practices to protect and restore *key natural heritage features, key hydrologic features, and their functions*. (Policy 4.2.4.4.c)

Agricultural System

An *Agricultural System* for the *GGH* has been identified by the Province. (Policy 4.2.6.1) *Prime agricultural areas* will be designated in accordance with mapping identified by the Province and these areas will be protected for long-term use for agriculture. (Policy 4.2.6.2) Where *agricultural uses* and non-agricultural uses interface outside of *settlement areas*, land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the *Agricultural system*. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed. Where appropriate, this should be based on an *agricultural impact assessment*. (Policy 4.2.6.3)

The geographic continuity of the agricultural land base and the functional and economic connections to the *agri-food network* will be maintained and enhanced. (Policy 4.2.6.4) The retention of existing lots of record for *agricultural uses* is encouraged, and the use of these lots for non-agricultural uses is discouraged. (Policy 4.2.6.5) Integrated planning for growth management, including goods movement and transportation planning, will consider opportunities to support and enhance the *agricultural system*. (Policy 4.2.6.6)

Figure A2.2
Agricultural Land Base for The Greater Golden Horseshoe Excerpt



Outside of the *Greenbelt Area*, provincial mapping of the agricultural land base does not apply until it has been implemented in the applicable upper- or single-tier official plan. Until that time, *prime agricultural areas* identified in upper- and single-tier official plans that were approved and in effect as of July 1, 2017 will be considered the agricultural land base for the purposes of this Plan ([Policy 4.2.6.8](#)) Upper- and single-tier municipalities may refine provincial mapping of the agricultural land base at the time of initial implementation in their official plans, based on implementation procedures issued by the Province. For upper-tier municipalities, the initial implementation of provincial mapping may be done separately for each lower-tier municipality. After provincial mapping of the agricultural land base has been implemented in official plans, further refinements may only occur through a *municipal comprehensive review*. ([Policy 4.2.6.9](#))

REGIONAL OFFICIAL PLAN

The *Planning Act* says an official plan contains, goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built, and natural environment of the municipality (Section 16.(1)(a)) and may contain, a

description of the measures and procedures proposed to attain the objectives”. (Section 16.2(a))

The Niagara Region Official Plan (ROP) is the long-range, community planning document used to guide the physical, economic and social development of the Regional Municipality of Niagara. Generally, it contains objectives, policies and mapping implementing the Region’s approach to managing growth, growing the economy, protecting the natural environment, resources, and agricultural land, and providing *infrastructure*. It implements the Niagara Region Growth Management Strategy (Niagara 2031) and its content aligns with the Provincial Growth Plan for the Greater Golden Horseshoe, the Provincial Policy Statement and the Greenbelt Plan

Objectives

A Strategic Objective to the ROP is to recognize the diversified opportunities and needs in Niagara by balancing both urban development and the conservation of natural resources. a) A choice of housing and employment locations. b) Development and efficient use of lands within the existing urban boundaries first. c) Conservation of natural resources (e.g., fishery habitat, Areas of Natural and Scientific Interest, natural areas, wildlife habitat, waterways, Niagara Escarpment, wetlands, aggregate areas, and woodlots). d) Minimization of conflicts between incompatible land uses. (ROP SO 2.1)

Similar to the PPS, the ROP recognizes:

- Diversified opportunities for employment locations;
 - The efficient use of land; minimization of conflict between incompatible uses;
 - Selective rural development in areas of poor agricultural land where farming activities would not be adversely impacted;
 - Attraction of more employment;
 - Minimizing the introduction of incompatible land uses within the agricultural areas; and
 - Preservation of agricultural lands
- as Strategic Objectives.

Another Strategic Objective is 2.2 “To facilitate and maintain a pattern of distinctive and identifiable urban communities. . . . e) Provision of opportunities for selective rural development in areas of poor agricultural land where farming activities would not be adversely impacted.” (SO 2.2)

The ROP includes the following definitions:

Agricultural Areas means those areas outside of the Urban Areas Boundaries suitable for agriculture and approximately shown on the Agricultural Land Base Map contained in this Policy Plan as Good Tender Fruit, Good Grape or Good General Agriculture.

Agricultural-related Uses means those farm-related commercial and farm-related industrial uses that are smallscale and directly related to the farm operation and are required in close proximity to the farm operation.

Agricultural Uses means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry, maple syrup production; and associated on-farm buildings and structures, including accommodation for fulltime farm labour when the size and nature of the operation requires additional employment. *Agricultural uses* include value retention uses required to make a commodity saleable (i.e. Corn dryer, washing, sorting, packing, and packaging)

Farm Diversification means **a range of uses that are designed to expand the range of economic opportunities available to farmers** and is a generic reference to value added, *agriculturally related* and *secondary agricultural uses* that may not be directly related to the agricultural activity conducted on the farm property.

Prime Agricultural Area means areas where *prime agricultural lands* predominate. This includes: areas of *prime agricultural lands* and associated Canada Land Inventory Classes 4-7 soils; and additional areas where there is 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 evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

Rural Areas means those areas outside of the Urban Areas Boundaries which have limited or no capability for agriculture and approximately shown on Schedule of this Official Plan as Rural.

Secondary Uses are uses that are secondary to the principal use, including, but not limited to, home occupations, home industries, and uses that produce value added agricultural products from farm operations.

Urban Areas means those areas shown as being within the Urban Areas Boundaries as defined by this Official Plan.

Rural and Agriculture

The Preamble to this section of the **ROP** says that in addition to tender fruitlands “The Region also has large areas of good general agricultural lands which are suitable for the production of field crops and for livestock operations.” and “. . . some opportunities for *development*, including . . . commercial, . . . uses compatible with the rural environment also are provided.”

Objectives include “To preserve Niagara's agricultural lands. . . . (Objective 5.A.1) To conserve and enhance the natural resources of the *Agricultural* and *Rural Areas*. (Objective 5.A.3) “To provide for a limited amount of non-farm development in designated Hamlets, Villages and *Rural Areas*.” (Objective 5.A.4) “To provide an efficient and orderly pattern of land uses in the *Agricultural* and *Rural Areas*, which lessens land use conflicts, which requires a minimum of municipal services and conserves natural resources.” (Objective 5.A.5) “To protect farmers' right-to-farm by minimizing the potential for conflicts between farm and non-farm uses.” (Objective 5.A.6) “To encourage a wide range of *farm diversification* uses in appropriate locations and at a scale suitable to the farm and the *agricultural area* where they contribute to profitable and economically sustainable agriculture.” (Objective 5.A.8)

Good General Agriculture Area

As illustrated on *Figure 2.3, Regional Official Plan Schedule A, Regional Structure Excerpt*, the Niagara Regional Official Plan (ROP) designates the property **Good General Agricultural Area**.

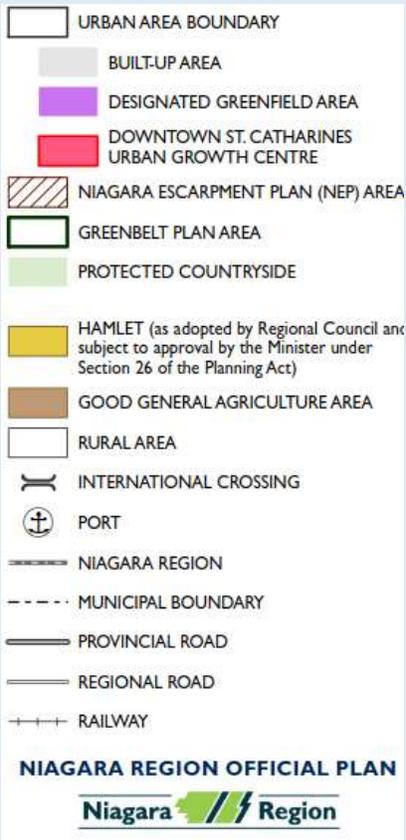
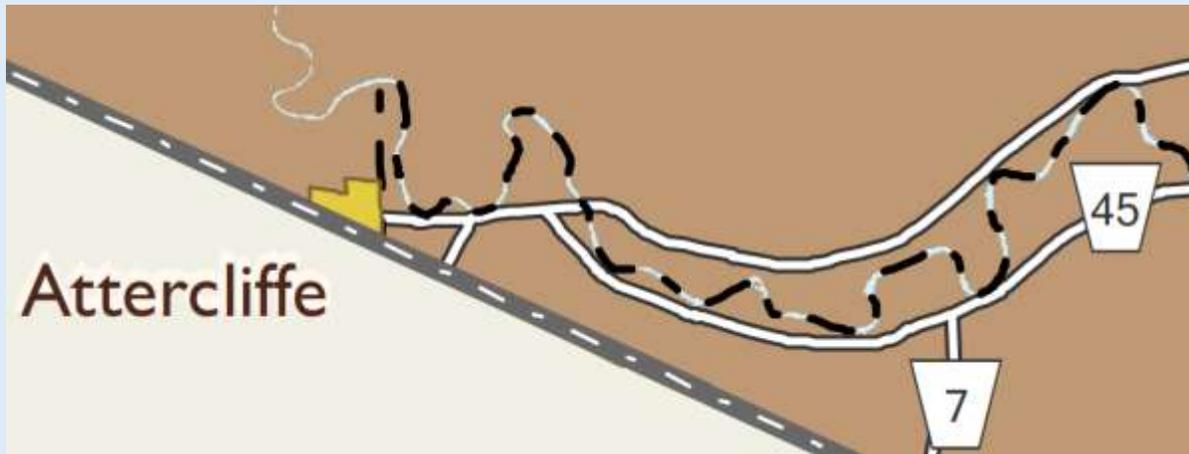
The ROP says “The second highest priority will be given to preserving “good general agricultural lands”. (Policy 5.B.2) and “The Region will attempt to ensure a viable agricultural industry through such means as: the protection of . . . good general agricultural lands. . . support for a wide range of *farm diversification* uses in appropriate locations and at a scale suitable to the farm and the *agricultural area* where they contribute to economically sustainable agriculture . . . ” (Policy 5.B.3a) and g))

In Good General Agricultural Areas, the predominant use of land will be for agriculture of all types, . . . Compatible uses . . . are also permitted. (Policy 5.B.6)

The ROP says “Policy 5.B.7 Non-agricultural uses should not be located in *Agricultural Areas*. The introduction of new non-agricultural development of all types into the *Agricultural Areas* has an adverse impact on the agricultural and natural resources and shall be strictly limited. However, applications for individual non-agricultural uses may be considered. These applications will be reviewed through a Regional Official Plan Amendment subject to the following conditions:

- a) Non-agricultural uses are not permitted in Unique Agricultural Areas – Good Tender Fruit and Good Grape Areas.
- b) Non-farm residential lots and uses are not permitted in Good General Agricultural Areas or in Rural Areas in close proximity to agricultural activity.
- c) A demonstrated need for additional land to be designated within the municipality and the desirability of the proposed use to the community.
- d) There are no reasonable alternatives in *Rural Areas* or in *Urban Areas*.
- e) There are no reasonable alternative locations in other Good General Agricultural Areas with lower priority agricultural land.

Figure A2.3
Regional Official Plan Schedule A
Regional Structure Excerpt



- f) The degree of conflict with surrounding *agricultural uses*. Any conflict should be mitigated to the extent feasible. This would depend on the size and nature of the proposed use, the existing *agricultural uses*, and on any buffering factors between them. For example, creeks, roadways and other prominent features would be helpful in defining and screening a non-agricultural use from surrounding farms;
- g) Compliance with policies contained in Chapters 6 and 7, Environmental Policies including the Natural Heritage and Aggregate Resource Policies.
- h) Applications must be supported by adequate technical assessment to ensure that private water supply and private sewage services can be provided.
- i) Compliance with other policies contained in the Regional Official Plan.

Farm diversification uses are recognized and may be permitted in accordance with the provisions of this Chapter. On-farm diversification is a potentially significant contributor to economically sustainable agriculture in Niagara, contributing to more access to local food and VQA wines, contributing toward the preservation of the agricultural land base and the scenic quality of the agricultural landscape. (Policy 5.B.17)

Farm diversification refers to those *agricultural related value added* and *secondary uses* that complement farming activities and provide for increasing the economic value and consumer appeal of an agricultural product or use. *Farm diversification* uses shall complement the principal *agricultural uses* on the property and in the surrounding area, and shall contribute to the sustainability and viability of the farming operation. All uses outside of *settlement areas* are subject to the *Region's* servicing policies. (Policy 5.B.18)

Farm diversification uses shall be consistent with the applicable provisions of the Provincial Policy Statement (2005), and conform to the Niagara Escarpment Plan and the Greenbelt Plan. (Policy 5.B.19)

Local municipalities through their Official Plans and Zoning By-laws should define and categorize *farm diversification* uses and provide specific performance criteria for various types of uses, in accordance with the provisions of the Regional Official Plan. Local Official Plans can be more restrictive regarding their diversification and value added *agricultural use* policies and still conform to the Regional Official Plan. Some uses may be permitted "as of right" through local documents; other uses may be recognized through a process that involves site specific zoning. "As of Right" uses may include such *agriculture related uses* that are small scale and directly related to the farm operation, or *secondary uses* that are also small scale and are compatible with the principal agricultural operation on the property and surrounding agricultural lands. Uses that have potential to generate off site impacts will be evaluated and assessed for compatibility with the principal agricultural operation and surrounding agricultural lands through a rezoning process that will also impose controls to mitigate the impacts. Larger scale *agriculture related uses* or *secondary uses* may require site specific zoning amendment, where their impact is evaluated and determined to be compatible with the principal agricultural operation and surrounding agricultural lands. (Policy 5.B.20)

The following criteria shall be considered when identifying whether or not diversification activities should be permitted in the Zoning By-law:

- a) Whether the proposed activity is more appropriately located in a nearby *settlement area* or in the *Rural Area*;
- b) Whether the use is required on or in close proximity to the agricultural operation for it to support and complement the agricultural activity;
- c) The extent to which the use is compatible with the existing farming operation and surrounding farming operations;
- d) Whether the scale of the activity is appropriate to the site and the farming operation;
- e) Whether the use is consistent with and maintains the character of the *agricultural area*;
- f) The use does not generate potentially conflicting off-site impacts;
- g) The use is limited to low water and low effluent producing uses, and the site is capable of accommodating the use on private water and private sewage treatment systems;
- h) The use does not require significant improvements to *utilities* or *infrastructure* such as roads or hydro services;
- i) The use complies with all other applicable provisions of the Regional Official Plan. (Policy 5.B.21)

