



**Revised Planning Justification Report**

**Niagara Essential Oils and Blends – Lavender Farm**

**Agricultural Market & Farm Storage and Processing Facility**

**Zoning By-law Amendment & Site Plan Application**

**933 Niagara Stone Road, Niagara-on-the-Lake**

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## **Section 1 – Introduction and Background**

The following Revised Planning Justification Report has been prepared on behalf of the owners of 933 Niagara Stone Road, 2679569 Ontario Corporation Niagara, also known as, Niagara Essential Oils & Blends Inc. (“NEOB”). This report has been revised since the original submission dated August 2024 to confirm that the proposed Agricultural Market and Farm Storage and Processing Building are Agricultural-Related uses rather than On-Farm Diversified Uses.

The Report has been revised to recognize that the Zoning Bylaw Amendment Application will be processed before and separately from the Site Plan Agreement. The revised technical site plan agreement documents required to implement the proposed zoning bylaw amendment will be submitted in January 2025. They will be revised only to the extent necessary to deal with the minor site plan changes that have occurred since receiving Town comments on September 13, 2024.

Established in 2010, NEOB is one of the largest commercial lavender growers in Ontario. NEOB is a farming operation whose primary focus is the growing of lavender and producing several lavender scented products such as essential oils and other scented products that are sold in their retail stores. NEOB has retail stores in downtown Niagara-on-the-Lake, Elora, Stratford, and Bracebridge. In addition, additional flowers are grown for sale as both fresh and dried flowers and also processed for their essential oils.

Originally located on a two-acre property on Regional Road 55 in the Town of Niagara-on-the-Lake, NEOB purchased the property at 933 Niagara Stone Road (“the subject property”) totaling 5.0-hectares (12.5 acres) in 2022. On the original site NEOB had lavender fields and grew other complimentary crops. They attracted tourists to their site and sold lavender products all year round. During the summer, NEOB also ran lavender focused events, which attracted visitors beyond the Niagara Region.

NEOB has now set out on a journey to build on their original operation and create, through time, a larger and more successful lavender farming operation with complimentary Agricultural-Related Uses. The Agricultural-Related Uses will include, the processing of the produce grown on the farm and the retail sale of the products processed on the farm.

Since the purchase of the subject property, the property has been under-drained. Seven acres of lavender have been planted to date with 20,000 lavender plants eventually being planted. Approximately two acres have been planted in fresh flowers consisting of zinnias, strawflowers and snapdragons. In addition, 3000 hydrangea plants will be planted in 2025.

The owners are applying to site specifically zone the farm to permit an Agricultural Market which will provide for the sale of produce grown on the farm and products that are made by processing the crops grown on the farm as well as permitting the construction of a Farm Storage and Processing Building.

Initially NEOB has converted an existing garage into a Seasonal Home Grown Produce Stand to sell produce that is grown on the farm (e.g. fresh and dried flowers), which is permitted as-of-right in the zoning bylaw. NEOB is now proposing to construct a farm building that along with the existing Produce Stand will together become the Agricultural Market, selling oils and other