Farm diversification uses are small scale in relation to the principal farming operation. Preference is given to defining scale on the basis of size of the facilities and relationship to other uses rather than less enforceable criteria such as number of employees or value of product purchased. The appropriate scale for diversification uses may vary depending on the type of use and whether the activities are located in the *Specialty Crop Areas* (Tender Fruit or Grape Areas) or in the other *Prime Agricultural Areas* (Good General Agricultural Areas). (Policy 5.B.22)

Home Occupations and *Home Industry* may be permitted as *secondary uses* provided they comply to the provisions of this Chapter. (Policy 5.B.27)

The local municipality may limit the number of *farm diversification* uses permitted in association with the farm operation. (Policy 5.B.29)

Local municipalities use site plan control to regulate the impact of *farm diversification* uses, in relation to entrances, parking and loading facilities, signage, grading and storm water drainage, buffering and landscaping and landscape protection. (Policy 5.B.30)

Uses that are not directly related to agriculture may be considered in special circumstances where the use would allow the ongoing adaptive re-use of existing buildings or structures that are designated under the Ontario Heritage Act as having cultural heritage significance and that would otherwise be surplus or fall into disrepair, provided such uses are small scale, would not expand outside of the existing structure or building and would not change the appearance of the farming operation, and their impacts (such as noise, odour, traffic and servicing) on surrounding land uses is minimal and will

not hinder surrounding *agricultural uses*. Such uses may only be considered in site specific zoning amendments by the local municipality. (Policy 5.B.35)

Local Official Plans may recognize certain *farm diversification* uses that include agriculturally related commercial and industrial uses on existing undersized lots provided:

- a) The uses are *agriculturally related uses*, are related to surrounding farm operations and require a location in close proximity to the farm operation;
- b) The scale of the operation is limited and appropriate to the site and the surrounding area;
- c) The agricultural character of the area continues to dominate; It has been demonstrated to the satisfaction of the Region and the local municipality that the proposed use is not more appropriately located on the same parcel as the farm operation, or in a designated settlement area;
- d) The use has minimal impact on, does not interfere with and is compatible with the surrounding agricultural and rural land uses;
- e) The use is limited to low water and low effluent producing uses and the site is capable of accommodating the use on private water and private sewage treatment systems;
- f) A residential use is not permitted;
- g) The use complies with all other applicable provisions of the Regional Official Plan;
- h) The use would be subject to a site specific zoning amendment and be limited to the specific use applied for;
- i) In Specialty Crop Areas additional limitations will be required. For greater clarity, in specialty crop areas, because of existing farm lot patterns, the more intensive nature of specialty crop farming, and the significance of this agricultural land base, a more careful application of this policy is required;
- j) Such uses may include production activities and marketing activities;
- k) Where such uses are proposed, they are directed to existing commercial or industrial or other non-agriculturally zoned parcels of land, or parcels made unsuitable for agriculture by former land uses. (Policy 5.B.36)

Proposals for *development* will be carefully reviewed by both the local municipality and the Region to ensure that the *development* is orderly and well planned, that **adequate services such as school bussing and fire protection** can be provided, that the added *development will not interfere with the operation of the arterial road system* and that **existing problems such as pollution, inadequate water supply or conflicting land uses will not be aggravated** (Policy 5.D.7).

Development must be on lots having an **adequate water supply and suitable for private waste disposal systems** in accordance with the requirements of the Ministry of the Environment and the Medical Officer of Health. The minimum lot size for new lots in Hamlets should be 1 hectare unless it is determined through a hydrogeological study that a smaller lot size will adequately accommodate private water and sewage treatment facilities for long term operation (Policy 5.D.8).

Natural Heritage

As illustrated on Figure 2.4, Regional Official Plan Schedule C – Core Natural Heritage Excerpt, the ROP has designated environmental significant features in the area including: **Environmental Conservation Areas, Potential Natural Heritage Corridor, and Fish Habit**. *Development* should maintain, enhance or restore *ecosystem health* and integrity. First priority is to be given to avoiding negative environmental impacts. If negative impacts cannot be avoided then mitigation measures shall be required. (Policy 7.A.2)

New *development*, including infrastructure, should be designed to maintain or enhance the natural features and functions of a site. (Policy 7.A.3)

Development and *site alteration* shall not have *significant* adverse impacts on *Ground water* quality or quantity. In areas where *development* and *site alteration* could *significantly* affect *Ground water* quality or quantity the Region shall require further review of potential impacts. (Policy 7.A.2.9)

Environmental Conservation Areas include significant *woodlands*; significant *wildlife habitat*; significant habitat of *species of concern*; regionally significant Life Science ANSIs; other evaluated *wetlands*; significant *valleylands*; *savannahs* and tallgrass prairies; and *alvars*; and publicly owned conservation lands.. (Policy 7.B.1.4)

Development may be permitted without an amendment to this Plan on adjacent lands to Environmental Conservation Areas as set out in Table 7-1 if it has been demonstrated that, over the long term, there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands and the proposed *development* is not prohibited by other Policies in this Plan. The proponent shall be required to prepare an Environmental Impact Study (EIS) in accordance with Policies 7.B.2.1 to 7.B.2.5. (Policy 7.B.1.11b)

Creative Places

The story of Niagara region can be found in thousands of places and spaces that represent its historical and contemporary identity. The Region recognizes these assets are a physical representation of Niagara's unique characteristics. These places and spaces should be recognized for the critical role they play in creating a sense of place and improving quality of life for residents and visitors.

An Objective of the ROP, among others, is to support the identification and conservation of *significant built heritage resources*, significant cultural heritage landscapes and archaeological resources and areas of archaeological potential. (Objective 10.C.1.1)

Figure A2.4 Regional Official Plan Schedule C

Core Natural Heritage Excerpt

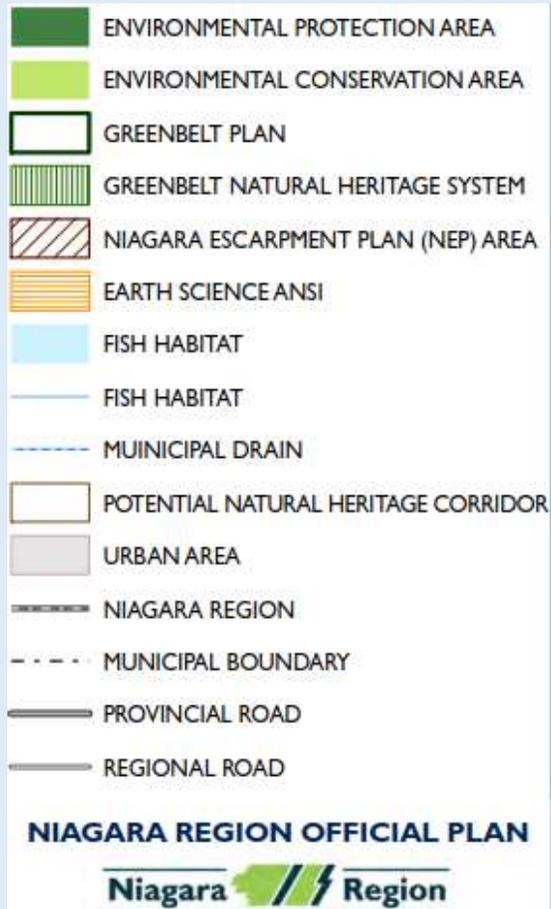


Table 7 1. Guidelines for Environmental Impact Study Requirements

	NATURAL HERITAGE FEATURE	Is an EIS required?	
		<i>Development or site alteration involves lands within the natural heritage feature</i>	<i>Development or site alteration involves adjacent lands</i>
Areas identified as Environmental Protection Area (EPA)			
<p>Table 7-1 and the Greenbelt Plan:</p> <p>The Greenbelt Plan provides for some exemptions with respect to development and site alteration within the Protected Countryside. Reference the Greenbelt Plan for applicable policies in relation to infrastructure, shorelines, existing uses, renewable and non-renewable resources.</p>	Provincially Significant Wetland (PSW)	Development not permitted – no EIS	EIS required for development within 120 metres
	Provincially Significant Life Science Area of Natural and Scientific Interest (ANSI)	Development not permitted – no EIS	EIS required for development within 50 metres
	Significant Habitat of endangered and threatened species	Where habitat requirements are well defined, development not permitted – no EIS. Where habitat requirements not well defined an EIS is required	EIS required for development within 50 metres. Habitat must be defined in consultation with the MNR
	Key natural heritage features within the Greenbelt Natural Heritage System*	Development not permitted – no EIS	EIS required for development within 120 metres
	Areas identified as Environmental Conservation Area (ECA)		
Significant Woodlands	EIS required Tree Saving Plan required	EIS required for development within 50 metres	
Significant Wildlife Habitat	EIS required	EIS required for development within 50 metres	
Significant Habitat of Species of Concern	EIS required	EIS required for development within 50 metres	
Critical Fish Habitat (type 1)	EIS required	EIS required for development within 30 metres	
Other Fish Habitat (type 2 and 3)	EIS required	EIS required for development within 515metres	
Significant Valleyland	EIS required	EIS required for development within 50 metres	
Other Evaluated Wetland	EIS required	EIS required for development within 50 metres	
Other Features in the Greenbelt Plan			
Key Hydrologic Feature*	Development not permitted – no EIS	EIS required for development within 120 metres	

Where an Archaeological Management Plan has not been completed the Region and local municipalities will require applicants to submit an archaeological assessment, should it be determined that the site meets the provincial and federal criteria for determining areas of archaeological potential. Archaeological assessment reports prepared by licensed consultant archaeologists based on clear, reasonable and attainable standards and guidelines as set out by the Ministry of Tourism, Culture and Sport, as well as the terms and conditions of an archaeological license under the *Ontario Heritage Act*. (Policy 10.C.2.1.11)

Development and site alteration shall only be permitted on lands containing *archaeological resources* or areas of archaeological potential if the significant *archaeological resources* have been *conserved* by removal and documentation, or by preservation on site. Where significant *archaeological resources* must be preserved on site, only *development and site alteration* which maintain the heritage integrity of the site will be permitted. (Policy 10.C.2.1.13)

As illustrated on *Figure A2.5, Regional Official Plan Schedule D1 Niagara Region Bicycle Network Excerpt*, the ROP has identified several components of the Regional Bicycle Network in the area of the Subject Property.

THE TOWNSHIP OFFICIAL PLAN

As illustrated on *Figure 2.6, Township of West Lincoln Official Plan Schedule B-2, Land Use, Caistor Excerpt*, the property is designated **Good General Agricultural** and **Natural Heritage System**

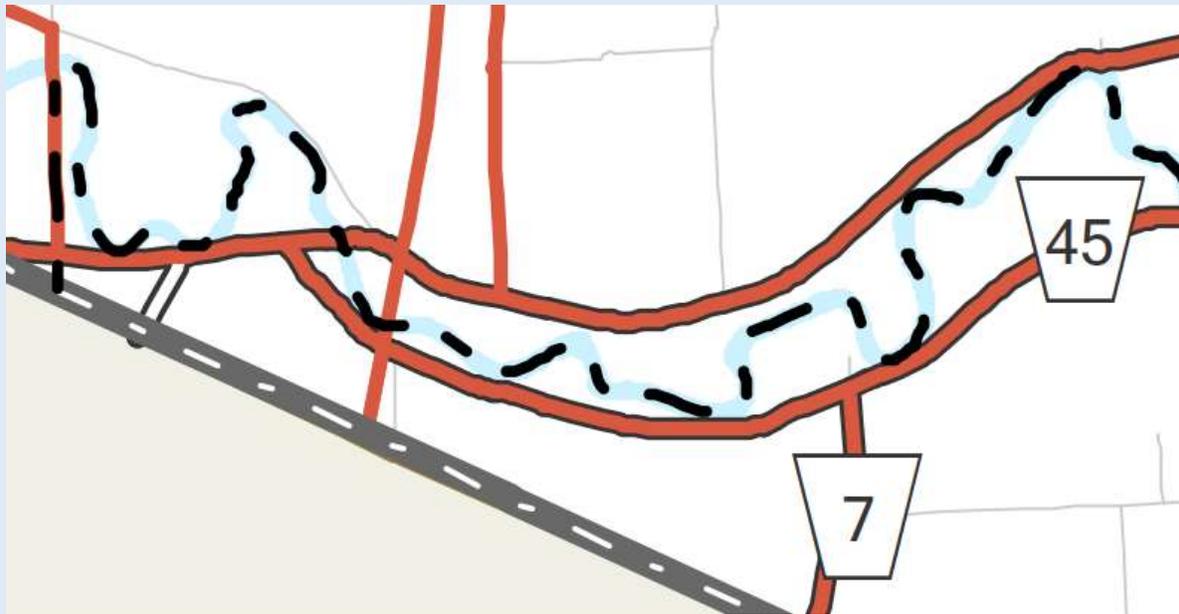
Vision

Continued viability of agriculture on *prime agricultural land* in the Township, including flexibility to adapt new techniques and farm practices to sustain agriculture and related services. Supportive accessory uses, value added, and tourism related *agricultural uses* are encouraged. . . and protection of the Natural Heritage and Hazard Areas, forested areas from incompatible development. . . .

Goals

- a) The goals forming the basis for the policies of WOP include providing an environment for sustainable agriculture and related activities through the protection of *prime agricultural land* by preventing incompatible land uses: promoting *agricultural uses*, agricultural related commercial uses and secondary uses including value added operations and agri-tourism; encouraging more diversified employment opportunities for residents of the Township through the promotion new and expanding commercial uses: recognizing the mixed use landscape of agricultural areas; and encouraging nonfarm uses to locate within the existing settlement areas.

Figure A2.5
Regional Official Plan Schedule D1
Niagara Region Bicycle Network Excerpt

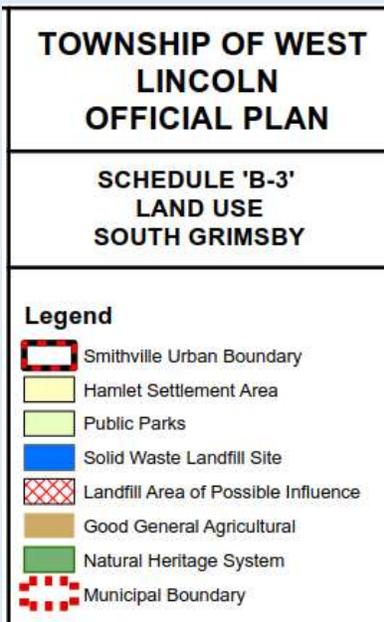


- REGIONAL BICYCLE NETWORK
- F PORT ROBINSON FERRY CROSSING
- ⌋ INTERNATIONAL CROSSING
- URBAN AREA
- NIAGARA REGION
- MUNICIPAL BOUNDARY
- PROVINCIAL ROAD
- REGIONAL ROAD
- LOCAL ROAD

NIAGARA REGION OFFICIAL PLAN

Niagara Region

Figure A2.6
Township of West Lincoln Official Plan Schedule 'B-3'
Land Use Plan South Gainsborough Excerpt



Land Use

This section outlines the variety of land uses in the Township including Agricultural. It states the Township of West Lincoln is predominantly a rural municipality within the Regional Municipality of Niagara. The essence of the rural area includes farm land supporting agricultural and related uses, natural features, including forests, streams and wetlands, and existing residential uses. The Plan supports the health of the agricultural industry, and the economic growth of the Township. Non-agricultural uses are encouraged to locate within existing settlements.

Four Pillars of Sustainability

In the Township of West Lincoln, the four pillars of sustainability are cultural vitality, economic health, environmental responsibility, and social equity. To achieve, community sustainability, it is important that equal attention is paid to each of the four pillars. The four pillar model of sustainable development recognizes that a community's vitality and quality of life is closely related to the vitality and quality of all four pillars. Therefore, each of the four pillars should be considered when making decisions.

Sustainability Objectives

- To ensure the long term sustainability of the Township; . . .
- To increase the efficiency of the use of existing municipal infrastructure; . . .
- To increase economic development opportunities; . . .

Agricultural Land Use Policies

Background

The Preamble to Section 4, Agricultural Land Use Policies, states, in part, that “the Agricultural Lands shall be protected in accordance with their level of agricultural viability with the Unique Agricultural Lands receiving the highest level of protection and the Rural Lands receiving the lowest level of protection.”

The intent of this section of the Official Plan is to identify the agricultural land forms and areas that contribute to the social and economic well-being of the Township. . . . It is important to ensure that these areas and agricultural operations are protected for the prosperity and social well-being of current and future West Lincoln residents. It is also the responsibility of the Township to ensure that these *agricultural uses* are protected against loss and fragmentation from incompatible uses and development.

Objectives for All Agricultural Areas

All Agricultural Areas shall be subject to the following Objectives and should be read in conjunction with the Objectives for each specific agricultural designation.

- a) To promote and protect a viable agricultural industry for the production of crop resources and livestock operations to enhance employment opportunities and strengthen the economic wellbeing of West Lincoln.

- b) Support a pattern of agricultural land holdings that increase the flexibility of agricultural operations and avoid the fragmentation of land ownership.
- c) To promote small scale secondary uses and agriculture-related uses that are compatible with and do not hinder surrounding agricultural operations.
- d) To minimize the impact of non-farm uses on the agricultural area by encouraging incompatible uses to locate within designated settlement areas and hamlets.
- e) To promote, where feasible, opportunities for agricultural related value added activities to support, promote, and develop the agricultural areas.

General Agricultural Policies

Uses permitted within all Agricultural Areas, state that all types of *Agricultural uses*, . . . small scale agriculturally related uses related to, serving, and requiring close proximity to the surrounding agricultural areas . . . where no opportunities exist for such uses to be located within designated Urban and Hamlet Settlement Areas . . . agriculture-related residential uses, and uses secondary to the principal *agricultural use* of the property, including, . . . Home Industries . . . are permitted. (Policy 4.2.1.a)i, ii, iii, and iv,)

The *MDS*, as amended from time to time, shall be utilized to determine separation distances between new or expanding livestock operations and new or expanding non-farm uses in all Agricultural areas. The implementation of the *MDS* shall be through the Township's Zoning By-law. New and expanding uses within all Agricultural Designations including the creation of new lots as permitted by Section 17.13 of this plan and new or expanding livestock facilities shall comply with the *MDS*. (Policy 4.2.1c))

All development within all Agricultural Areas shall be supported by private sewage disposal systems and private water supply in accordance with the requirements of Township of West Lincoln, the Ministry of the Environment and / or the Ministry of Municipal Affairs and Housing:

- i. Approvals for servicing that are less than 10,000 L/day will be issued by the Township as per the requirements in the *Ontario Building Code*;
- ii. Approvals for servicing that are greater than 10,000 L/day will be issued by the Ministry of the Environment as per the requirements of *the Ontario Water Resources Act*. (Policy 4.2.1d))

Good General Agriculture Areas

The Good General Agricultural Areas comprise those lands designated by the Township Official Plan and are accorded the second highest level of protection and preservation. Good General Agricultural lands include Classes 1 through 7, but are predominantly Classes 1 through Class 3 soils according to the Canada Land Inventory, and are well suited for a wide range of field crops and *agricultural uses*. Lands within the Good General Agricultural Designation shall be used for a full range of agriculture, agriculture-related secondary uses that can adapt to changing farming needs and practices.

Objectives for Good General Agricultural Areas

To encourage the preservation of Good General Agricultural Lands for agricultural purposes and to direct non-farm uses to Urban and Hamlet Areas. (Objective 4.4.1a)

Policies

Good General Agricultural Lands shall be given the second highest priority for preservation and protection as shown on Schedule, B-1 – B-3 Land Use Maps. (Policy 4.4.2a))

Agricultural parcels shall be maintained at a sufficient size that is large enough to ensure the flexibility of that operation to adapt to economic conditions in agriculture in the future. Smaller agricultural parcels may be supported through the consent process, subject to the policies of Section 17.13: (Land Severances) provided that the resulting parcels are both for *agricultural use* and the size of the resulting agricultural parcels:

- i. Is appropriate for the agricultural activities proposed,
- ii. Is suited to the particular location and common in the area, and
- iii. Provides some flexibility for changes in the agricultural operation.

The foregoing includes small lot severances for greenhouses and other intensive forms of agriculture subject to a condition that any new dwellings on the property are allowed only after the greenhouse or other farm buildings have been constructed or are substantially completed. (Policy 4.4.2b))

The consolidation of existing agricultural holdings into larger agricultural holding shall be generally supported. The consolidation of agricultural holdings through the consent process shall be subject to the policies of Section 17.13: (Land Severances) of this plan. (Policy 4.4.2c))

The location of greenhouses within the Good General Agricultural Area shall take into consideration the proximity of adjacent residential and non-farm uses. Specific standards for greenhouse operations shall be contained within the Township's Zoning By-law. (Policy 4.4.2d))

Agricultural Value-Added

Agricultural Value-Added activities mean activities that generally occur on-farm (or off-farm under specific circumstances) which add value to agricultural products and their sale and distribution and are intended to promote and sustain the viability of farming operations. Such activities are generally considered agricultural-related uses, and are required to be small scale and related to the farm activity. Value-Added Activities may be grouped into three major components: Support Activities, Production Activities and Marketing Activities. The following Value-Added policies apply to all agricultural areas within the Township of West Lincoln.

Objectives for Agricultural Value-Added Uses

To recognize the changing nature of agriculture and support farm diversification activities that contribute to the long term economic sustainability of the agricultural industry. (Objective 4.6.1a)

To establish a positive framework for facilitating sustainable development that supports traditional land based activities and supports diverse, profitable, and sustainable farming activities. (Objective 4.6.1b)

To support activities that enable farming and farmers to:

- i. Become more competitive, sustainable and environmentally friendly;
- ii. Adapt to new and changing markets;
- iii. Diversify into and take advantage of new agricultural opportunities;
- iv. Improve the understanding of agriculture by the general public; and
- v. Broaden operations to diversify economic activities and add value to their primary products. (Objective 4.6.1c)

To encourage a large range of farm diversification activities in appropriate locations and at a scale suitable to the farm and the rural area where they contribute to economically sustainable agriculture. (Objective 4.6.1d)

To recognize the range of impacts that different types of value-added activities may have on the farm and on surrounding farms, and provide for different regulatory provisions. (Objective 4.6.1e)

Policies for Agricultural Value-Added Uses

To ensure a viable agricultural industry through such means as:

- i. Support for a large range of farm diversification activities in appropriate locations and at a scale suitable to the farm and the agricultural area where they contribute to economically sustainable agriculture.
- ii. Recognition of opportunities for small scale on-farm alternative and / or renewable energy systems. (Policy 4.6.2a)

Farm diversification activities are recognized and may be permitted in accordance with the provisions of this Section. On-farm diversification is a potentially significant contributor to economically sustainable agriculture in the Township of West Lincoln, contributing to more access to local food, contributing toward the preservation of the agricultural land base and the scenic quality of the agricultural landscape. (Policy 4.6.2b)

Farm Diversification refers to those farm related value-added (Support Activities that occur off-farm under specific circumstances) and secondary uses that complement farming activities and provide for increasing the economic value and consumer appeal of an agricultural product or activity. Farm diversification activities shall complement the

principal *agricultural uses* on the property and in the surrounding area, and shall contribute to the sustainability and viability of the farming operation. (Policy 4.6.2c))

Farm diversification activities shall be consistent with the applicable provisions of the Provincial Policy Statement (2014), and conform to the Greenbelt Plan. (Policy 4.6.2d))

The Zoning By-law may permit such farm diversification activities as agriculturally related uses that are small scale and directly related to the farm operation, or secondary uses that are also small scale and are compatible with the principal agricultural operation on the property and surrounding agricultural lands. (Policy 4.6.2e))

Uses that have potential to generate off site impacts will be evaluated and assessed for compatibility with the principal agricultural operation and surrounding agricultural lands through a rezoning process that will also impose controls to mitigate the impacts. Larger scale agriculture related uses or secondary uses require site specific zoning amendment, where their impact is evaluated and determined to be compatible with the principal agricultural operation and surrounding agricultural lands. (Policy 4.6.2f))

The following criteria shall be considered when identifying whether or not diversification activities should be permitted in the Zoning By-law:

- i. Whether the proposed activity is more appropriately located in a nearby urban or hamlet area;
- ii. Whether suitable lands are available in nearby Hamlet Areas to accommodate the proposed activity;
- iii. Whether the use is required on or in close proximity to the agricultural operation for it to support and complement the agricultural activity;
- iv. The extent to which the activity is compatible with the existing farming operation and surrounding farming operations;
- v. Whether the scale of the activity is appropriate for the site and the farming operation;
- vi. Whether the use is consistent with and maintains the character of the agricultural area;
- vii. The activity does not generate potentially conflicting off-site impacts;
- viii. The activity is limited to low water and low effluent producing uses, and the site is capable of accommodating the use on private water and private sewage treatment systems;
- ix. The activity does not require significant improvements to infrastructure, such as roads; and
- x. Compliance with applicable regulations. (Policy 4.6.2g))

Farm diversification activities are small scale in relation to the principal farming operation. Preference is given to defining scale on the basis of size of the facilities and relationship to other activities rather than less enforceable criteria such as number of employees or value of product purchased. The appropriate scale for diversification activities may vary

depending on the type of use and whether the activities are located in the Specialty Crop Areas (Unique Agricultural Areas) or in the other *Prime agricultural areas* (Good General Agricultural Areas). (Policy 4.6.2h))

Home Occupations and *home industry* may be permitted as secondary uses provided they comply to the provisions of this Section. (Policy 4.6.2m))

Only three (3) farm diversification activities may be permitted in association with the farm operation on a lot. (Policy 4.6.2o))

All farm diversification activities shall be subject to Site Plan Control to regulate the impact of farm diversification activities, in relation to entrances, parking and loading facilities, signage, grading and storm water drainage, buffering and landscaping and landscape protection. (Policy 4.6.2p))

Lot creation to accommodate farm diversification activities is not permitted. (Policy 4.6.2q))

The scale of value-added and diversification activities will vary depending on the scale and use of the principal farming activity. The following criteria shall be used to determine if a proposed farm diversification activity is of an appropriate scale:

- i. The proposed activity is clearly secondary to the main *agricultural use* of the property;
- ii. The agricultural character of the property is not adversely affected by the proposed activity;
- iii. Any buildings associated with the proposed activity do not occupy more than 5 percent of the lot area. (Policy 4.6.2r))

Growth Management Strategy

Objectives

To focus employment growth to designated employment areas in Smithville and the Hamlet areas. Appropriate agricultural employment opportunities may be located in the agricultural area, subject to applicable policies. (Objective 5.1a))

As illustrated on **Figure 2.7, Schedule C-1, the Township of West Lincoln Natural Heritage System Environmental Conservation Area Excerpt**, there are **Environmental Protection Area, Environmental Conservation Area, Potential Corridors, and Fish Habitat** designations applicable to the Subject Property.

Development and site alteration may be permitted without an amendment to this Plan:

- i. In Environmental Conservation Areas; and
- ii. On adjacent lands to Environmental Protection and Environmental Conservation Areas as set out in Table 10-1 except for those lands within vegetation protection zones

associated with Environmental Protection Areas in the Greenbelt Natural Heritage System.

If it has been demonstrated that, over the long term, there will be no significant negative impact on the Core Natural Heritage System or adjacent lands and the proposed *development* or *site alteration* is not prohibited by other Policies in this Plan. The proponent shall be required to prepare an Environmental Impact Study (EIS) in accordance with Section 10.8 of the Plan.

Where it is demonstrated that all, or a portion of, an Environmental Conservation Area does not meet the criteria for designation under this Plan and thus the site of a proposed *development* or *site alteration* no longer is located within the Environmental Conservation Area or on adjacent lands then the restrictions on development and site alteration set out in this Policy do not apply. (Policy 10.7.2l)

Where *development* or *site alteration* is proposed in or near a Potential Natural Heritage Corridor shown on Schedule „C-1“ the Corridor shall be considered in the development review process. Development should be located, designed and constructed to maintain and, where possible, enhance the ecological functions of the Corridor in linking Core Natural Areas or an alternative corridor should be developed. (Policy 10.7.2m)

Within Fish Habitat as identified on Schedule „C-1“ and „C-4“, or adjacent lands as specified in Table 10-1, *development* and *site alteration* may be permitted if it will result in no net loss of the productive capacity of fish habitat as determined by the Department

Figure A2.7
Township of West Lincoln Official Plan Schedule 'C-1'
Natural Heritage System Excerpt



of Fisheries and Oceans or its" designate. The proponent shall be required to prepare an Environmental Impact Study (EIS) to the satisfaction of the Region of Niagara.

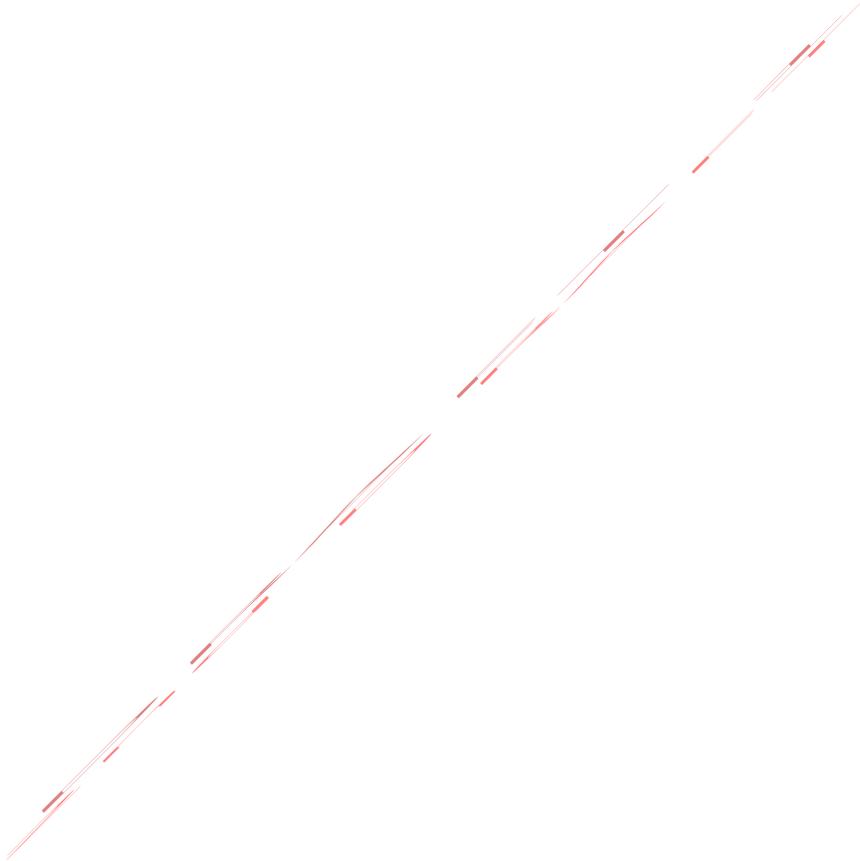
Table 10-1
Core Natural Heritage System Components:
Adjacent Lands

Core Natural Heritage System Component	Adjacent Lands Where an EIS Shall Be Required for Development Applications
Environmental Protection Area	
Provincially Significant Life Science Area of Natural and Scientific Interest	All lands within 50 metres.
Provincially Significant Wetland	All lands within 120 metres.
Habitat of Threatened and Endangered Species	All lands within 50 metres.
Environmental Conservation Area	All lands within 50 metres.
Fish Habitat	All lands within 30 metres of the top of bank.
Where a component of the Core Natural Heritage System lies within the Provincial Greenbelt Plan Natural Heritage System adjacent lands mean all lands within 120 metres of the natural heritage component.	

As illustrated on Figure A2.8, Schedule C-5, the Township of West Lincoln Natural Aggregate & Petroleum Resources Excerpt, there is **Potential Petroleum Resources** designation on the property.

Policy 15.2.3d), Policies for Petroleum Resources, states that within all land use designations, new building construction generally will not be permitted within 75 metres of existing petroleum resource operations. Reduced setbacks for new building construction may be permitted in consultation with the appropriate authority. The setback requirement does not apply to petroleum operations decommissioned according to provincial abandonment and rehabilitation requirements.

Policy 15.2.3e), Policies for Petroleum Resources, states that as part of the development approval process, the Township will request that all abandoned gas wells that are known or discovered on the lands be identified. If abandoned gas wells are identified, the Township will then advise the Ministry of Natural Resources for follow up. The intent of the follow up is to ensure that all abandoned gas wells are properly plugged, capped or otherwise made safe in accordance with Provincial requirements. Areas where abandoned wells are located should be avoided when siting buildings, unless it can be demonstrated that development can safely occur.



ZONING BY-LAW NUMBER 2017-70

As illustrated on Figure 2.8, Schedule A, Map A1, zoned “**Agricultural – A**” and “**Environmental Conservation - EC**” and “**Environmental Protection – EP**”. Within the Agricultural Zone accessory uses to the agricultural use are permitted including *agricultural value added on-farm diversified agri-tourism uses*. **START HERE 4**

Part 1 DEFINITIONS has the following definitions:

Accessory Building or Structure means a detached *building* or *structure*, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or *building* on the same *lot*.

Accessory Use means a *use* naturally and normally incidental to, subordinate to or exclusively devoted to a *principal use* and located on the same *lot*.

Agricultural use means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fiber, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm *buildings* and *structures*.

Agriculture-Related Use means *premises used for commercial uses and industrial uses that are directly related to agricultural uses in the area*, require a location that is in close proximity to *agricultural uses*, and **directly provide** products and / or **services to agricultural uses as the primary business**, and directly provide products and/or services to *agricultural uses* as the primary business, including *agricultural service and supply establishments, commercial kennels, veterinary clinics*, and farm produce processing and storage facilities..

Building means a combination of walls, roofs and floors comprising a structural system serving the function thereof.

Building, Main means a *building* for a *principal use* of the *lot*, and in a Residential Zone the *dwelling* is the *main building*.

Existing means ***existing on the effective date of this By-law***.

Non-Complying means a *building, structure* or *lot* that does not comply with the regulation(s) of this By-law.

Non-Conforming means a *use* that is not a permitted *use* in the *zone* in which the said *use* is located.

On-Farm Diversified Uses means the *use of land, buildings or structures for accessory uses to the principal agricultural use of the lot, conducted for gain or profit to support, promote and sustain the viability of the agricultural use, including agriculture-related uses, agricultural service and supply establishments, agri-tourism/value added uses, bed and breakfast establishments, home industries, home occupations, pet care establishments, private kennels, service shops and veterinary clinics.*

Premises means the area of a *building* occupied or used by a business or enterprise. . .

Service Shop means a premises for the servicing or repair of household articles, or from which the **services of a construction trade or contractor are offered**, but does not include a motor vehicle repair establishment.

Structure means anything that is *erected*, built or constructed of parts joined together and attached or fixed permanently to the ground or any other *structure*, including manure storage facilities.

Use means the purpose for which any *lot, building, structure or premises* is arranged, designed, intended, occupied or maintained.

Use, Commercial means the *use of land, buildings or structures* for the supply for sale of goods and services.

Use, Principal means the main or primary purpose for which a lot, building or structure is used.

Section 3.1, **Accessory Buildings or Structures and Accessory Uses**, states . . .

a) **Where this By-law permits a lot to be used . . . for a permitted use, that use shall include any . . . accessory use:** and g) **certain accessory uses are subject to additional regulations contained in other Subsections of this By-law as follows:**

ix. **Home occupations and Home Industries:** refer to Subsection 3.7;

xi. **On-farm diversified uses:** refer to Section 3.11.

Section 3.11 **On-Farm Diversified Uses** states the following regulations apply to *on-farm diversified uses*:

a) An *on-farm diversified use* shall be located on a lot having a **minimum lot area of 10 hectares** and **containing a permitted agricultural use and associated single detached dwelling**, where the specific type of *on-farm diversified use* is permitted by the applicable zone.

b) A maximum of three (3) *on-farm diversified uses* shall be permitted on a *lot*.

c) *On-farm diversified uses* shall not exceed the following size limits:

i. The area of the *lot* permanently, temporarily or seasonally devoted to *on-farm diversified uses* **shall not exceed the lesser of 1% of the lot area or 0.5**

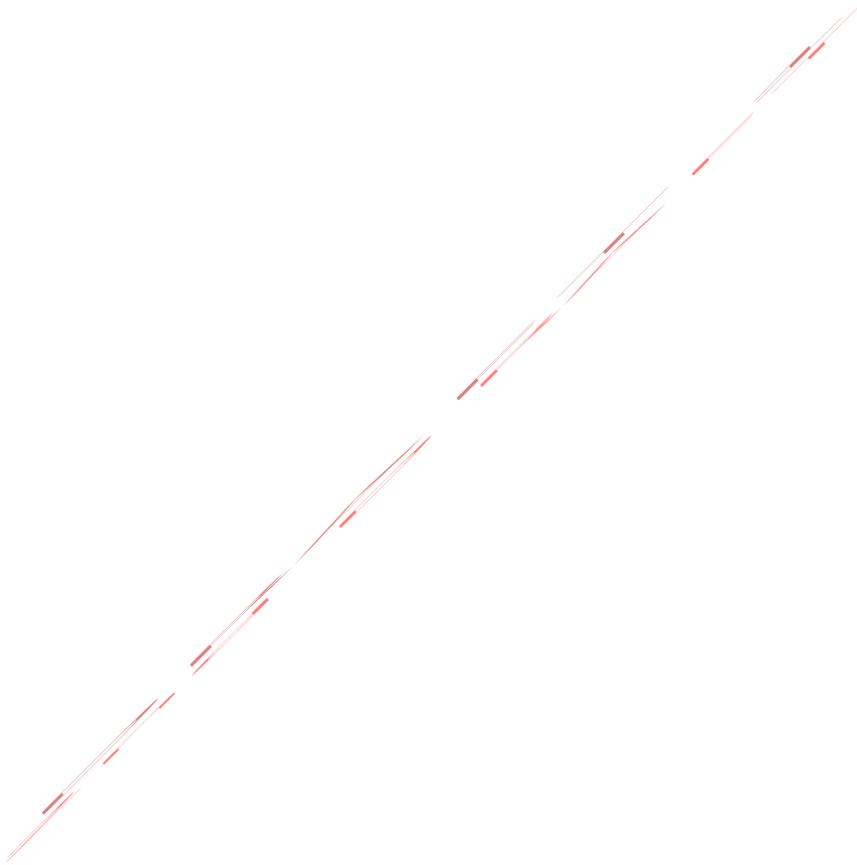
- hectare, including the area of *existing* and new **buildings and structures**, required parking and loading areas, *outside display and sales areas*, *outside storage areas*, and any other areas of the *lot* used for the *on-farm diversified use*, **excluding existing driveways shared with a permitted principal use on the lot** and areas that produce a harvestable crop; and,
- ii. The **total gross floor area** that is permanently, temporarily or seasonally devoted to *on-farm diversified uses* shall not exceed **500 square metres** including the *gross floor areas* used within all main *buildings* or *structures* and *accessory buildings* or *structures* on the *lot*; and,
 - iii. For the purposes of determining the maximum *gross floor area* permitted in accordance with Subclause (v), the *gross floor area* that is used for *on-farm diversified uses* within *existing* main *buildings* on the *lot* shall be discounted by 50%; and,
 - iv. *Accessory buildings* or *structures* that are used for *on-farm diversified uses* shall comply with the requirements of Section 3.1; and,
 - v. *Main buildings* or *structures* that are used for *on-farm diversified uses* shall comply with the regulations of the applicable *zone*; and,
 - vi. **The total lot coverage of all main buildings or structures and accessory buildings or structures shall not exceed the maximum lot coverage of the applicable zone.**
- d) *On-farm diversified uses* shall be accessory and directly related to the *existing* permitted *agriculture use(s)* on the *lot* and shall primarily serve the *existing* permitted *agricultural use(s)* on the *lot* and the *existing* permitted *agricultural uses* on surrounding lots in the area.
 - e) *On-farm diversified uses* that involve value-added packaging, processing, sale and/or storage of products shall be limited to products produced by, or derived from, the principal *agricultural use(s)* on the *lot* as the primary source of the majority of the product, and may include product sourced from *agricultural uses* on surrounding *lots* in the area as a secondary source of product.
 - f) Retail sales that form part of *on-farm diversified uses* shall be subject to the following regulations:
 - i. The *gross floor area* devoted to retail sales shall not exceed 50% of the *gross floor area* of all *buildings* and *structures* used in conjunction with the *on-farm diversified uses*, to a maximum of 200 square metres of *gross floor area* for retail use; and,
 - ii. The *gross floor area* devoted to retail sale of products that are not produced on, or derived from, agricultural products produced on the *lot*, shall not exceed 25% of the *gross floor area* of all *buildings* and *structures* used in conjunction with the *on-farm diversified uses*, and,
 - iii. A maximum of one (1) retail outlet shall be permitted on a *lot*; and,
 - iv. The maximum area of the *lot* permitted to be used for *outside display and sales areas* shall be 25 square metres and such outdoor area shall not be counted as part of the maximum *gross floor area* permitted for retail use; and,

- v. *Outside display and sales areas* shall be setback a minimum of 3 metres to all *lot lines*; and,
 - vi. *Outside display and sales areas* and any related *structures* shall not exceed a maximum *height* of 3 metres.
- g) *Outside storage* for purposes other than *outside display and sales areas* on the *lot* shall be located in a *rear yard* or *side yard* and screened from view from *public streets* and adjacent lots by *planting strips* in accordance with Subsection 3.9.2, and shall comply with the regulations of the applicable *zone*.
 - h) *On-farm diversified uses* shall be operated by the *person* or *persons* whose principal residence is the *dwelling* on the *lot*, and a maximum of two (2) *persons* other than the residents of the *dwelling* on the *lot* are permitted to be employed in the business of the *on-farm diversified uses*.
 - i) *On-farm diversified uses* that include overnight accommodations shall be limited to a permitted *bed and breakfast establishment* in accordance with Section 3.4.
 - j) Notwithstanding the regulations of this Section to the contrary, certain *on-farm diversified uses* are subject to additional or different regulations contained in other Sections of this By-law, as follows:
 - i. The requirements of Section 3.4, for *bed and breakfast establishments*; and,
 - ii. The requirements of Section 3.7, for *home occupations* and *home industries*; and,
 - iii. The requirements of Section 3.8, for *private kennels* and *pet care establishments*.
 - k) Parking for *on-farm diversified uses* shall be provided in accordance with Section 3.12.
 - l) A *sign* is permitted to be displayed on the *lot* for *on-farm diversified uses*, provided:
 - i. A maximum of one (1) *sign* is permitted on a lot for each permitted *home occupation*; and,
 - ii. The *sign* shall not be illuminated; and,
 - iii. The *sign* shall have a maximum area of 0.2 square metres per side; and,
 - iv. The *sign* shall be setback a minimum of 1 metre to all *lot lines* and shall not be located within a *sight triangle*; and,
 - v. The maximum *height* of the *sign* shall be 0.8 metre; and,
 - vi. The *sign* shall comply with the *Township's Sign By-law*.

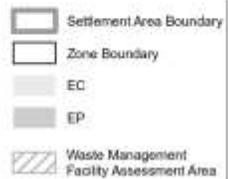
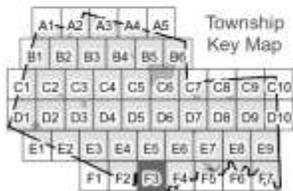
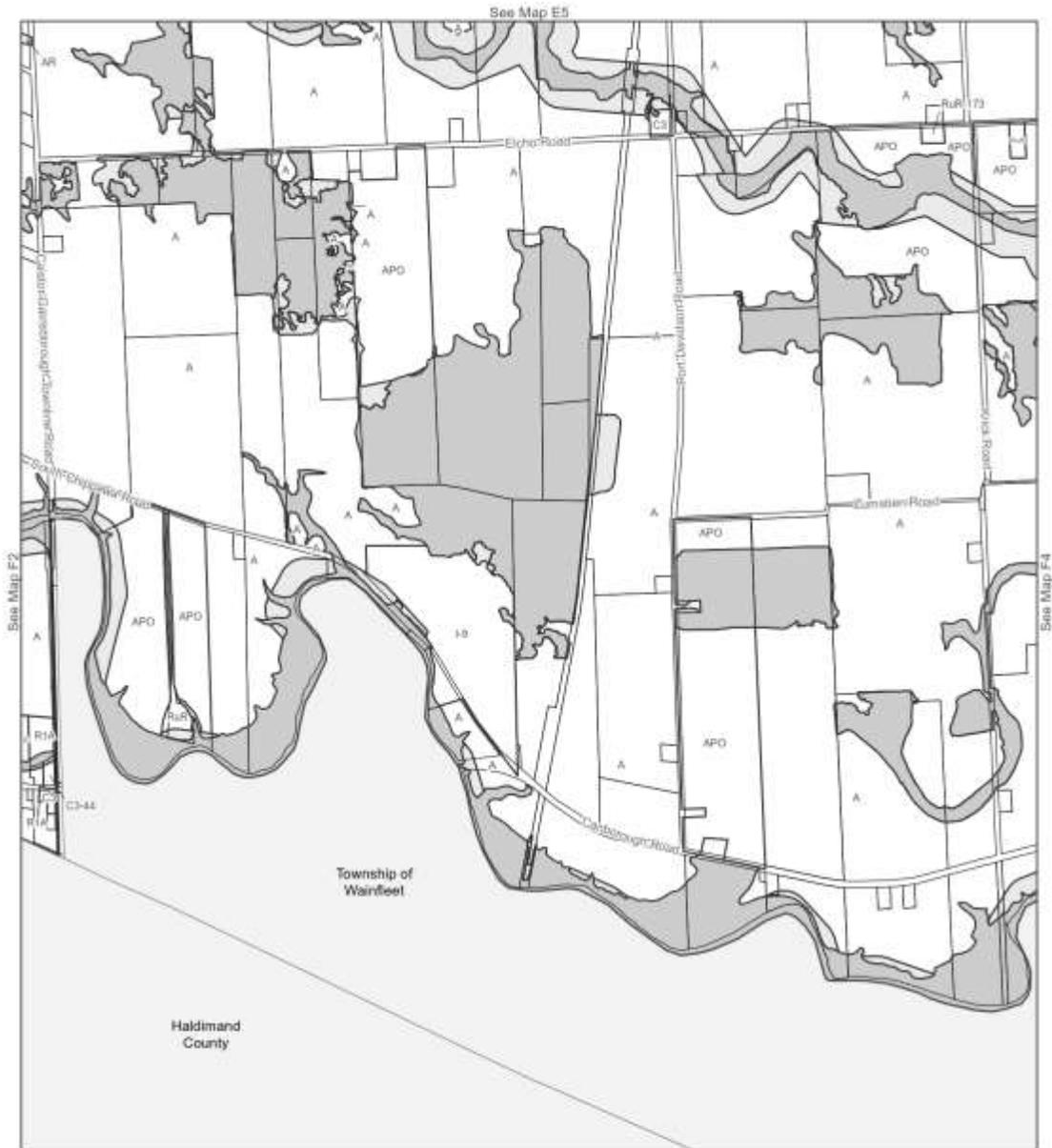
Section **5.2 Permitted Uses** states “in the *zones* identified in Section 5.1, [A – Agriculture, APO – Agriculture Purposes Only, and AR - Agriculture-Related] no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 11” **which permits the following uses in the [A - Agriculture] zone: *Principal Uses - Agricultural use, Single detached dwelling, and Accessory Uses – On-farm diversified uses - Home Industry exclusively devoted to a principal use and located on the same lot.***

Section **5.3 Regulations** states “in the *zones* identified in Section 5.1, , [A – Agriculture and AR - Agriculture-Related] no *person* shall *use* or permit the *use* of any *lot* or *erect*,

alter or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 12.



**Figure A2.8
Zoning Map A1**



Township of West Lincoln
Schedule A
Zoning By-law No. 2017-70

Map
F3

1:20,000

0 500 m

Last Updated: July 2018

Regulation		Zone Requirements
Minimum <i>lot area</i>		40 ha
Minimum <i>lot frontage</i>		100m
Minimum <i>front yard</i>	<i>Dwelling</i>	15m -
	<i>Greenhouse</i>	30m
	Mushroom farm <i>building</i> -	150m(1)
	Other main <i>building</i>	20m
Minimum <i>exterior side yard</i>	<i>Dwelling</i>	15m
	<i>Greenhouse</i>	30m
	Mushroom farm <i>building</i>	150 m(1)
	Other main <i>building</i>	20m
Minimum <i>interior side yard</i>	<i>Dwelling</i>	5m
	<i>Greenhouse</i>	15m(2)
	Mushroom farm <i>building</i>	75m(1)
	Other main <i>building</i>	15m
Minimum <i>rear yard</i>	<i>Dwelling</i>	15m
	<i>Greenhouse</i>	15m(2)
	Mushroom farm <i>building</i>	75m(1)
	Other main <i>building</i>	20m
Maximum <i>lot coverage</i>	<i>Greenhouses</i>	70%
	Other <i>buildings</i> or <i>structures</i>	10%
Maximum <i>height</i>		15m
Minimum <i>landscaped open space</i>		No minimum
Maximum <i>outside storage</i>		5% of <i>lot area</i>

- No *building* or *structure* used for the growing of mushrooms shall be located closer than 150 metres to the nearest main wall of a *dwelling* on a separate *lot* or any *street line*, and 300 metres to the nearest boundary of an Institutional *Zone* or a Residential *Zone* other than the Rural Residential *Zone*. . . .
- *Outside storage* for purposes other than the display of products offered for sale on the *lot* shall be located in a *rear yard* or *side yard* and screened from view from *public streets* and adjacent *lots*. No manure, compost or equipment storage area shall be permitted within 30 metres of a *street line* or a *lot line* of a separate *lot* that contains a *residential use* or the top of bank of a *municipal drain* or watercourse.

NPCA GENERAL POLICIES

Unless otherwise stated in this document, no work shall be undertaken within the NPCA's regulated areas without a work permit issued by the NPCA. (Policy 3.3.3.1 NPCA Work Permit Authority)

Work permits are required for any proposed development (as defined under the Conservation Authorities Act - a) the construction, Reconstruction, erection or placing of a Building or Structure of any kind; or b) any change to a Building or Structure that would have the effect of altering the use or potential use of the Building or Structure, increasing the size of the Building or Structure, or increasing the number of dwelling units in the Building or Structure; or c) site grading; or d) the temporary or permanent **placing, dumping or removal of any material, originating on the site or elsewhere.**), **including** but not limited to the construction, reconstruction, erection or placing of a building or structure, any change to a building or structure which would increase its size (or the number of units), site grading or the **placement of fill** (includes earth, sand, **gravel**, rubble, rubbish, garbage, or any other matter whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, **used or capable of being used to raise**, lower, or in any way effect **the existing grade** (does not include herbaceous or woody plant material) **material**. (Policy 3.3.3.2 Typical Activities Subject to an NPCA Work Permit)

The placement of inert fill less than 50 cubic metres may be permitted where the placement of fill:

- Is placed in a manner which **will not impact the control of flooding;**
- **Does not interfere with a watercourse**, (an identifiable depression in the ground in which a flow of water regularly or continuously occurs), wetland, valleyland or shoreline; and,
- **Includes re-vegetation** of any disturbed areas and is protected from erosion. (Policy 3.3.4.3a Activities which do not require a Work Permit)

The **objectives of the flood hazard policies** are to:

- **Prevent loss of life;**
- **Minimize property damage** and social disruption;
- Reduce the potential for incurring public costs associated with the impacts of flooding hazards;
- Manage existing risks and reduce the potential for future risks;
- Promote the conservation of land and a co-ordinated approach to the management of water. (4.2.1 Objectives)

Permitted uses within the flood hazard shall be consistent with the objectives of the Conservation Authorities Act and subject to the Regulation 155/06 (sections 2 and 3).

The following are permitted uses within the flood plain:

- Agriculture uses that do not require permanent, closed structures or any major alteration of the landscape;
- Additions or extensions, including new structures which are minor in scale, to existing primary agricultural operations which are not likely to incur flood damages, impede flows, reduce flood storage, or cause pollution to a watercourse as a result of a flooding event;
- Reconstruction or minor additions to the existing structures and accessory structures outlined in Policies 4.2.4-4.2.6;
- Flood, erosion and sediment control measures;
- Open space uses and recreational uses, such as boat docks, marina facilities, parks, trails, gardens, nurseries and other passive recreational and open space uses;
- Swimming pools, subject to Policy 4.2.6;
- **Parking lots, driveways and private roads, subject to Policy 4.2.7;**
- **Raw materials and equipment storage, subject to Policy 4.2.8;**
- Infrastructure which is subject to an approval under the Environmental Assessment Act, such as but not limited to, railroads, streets, bridges, public services and pipelines for transmission and distribution of water, gas, oil and electricity, provided that the approved engineering designs recognize and, where necessary, address the flooding potential at the site;
- Works constructed under the Drainage Act accounting for the flooding potential at the site;
- New water wells, provided the air vent on a drilled well extends above the maximum anticipated flooding level and not less than 40 cm above the ground surface; and,
- Other uses not likely to incur or create damage from floodwaters. (Policy 4.2.2 Permitted Uses within the Flood Hazard)

Parking lots, driveways and private roads which are primarily used for vehicular traffic are permitted provided that:

- **The flood depths under the regulatory flood event do not exceed 0.3 metres (1 foot), based on the technical criteria development the PPS Natural Hazards Training Manual; and,**
- **No adverse flood impacts result from the proposed work.**

In some instances, it may be appropriate to allow for fill placement beyond 50 cubic metres to improve safe access and egress for existing development located in the floodplain. (Policy 4.2.7 Parking Lots, Driveways and Private Roads)

Where the storage of raw materials is subject to a municipal approval, the storage of raw material and equipment storage is permitted, provided that:

- **They are properly anchored to prevent flotation;**

- **They are not subject to major damage by flooding;**
- **They are not of a polluting nature; and,**
- **Flood flows or flood water storage are not impeded.** (Policy 4.2.8 Raw Materials and Equipment Storage)

Fencing generally does not require a work permit. However, there may be instances where a work permit may be required for example; if a fence is proposed to cross a watercourse or forms a solid barrier that would impede conveyance of flood flows. Fencing may be permitted in flooding hazards provided no fill placement/removal is required. Staff will work with the applicant to review other options in order to avoid fencing within the flood hazard. The placement of fill or changing of grades within a regulated area would be subject to formal approval under Ontario Regulation 155/06 as per other policies in this document. (Policy 4.2.10 Fencing)

As permitted in the policies of this document, floodproofing is required for proposed development which may be impacted by flood hazards, upon consideration of:

- The depth and velocity of flood waters;
- The duration of the flood;
- The rate of rise/fall of the flood waters; and,
- The type of flood warning system in place. (Policy 4.2.12 Floodproofing (Riverine Flood Hazard))

The placement of fill is prohibited within wetlands, valleylands, watercourses, dynamic beaches, **flood plains** or other hazardous lands or their allowances. (Policy 10.2.2.1 The Placement of Fill)

The placement of inert fill less than 50 cubic metres may be permitted where the placement of fill:

- **Is placed in a manner which will not impact the control of flooding;**
- **Does not interfere with a watercourse,** wetland, valleyland or shoreline; and,
- **Includes re-vegetation of any disturbed areas and is protected from erosion.** (Policy 10.2.2.2 The Placement of Fill Less than 50 cubic metres)

The placement of fill less than 250 cubic metres may be permitted and shall require a work permit from the NPCA and is subject to the following policies:

- **The fill is inert** and meets appropriate provincial standards, including any regulations under the Environmental Protection Act;
- **The placement of fill shall not interfere with a watercourse** or wetland;
- **The placement of fill shall not adversely affect the control of flooding,** erosion and dynamic beaches within the NPCA's regulated areas;

- The placement of fill has no adverse impact the conservation of land, including **no adverse impacts on significant features and ecological and hydrological functions**;
- There are **no impacts on the control of pollution**;
- The placement of fill satisfies the requirements and standards of municipal by-laws (where the placement of fill is proposed to cover lands which are subject to both the Conservation Authorities Act and a local site alteration by-law); and,
- The placement of fill may be seasonally restricted. (Policy 10.2.2.3 The Placement of Fill Less than 250 cubic metres)

The NPCA **may require the submission of a Geotechnical Study** (see Policy 6.1.4.8 for additional details) to support any work permit request for filling less than 250 cubic metres. As a condition of approval, the NPCA may request the applicant to prepare a survey prepared by a qualified engineer after the works have been completed to demonstrate that the placement of fill conforms to the work permit conditions. (Policy 10.2.2.4 Supporting Studies)

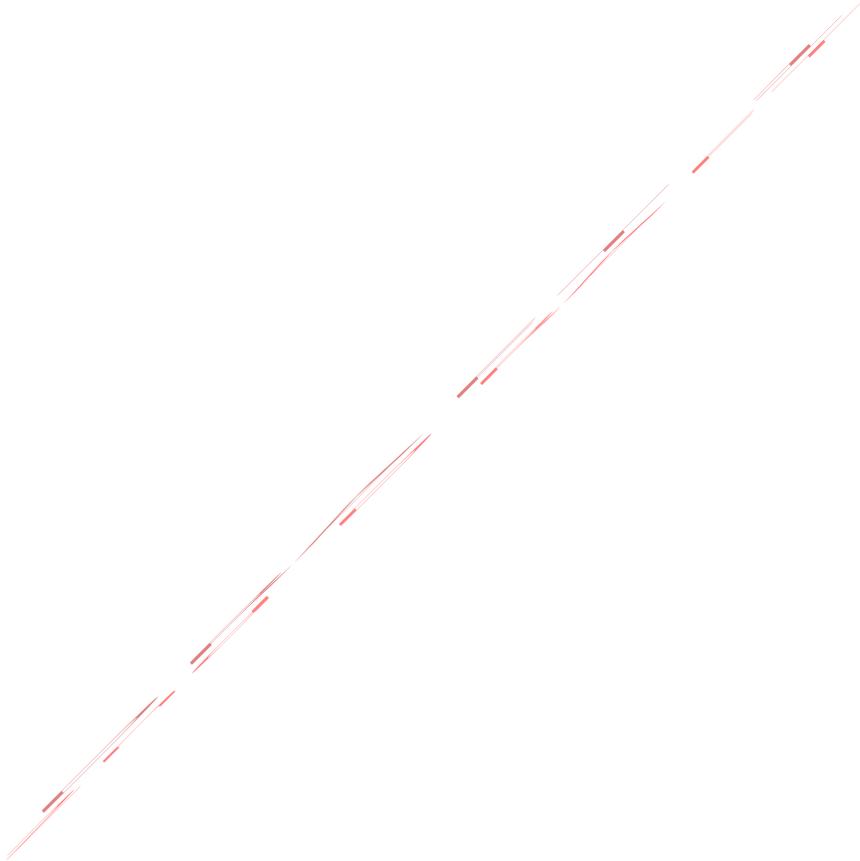
The intent of the following policies is to address issues arising from the placement and storage of fill. **The placement of fill greater than 250 cubic metres shall require a work permit and shall only be permitted in accordance with the following policies:**

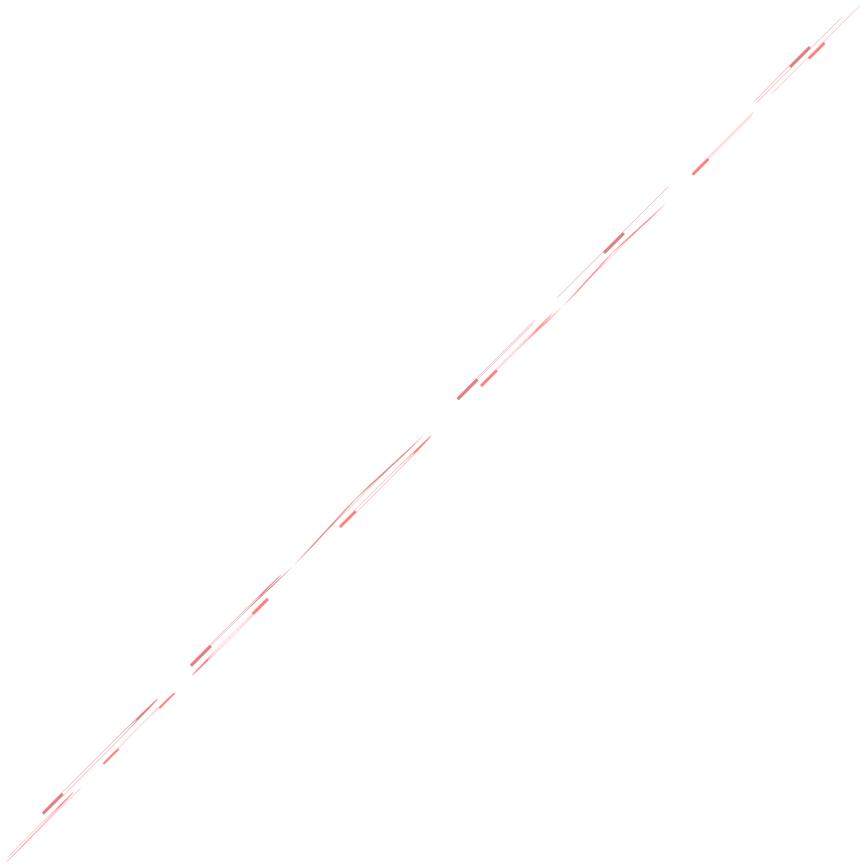
- **The fill is inert** and meets appropriate provincial standards, including any regulations under the Environmental Protection Act;
- The placement of fill shall **not interfere with a watercourse** or wetland;
- The placement of fill shall **not adversely affect the control of flooding**, erosion and dynamic beaches;
- The placement of fill has no adverse impact the conservation of land, including **no adverse impacts on significant features and ecological and hydrological functions**;
- There are **no impacts on the control of pollution and sedimentation** and erosion during and post-development are avoided;
- The placement of fill **satisfies the requirements and standards of municipal by-laws** (where the placement of fill is proposed to cover lands which are subject to both the Conservation Authorities Act and a local site alteration by-law);
- The placement of fill may be seasonally restricted;
- **The risk to public safety is not increased**;
- **There are no adverse impacts on groundwater quality, quantity, flow or functions** (recharge or discharge);
- A minimum setback of 30 metres (98 feet) from Provincially Significant Wetlands and wetlands larger than 2 hectares and a minimum setback of 15 metres (49 feet) from all other wetlands is maintained; and,

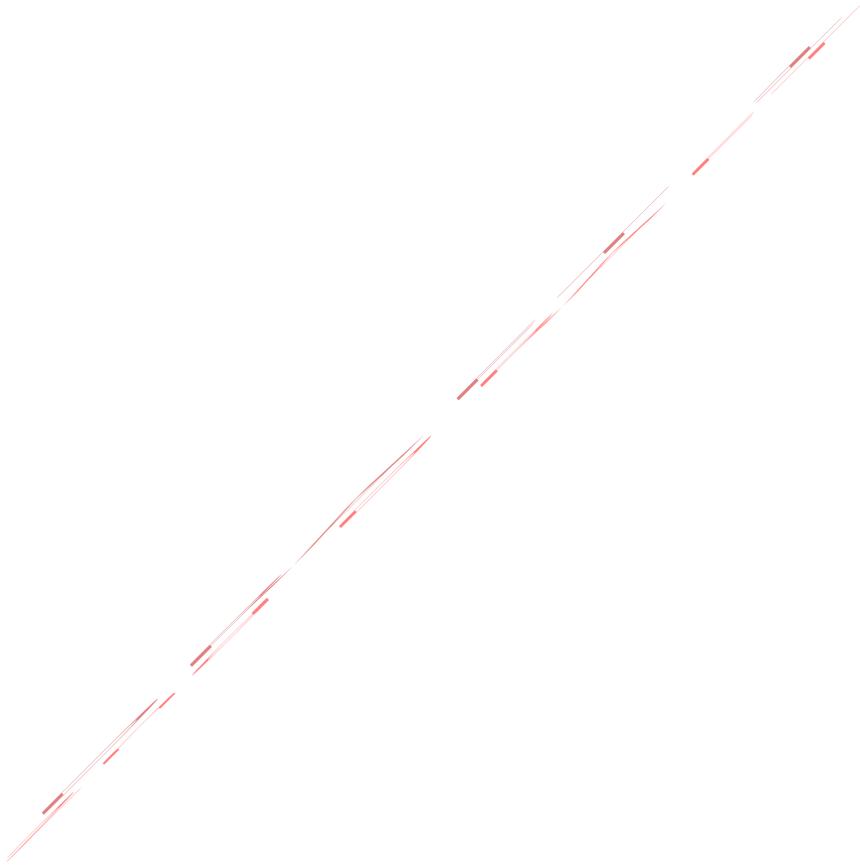
- The site is graded during the fill operation and stabilized as soon as possible subsequent to fill placement and final grading. (Policy 10.2.3.1 The Placement of Fill Greater than 250 cubic metres)

The placement of large fill may require the following studies, subject to scoping during the pre-consultation process:

- Environmental Impact Study;
- Hydrogeological Study;
- Geotechnical Study;
- Hydraulic Analysis; Stormwater Management Plan; and,
- Other supporting studies as required. (Policy 10.2.3.2 Supporting Studies)







ANNEX 3

RELEVANT MINIMUM DISTANCE SEPARATION GUIDELINES

Implementation Guideline 35 - MDS Setbacks for On-Farm Diversified Uses

MDS I setbacks from *existing livestock facilities* and *anaerobic digesters* will generally not be needed for land use planning applications which propose *agriculture-related uses* and *on-farm diversified uses*. However, some proposed *agriculture-related uses* and *on-farm diversified uses* may exhibit characteristics that could lead to potential conflicts with surrounding *livestock facilities* or *anaerobic digesters*. Therefore, it may be appropriate for municipalities to require an MDS I setback to permit certain types of these uses.

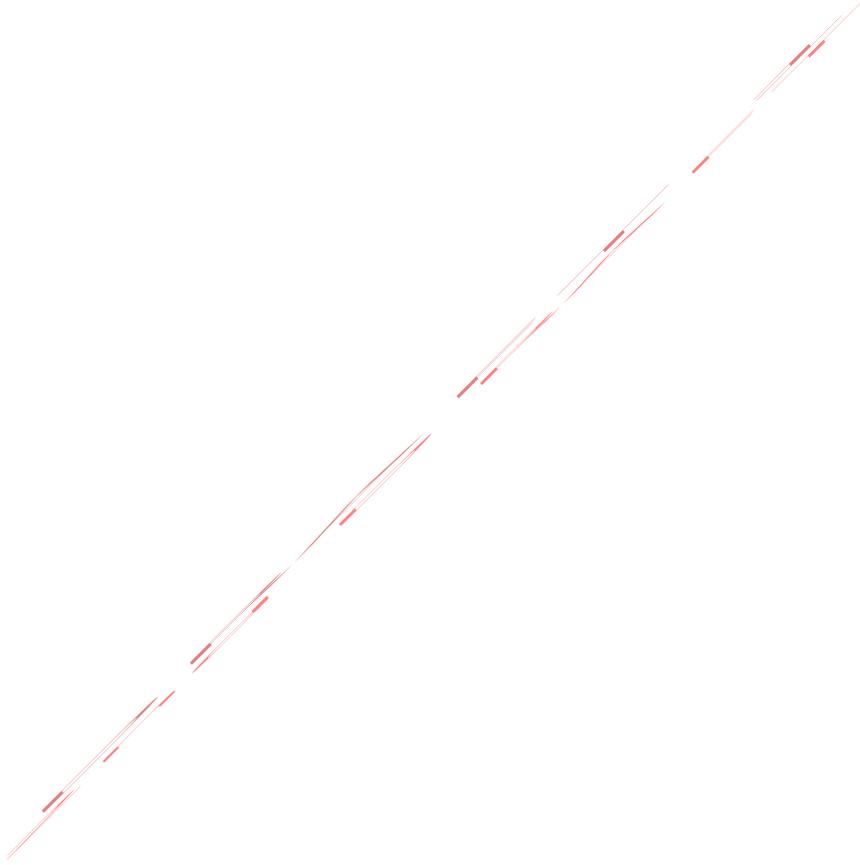
Typically, this subset of uses may be characterized by a higher density of human occupancy or activity or will be uses that may generate significant visitation by the broader public to an agricultural area. Examples include, but are not limited to: food service, accommodation, *agri-tourism uses* and retail operations.

Surrounding land uses and geographic context can also play a role in determining the suitability of applying MDS I setbacks to proposed *agriculture-related uses*, *on-farm diversified uses* and *agricultural uses*.

For these reasons, and in keeping with the intent of this MDS Document, municipalities may choose to require an MDS I setback for proposals, including *lot* creation, to permit certain types of *agriculture-related uses* or *on-farm diversified uses*. In these circumstances, *agriculture-related uses* and *on-farm diversified uses* shall be considered as Type A land uses. Municipalities shall include specific provisions in their comprehensive zoning by-law to clearly indicate the types of *agriculture-related uses* and *on-farm diversified uses* that will be required to meet MDS I setbacks, including provisions related to the measurement of MDS I setbacks from *existing livestock facilities* and *anaerobic digesters*. Otherwise, MDS I setbacks will NOT be required for these types of uses.

Municipalities are strongly encouraged to develop policies in their official plans and provisions in their comprehensive zoning by-law to provide consistent direction on this issue.

ANNEX 4
BUSINESS PLAN





Business Name: Riverside Oasis Farm

Business Address: 6696 Canborough Road

City /Province/Postal: Niagara Region

Phone: 289-442-5733

Business E-mail: MuddyBoots@RiversideOasisFarm.ca

Website: www.RiversideOasisFarm.ca

E-mail: CarltonLMichael@Gmail.com

Period: 1Q 2021 – 4Q 2022

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1.0 EXECUTIVE SUMMARY

“The greatest fine art of the future will be the making of a comfortable living from a small piece of land.” Abraham Lincoln

“A sustainable agriculture is one which depletes neither the people nor the land.” Wendell Berry

“Cherish the natural world, because you’re a part of it and you depend on it.” Sir David Attenborough

Riverside Oasis Farm is the vision of Assyl and Michael Carlton with the goal to provide a range of sustainably and organically grown food crops for the local area. The married couple are business owners and budding farm operators with intention to employ a small number of local resources to maintain a lean and productive farming operation.

The company recently formed, with ambition to provide a unique farm stay and educational destination for the greater public.

Assyl recently qualified with MBA from Brock University and hopes to transition classroom skills and project experience from China, Kazakhstan and Canada to grow a successful, sustainable farming business.

Michael has a Master’s degree in International Commercial Law and comprehensive worldwide project experience in commercial roles from the UK, Kazakhstan and the Middle East.

The pair have a keen interest in sustainable living and value a traditional way of life.

Recent years have seen a real interest in small farming practices and sustainable living. The revitalisation of farmer markets, earth to table restaurants and unique accommodation locations provide an opportunity to create a sustainable business which provides for the community and encourages future generations to consider supply chain as an important choice when buying food. It is the ambition of Riverside Oasis Farm to initially provide products to meet the need for sustainable food sources but also educate on the benefits of locally sourced ingredients.

The local area is not known for tourist innovation, but our aim is to increase consumer traffic to the region, improving business turnover in places such as Smithville, Dunnville and the surrounding small towns. Local partners will be engaged to provide produce to consumers such as butchers, bakers and crafters.

The Farm has a threefold product and service plan to provide for a self-sufficient lifestyle while delivering a niche product to the public.

Organically grown produce available at the property, at farmers markets and in future direct to restaurants in the local area.

A safe educational environment for the public to interact with traditional and non-traditional farm animals.

A unique farm-stay in traditional Mongolian yurt accommodation.

The strategy for success depends hugely on the creation of a brand that is known for being environmentally engaged while also creating quality produce and experiences. Social media will be the initial focus of a marketing campaign to publish the farm as a destination for quality produce, day visits and weekend stays for families and couples wishing to learn about farm life and relax away from the hustle and bustle of city life.

This is to be achieved in a fun and safe environment for the public, land and animals.

2.0 BUSINESS PROFILE

Business Overview

Company Formation:

Incorporating in October 2019 the ambition of the company owners is to move away from reliance on a job as a primary source of income and instead setup a profitable and rewarding company. Large scale investment has increased the operability of the farm with barn renovations and fencing installations plus necessary farming equipment. The company is ready to move to operational stage now the bulk of the initial capital investment and start-up costs have been realised.

The owners are set on reducing their carbon footprint and creating a sustainable, ecologically considerate farm and boutique farm stay business. This will be in

keeping with the local area and provide an educational aspect to agriculture and animal welfare.

Company Mission:

Riverside Oasis Farm offers a unique experience to the public by spending the day on a local livestock and produce farm in a rural setting in the Niagara Region. Riverside Oasis is driven to provide the finest quality of produce to local markets and restaurants prioritising sustainable practices by producing GMO and pesticide free organic vegetables and herbs while also providing a safe environment to learn and interact with a variety of usual and unusual farm animals.

The farm setting also allows guests to reset and connect with nature by leasing boutique yurt accommodation where guests can unwind in a cosy, picturesque setting close to Welland river.

Company Purpose:

To create an educational and fun environment for children and adults to interact with farmyard animals, ensuring the audience becomes more aware of sustainable practices and how to live off the land using traditional food sources in a considered way.

High end, boutique yurts will be available for occupation located in a secluded setting on a small operational farm. Guests will have the opportunity to take part in safe, non-technical farming activities or be removed from interruption altogether.

Accommodation in the yurts will be as sustainable and eco-friendly as possible ensuring stays at the property have a significantly reduced carbon footprint in comparison to traditional alternatives and the farm is aiming for organic recognition while using locally sourced materials and produce.

Target Overview

The farm will aim to be self-sufficient with target revenue identified below:

Revenue Stream:	Description	Estimate	Basis
Vegetable Production	1.75 Acres of Market Fresh Produce	\$ 40,000	Detailed calculations based on acreage and educational seminars
Fruit Production	Pear / Apple Trees	\$ 1,000	Supply chain to pear cider manufacturer
Farming Activity	12 Acres Hay	\$ 8,000	12 Acres / 80 bales / 2 cuts
	200 Meat Chickens	\$ 4,000	\$5/lb avg 4lb butchered
	30 Layer Chickens (eggs)	\$ 2,450	2 dozen per day \$5 * 2 * 35 weeks
	Fibre (Alpaca)	\$ 900	Estimate \$100/alpaca
	3 Beef Cattle	\$ 3,000	Option
Farm Tours	Group / Family Tours	\$ 12,000	2 groups of 10 people \$400/day * 2 days per week * 30 weeks
Farm Stay	Yurt Accommodation	\$ 48,000	Avg: 2 nights * 3 yurts * 40 Weeks @\$200/night
	Total Revenue Estimate	\$ 119,350	

No financing is required, the farm will ensure enough capital to self-operate in the short term while the business grows.

3.0 THE MARKETING PLAN

Riverside Oasis Farm aim to deliver the following marketing plan:

Industry

The farm operates across multiple industry sectors leading to diversification and reduced risk in the event of a downturn in one of the revenue streams.

Traditional Agriculture – Farming activity such as hay & fiber production

Food Agriculture – Provision of fruit, vegetables & meat for sale

Tourism – Stay-cation and farm tours

Strategy

The marketing strategy includes brand development, website design and build, social media platforms and word of mouth. In delivering a brand which resonates with the fun, educational and quality produce and services on the farm, growth across each sector will complement each other. The more people who take part in our farm tours and farm stays will learn about the production of organic meat and vegetables. This is both educational and provides a point of sale for our produce.

The addition of weekly farmers markets with brochures and business cards leads to further interest in the supporting diversified activity at the farm.

Sales Plan

This can be seen above in the target overview section. A greater detailed plan is being worked covering the amount of vegetables, growing calendar, harvest calendar and anticipated yields per vegetable type as produced in the field.

A serious investment has been undertaken on accelerated learning in the field of vegetable production with the aid of local growers and an intensive course ran by The Market Gardener (J. M. Fortier) based from Quebec.

Customer Base

Produce will be sold at farmers markets and direct to consumer at the farm. It is the intention to enter the restaurant supply chain in the coming years, once we can achieve a high-quality product at regular production schedules.

Farm tours and farm stay will be directed at city residents from Toronto, Hamilton, Niagara and further afield.

Once COVID-19 subsides Riverside Oasis Farm will work with underprivileged schools and local groups to provide fun farm workshops to support education while giving back to the community.

Product Pricing

Traditional Agriculture: Market pricing will be followed based on quality and quantity of supply in the local area.

Food Agriculture: Market pricing will be followed based on quality and quantity of supply in the local area.

Farm Tours: Market research has been developed and the intention is to achieve \$20/person per tour. Underprivileged tours will be free of charge.

Farm Stays: \$200/night per yurt including farm tour.

Promotion

This has been covered in the Strategy section, online activity, word of mouth and farmers markets.

Industry Opportunities and Threats

Strengths:

Growing industry with good publicity for organic food
Large industry for tourism in the Niagara Region
Excellent community spirit helping with experience shortfall of owners

Weaknesses:

Seasonal
Location slightly away from primary tourist spots
Owner are new to both industries (tourism & farming)

Opportunities:

Multiple streams of income
Tax efficiencies for farming
Niche product in Niagara

Threats:

Weather
Competition
Permitting / Permissions
Disease
Regulations

Key Trends in the Industry

Hobby / small farming is on an upward trend due to the press coverage of Big Farming and pesticide use. Organic industries have been on the rise for a number of years.

Similarly boutique hotels and new experiences are trending at present.

Competitive Advantage

Riverside Oasis Farm provides differentiation from the competition in that there is a feel of rural living, an escape from busy parks and city life and a truly different product which has a niche and is trending in the market place. The close proximity to the river provides a relaxing calm and serene location.

Multiple products and services are offered which will appeal to a number of different customers and working with close supply chain to provide to quality food conscious restaurants.

The smaller scale of the farm provides a more personal interaction providing greater knowledge of operating a more homestead focused business rather than a larger tourist destination with less personal appeal.

4.0 PRODUCTION PLAN

Produce

The primary product will be the sale of goods from the farm. This will maximise the use of land on the farm to grow crops, fruit and vegetables for farmers markets, local restaurants and household customers.

The opportunity to 'pick your own' and purchase a 'fruit and veg box' will be available for fresh produce by passing clientele.

Fruit and veg will be planted at optimum times of the year based on our detailed field plan. This will be sold in sustainable packaging at the farm or other avenues.

In future years wholesale in the local market, including wineries and mid to high end restaurants and food suppliers, will be sought.

Farm visitors will be able to take a guided walk through the fields to learn about crop production and techniques.

Locally produced organic certified seeds are on order for growing season 2021 with service facilities such a wash room, cold room and tool shed in design.

Animals

The secondary focus will be to setup a safe and comfortable environment for both the public and the animals to enable petting and education on care practices with a variety of animals. We will offer the chance to 'spend a day at the farm' visiting animals and helping with day to day activities around the farm. This will provide the public hands on educational and fun experience with different animals. In time the intention is to arrange school visits from the surrounding local and regional area in order to provide an educational interaction with kids who may have never visited a farm before.

Farm Stay

The tertiary product will be nightly accommodation in the yurts; this will provide a targeted niche product to the patron and offer a niche product in the region. There is limited direct competition in the Niagara region for a traditional yurt camping boutique experience, especially with a farming backdrop.

The intention is to provide secluded areas for each yurt. The small number of yurts will enable customer focus to be on each guest with plans to provide a welcome gift (fruit / Veg) and offer locally sourced breakfast items for purchase.

Farm Operation

The farm will purchase supplies regionally including seeds, animals and feed. Yurts will be authentically Mongolian and supplied via a Canadian company close to Quebec.

Labour will be one farm hand throughout the year with additional seasonal staff as required. Staff will be sourced locally and as the company grows we plan on inviting interns to work and live at the farm while learning their trade.

Farm Location

Riverside Oasis Farm is located perfectly between two small towns within close proximity to the wine belt and Niagara tourist attractions. The location is perfect for appealing to multiple sets of visitors from varying backgrounds and reasons for visiting. Wine tasting and city breaks are thriving in Niagara with people escaping from Hamilton and Toronto for day trips and weekends away.

Production Capacity

Production of produce will increase over time and the dynamic of revenue streams will be fluid. There may be a directional change to utilise additional acreage for vegetable production and reduce the amount of hay sold.

The current forecast for 2021 – 2022 is a reasonable estimate based on local knowledge and research while achieving our goals with controlled growth.

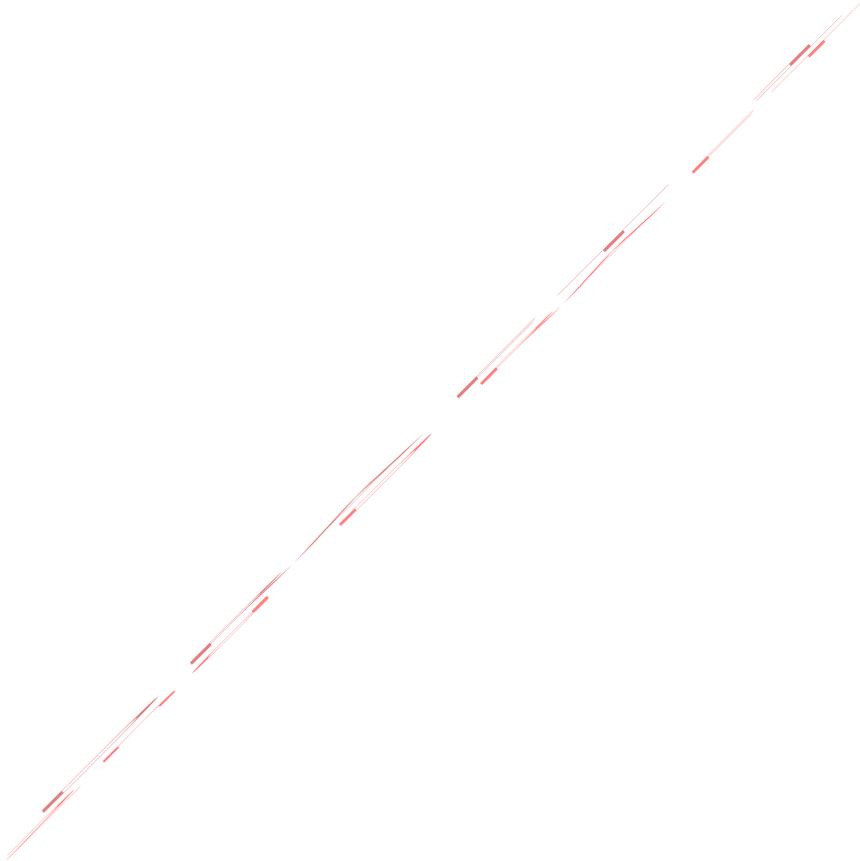
5.0 HUMAN RESOURCES PLAN

The small scale of the farm will not require a huge level of HR management with a farming team consisting of the owner plus casual labour resources seasonally with hired contractors relied upon as necessary.

Initially resources who have experience in the field of growing produce, maintaining farm equipment and handling animals will be employed. In future a shift into a more educational program is foreseen.

ANNEX 5

INTERIM 2021 TAX BILL



Tax Bill

INTERIM 2021

Mailing Date January 29, 2021

Township of West Lincoln 318 Canborough St., P.O. Box 400, Smithville, ON L0R 2A0
Tel: 905-957-3346 Fax: 905-957-3219

Do Not Pay - On Pre-Authorized Payment Plan.

Roll No. 2602-020-008-08300-0000	Bill No. 255444
Mortgage Company	Mortgage No.
CARLTON MICHAEL LAWRENCE KALMUKHANOVA ASSYLGUL 6696 CANBOROUGH RD WELLANDPORT ON L0R 2J0	Municipal Address/Legal Description 6696 CANBOROUGH RD CON BF PT LOT 3 PT LOT 4 RP 30R3892 PART 1
Customer ID: CARLT0004 KALMU0001	CARLTON MICHAEL LAWRENCE KALMUKHANOVA ASSYLGUL
Installment Due Dates	
1	2
2/26/2021 \$0.07	4/30/2021 \$608.00

Assessment			Township Levy	Regional Levy	Education Levy
Class	Value	Class/Educ. Support	Amount	Amount	Amount
FTEP	\$162,400.00	Farmlands Eng. Public	\$70.83	\$126.50	\$31.08
RTEP	\$175,600.00	Residential Eng. Public	\$306.35	\$547.15	\$134.33
Sub Totals >>>			Township Levy \$377.18	Regional Levy \$673.65	Education Levy \$165.39

<p>Interim levy amounts are based on 50% of the previous year's taxes.</p> <p>An annualized tax figure is used in this calculation to compensate for mid-year adjustments. If a property did not have any mid-year adjustments, the interim levy should equal 50% of the amount shown on your final 2020 tax notice.</p>	Summary	
	Sub-Total Tax Levy Special Charges/Credits 2021 Tax Cap Adjustment Interim 2021 Levies Past Due Taxes/Credits Total Amount Due	\$1,216.22 \$0.00 \$0.00 \$1,216.22 \$608.15 \$608.07

Township of West Lincoln
318 Canborough Street
P.O. Box 400
Smithville Ontario L0R 2A0
(905) 957-3346 Ext. 6002

Please pay installment(s) on or before due dates to avoid Penalty. Penalty and interest is fixed at a rate of 1.25%. Penalty and interest will accrue on unpaid taxes commencing at the first day of default and also on the first day of each calendar month thereafter.

Do Not Pay - On Pre-Authorized Payment Plan.
Your Monthly PAP Account \$2102.71.

PLEASE DETACH AND SUBMIT WITH PAYMENT THANK YOU

Received from:	
Roll #	2602-020-008-08300-0000
Name	CARLTON MICHAEL LAWRENCE KALMUKHANOVA ASSYLGUL
Address	6696 CANBOROUGH RD WELLANDPORT, ON L0R 2J0
Due Date	Total Due
April 30, 2021	\$608.00

Township of West Lincoln
318 Canborough Street

PLEASE DETACH AND SUBMIT WITH PAYMENT THANK YOU

Received from:

ZONING PROVISION	ENVIRONMENTAL ZONES	AGRICULTURAL ZONES	PROVIDED	COMMENT
PERMITTED USES (Sect. 5.2)	Existing uses, buildings and structures	Agricultural use		
	Accessory buildings or structures and accessory uses	Agriculture relates use		
		Single detached dwelling		
		Home industry accessory use		
Home occupation accessory use				
Minimum lot frontage (Sect. 5.3)	-	100 m	85 m	Existing undersized parcel / no negative impacts
Minimum lot area (Sect. 5.3)	-	40 ha	5 ha	Existing undersized parcel / no negative impacts
Minimum front yard Dwelling Other main building (Sect. 5.3)	10 m	15 m 20 m		
Minimum interior side yard Dwelling Other main building (Sect. 5.3)	10 mm	5 m 15 m		
Minimum exterior side yard Dwelling Other Main Building (Sect. 5.3)	10 mm	15 m 20 m		
Minimum rear yard Dwelling Other main building (Sect. 5.3)	10 mm	15 m 20 m		
Maximum lot coverage (Sect. 5.3)	5 %	10 %		
Maximum height	5 m	15 m		
Maximum landscape open space (Sect. 5.3)	95 %	No minimum-	n/a	n/a
Maximum outside storage* (Sect. 5.3)	-	5 % of the lot area		
Maximum ground floor area per accessory building or structure (Sect. 3.1)		100 sqm		
Maximum number of accessory buildings per lot (Sect. 3.1)		2		
Maximum number of accessory structures per lot (Sect. 3.1)		Based on maximum lot coverage (see below)		
Permitted yards (Sect. 3.1)		All Yards except the required front yard or required exterior side yard, except that a Type 1 accessory building or structure used for the retail sale of farm produce shall be permitted in the required front yard and required exterior side yard		
Minimum setback to front lot line (Sect. 3.1)		No closer to the front lot line than the main building, and in accordance with the minimum yard requirements of the applicable zone, except that a Type 1 accessory building or structure used for the retail sale of farm produce shall not be located any closer than 6 metres to the front lot line		
Minimum setback to exterior side lot line (Sect. 3.1)		No closer to the exterior side lot line than the main building, except that a detached private garage in the rear yard shall not be located any closer than 6 metres to the exterior side lot line, and a Type 1 accessory building or structure used for the retail sale of farm produce shall not be located any closer than 6 metres to the exterior side lot line		
Minimum setback to interior side lot line (Sect. 3.1)		2 m		
Minimum setback to rear lot line (Sect. 3.1)		2 m		
Maximum height (Sect. 3.1)		5.5 m		

Maximum <i>lot coverage</i> of all <i>accessory buildings or structures</i> on the <i>lot</i> (Sect. 3.1)		Greater of 2.5% or 1,000 m ² , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings and structures</i> in the respective <i>zone</i>		
Minimum setback from <i>main building</i> (Sect. 3.1)		3 m		
Maximum distance from a <i>main building</i> (Sect. 3.1)		The nearest point of a wall of the accessory building must be located within 50 metres of the <i>main building</i> (Bylaw 2018-61)		
<i>Home occupation regulations</i> (Sect. 3.7.2)	A <i>home occupation</i> shall be located entirely within a <i>dwelling</i> ,			
	The residential appearance and character of the <i>dwelling</i> shall be maintained			
	A maximum of one (1) <i>home occupation</i> shall be permitted per <i>dwelling unit</i> , except where provided otherwise in the By-law			
	A <i>home occupation</i> shall only be permitted where the <i>ground floor area</i> of the <i>dwelling unit</i> is not less than 55 square metres and shall occupy a maximum of 25% of the <i>gross floor area</i> of the <i>dwelling</i>			
	A <i>home occupation</i> shall not be located within an <i>accessory building or structure or private garage</i>			
	A <i>home occupation</i> shall be operated exclusively by the <i>person or persons</i> whose principal residence is the <i>dwelling</i> in which the <i>home occupation</i> is located, and no <i>person</i> who does not reside in the <i>dwelling</i> as a principal residence shall be employed by the <i>home occupation</i>			
	A <i>sign</i> is permitted to be displayed on the <i>lot</i> for the <i>home occupation</i>			
	There shall be no goods, wares or merchandise offered for sale or rent on the <i>lot</i> other than those produced on the lot as part of the <i>home occupation</i>			
	In the conduct of a <i>home occupation</i> , no machinery or processes which emit noise, vibration, glare, fumes, odour, dust, radio or television interference beyond the <i>lot</i> containing the <i>home occupation</i> are permitted			
An <i>office</i> is permitted as a <i>home occupation</i>				
<i>Home industry regulations</i> (Sect. 3.7.1)	A <i>home industry</i> shall be located within a <i>dwelling</i> and/or within an <i>accessory building or structure</i> to a <i>dwelling</i> , except where specifically provided otherwise in this By-law, and only where permitted by the applicable <i>zone</i>			
	The residential appearance and character of the <i>dwelling</i> shall be maintained			
	A maximum of one (1) <i>home industry</i> shall be permitted on a <i>lot</i> , except where specifically provided otherwise in this By-law			
	A <i>home industry</i> that is located in whole or in part within a <i>dwelling</i> shall only be permitted where the <i>ground floor area</i> of the <i>dwelling unit</i> is not less than 55 square metres and shall occupy a maximum of 25% of the <i>gross floor area</i> of the <i>dwelling</i> .			
	A <i>home industry</i> shall only be located in whole or in part within an <i>accessory building or structure or private garage</i> where: <ul style="list-style-type: none"> • The <i>lot</i> has a minimum <i>lot frontage</i> of 24 metres; and, • The <i>lot</i> has a minimum <i>lot area</i> of 4,000 square metres; and, • The <i>accessory buildings or structures</i> comply with the requirements of Section 3.1; and, • The total combined <i>gross floor area</i> used for the <i>home industry</i> in all <i>accessory buildings and structures</i> shall not exceed 100 square metres or the maximum <i>gross floor area</i> permitted for <i>accessory buildings and structures</i> by Section 3.1, whichever is less. (Bylaw 2018-61) 			
	A <i>home industry</i> shall be operated by the <i>person or persons</i> whose principal residence is the <i>dwelling</i> on the <i>lot</i> upon which the <i>home industry</i> is located, and up to a maximum of two (2) <i>persons</i> other than the residents of the <i>dwelling</i> are permitted to be employed in the <i>home industry</i> .			
	A <i>sign</i> is permitted to be displayed on the <i>lot</i> for the <i>home industry</i>			
	There shall be no goods, wares or merchandise offered for sale or rent on the <i>lot</i> other than those produced on the lot as part of the <i>home industry</i> .			
	<i>Outside storage</i> is not permitted as part of a <i>home industry</i>			
In the conduct of a <i>home industry</i> , no machinery or processes which emit noise, vibration, glare, fumes, odour, dust, radio or television interference beyond the <i>lot</i> containing the <i>home industry</i> are permitted.				
An <i>Agri-tourism / value-added use</i> , subject to Section 3.11 and an <i>office</i> are permitted <i>home industry uses</i> .				
<i>Cannabis Production</i> Sect. 3.10.3)	All <i>cannabis production</i> where permitted in Agricultural Zones shall have a minimum setback of 150m from all <i>lot lines</i> of other <i>lots</i> , except where specifically provided otherwise.			
	All <i>cannabis production</i> where permitted in Employment Zones shall have a minimum setback of 45m from all <i>lot lines</i> abutting <i>lots</i> that are <i>used</i> or permitted to be <i>used</i> for a <i>dwelling</i> or an <i>institutional use</i> , except where specifically provided otherwise.			
	No <i>outside storage</i> or outdoor growing or production of cannabis shall be permitted.			
	For any <i>cannabis production building or structure</i> that consists of more than 10% glass and where artificial lighting is required, a solid fence having a minimum <i>height</i> of 1.8 metres shall be provided and maintained along every <i>lot line</i> that abuts a <i>lot</i> that is <i>used</i> or permitted to be <i>used</i> for a <i>dwelling</i> or an <i>institutional use</i> .			
	A security fence having a minimum <i>height</i> of 1.8 metres shall be provided and maintained around the entire perimeter of the area of a <i>lot</i> that is used for a <i>cannabis production</i> .			
<i>On-farm diversified uses regulations</i> (Sect. 3.11)	An <i>on-farm diversified use</i> shall be located on a <i>lot</i> having a minimum <i>lot area</i> of 10 hectares and containing a permitted <i>agricultural use</i> and associated <i>single detached dwelling</i> , where the specific type of <i>on-farm diversified use</i> is permitted by the applicable <i>zone</i> .			
	A maximum of three (3) <i>on-farm diversified uses</i> shall be permitted on a <i>lot</i>			
	<i>On-farm diversified uses</i> shall not exceed the following size limits: <ul style="list-style-type: none"> • The area of the <i>lot</i> permanently, temporarily or seasonally devoted to <i>on-farm diversified uses</i> shall not exceed the lesser of 1% of the <i>lot area</i> or 0.5 hectare, including the area of existing and new <i>buildings and structures</i>, required parking and loading areas, <i>outside display and sales areas</i>, <i>outside storage areas</i>, and any other areas of the <i>lot</i> used for the on-farm diversified use, excluding <i>existing driveways</i> shared with a permitted <i>principal use</i> on the lot and areas that produce a harvestable crop; and, 			

	<ul style="list-style-type: none"> The total <i>gross floor area</i> that is permanently, temporarily or seasonally devoted to <i>on-farm diversified uses</i> shall not exceed 500 square metres including the <i>gross floor areas</i> used within all <i>main buildings or structures</i> and <i>accessory buildings or structures</i> on the <i>lot</i>; and, For the purposes of determining the maximum <i>gross floor area</i> permitted <i>the gross floor area</i> that is used for on-farm diversified uses within <i>existing main buildings</i> on the <i>lot</i> shall be discounted by 50%; and, <i>Accessory buildings or structures</i> that are used for <i>on-farm diversified uses</i> shall comply with the requirements of Section 3.1; and, <i>Main buildings or structures</i> that are used for <i>on-farm diversified uses</i> shall comply with the regulations of the applicable <i>zone</i>; and, The total <i>lot coverage</i> of all <i>main buildings or structures</i> and <i>accessory buildings or structures</i> shall not exceed the maximum <i>lot coverage</i> of the applicable <i>zone</i>. 		
	<i>On-farm diversified uses</i> shall be accessory and directly related to the existing permitted <i>agriculture use(s)</i> on the <i>lot</i> and shall primarily serve the <i>existing permitted agricultural use(s)</i> on the <i>lot</i> and the <i>existing permitted agricultural uses</i> on surrounding <i>lots</i> in the area.		
	<i>On-farm diversified uses</i> that involve value-added packaging, processing, sale and/or storage of products shall be limited to products produced by, or derived from, the principal agricultural use(s) on the lot as the primary source of the majority of the product, and may include product sourced from <i>agricultural uses on surrounding lots</i> in the area as a secondary source of product		
	<p>Retail sales that form part of <i>on-farm diversified uses</i> shall be subject to the following regulations:</p> <ul style="list-style-type: none"> The <i>gross floor area</i> devoted to retail sales shall not exceed 50% of the <i>gross floor area</i> of all <i>buildings and structures</i> used in conjunction with the <i>on-farm diversified uses</i>, to a maximum of 200 square metres of <i>gross floor area</i> for retail use; and, The <i>gross floor area</i> devoted to retail sale of products that are not produced on, or derived from, agricultural products produced on the <i>lot</i>, shall not exceed 25% of the <i>gross floor area</i> of all <i>buildings and structures</i> used in conjunction with the <i>on-farm diversified uses</i>, and, A maximum of one (1) retail outlet shall be permitted on a <i>lot</i>; and, The maximum area of the <i>lot</i> permitted to be used for <i>outside display and sales areas</i> shall be 25 square metres and such outdoor area shall not be counted as part of the maximum <i>gross floor area</i> permitted for retail use; and, <i>Outside display and sales areas</i> shall be setback a minimum of 3 metres to all <i>lot lines</i>; and, <i>Outside display and sales areas</i> and any related <i>structures</i> shall not exceed a maximum <i>height</i> of 3 metres. 		
	<i>Outside storage</i> for purposes other than <i>outside display and sales areas</i> on the <i>lot</i> shall be located in a <i>rear yard</i> or <i>side yard</i> and screened from view from <i>public streets</i> and adjacent <i>lots</i> by <i>planting strips</i> in accordance with Subsection 3.9.2, and shall comply with the regulations of the applicable <i>zone</i>		
	<i>On-farm diversified uses</i> shall be operated by the <i>person</i> or <i>persons</i> whose principal residence is the <i>dwelling</i> on the <i>lot</i> , and a maximum of two (2) <i>persons</i> other than the residents of the <i>dwelling</i> on the <i>lot</i> are permitted to be employed in the business of the <i>on-farm diversified uses</i> .		
	<i>On-farm diversified uses</i> that include overnight accommodations shall be limited to a permitted <i>bed and breakfast establishment</i> in accordance with Section 3.4		
	Notwithstanding the regulations of this Section to the contrary, certain <i>on-farm diversified uses</i> are subject to additional or different regulations contained in other Sections of this By-law, as follows: <ul style="list-style-type: none"> The requirements of Section 3.4, for <i>bed and breakfast establishments</i>; and, The requirements of Section 3.7, for <i>home occupations</i> and <i>home industries</i>; and, The requirements of Section 3.8, for <i>private kennels</i> and <i>pet care establishments</i>. 		
	Parking for <i>on-farm diversified uses</i> shall be provided in accordance with Section 3.12		
	A <i>sign</i> is permitted to be displayed on the <i>lot</i> for <i>on-farm diversified uses</i>		
Parking and Loading Facilities (Sect.3.12.6)	<i>On-farm diversified uses</i> - 1 parking space per 55 m2 of gross floor area (Bylaw2018-61)		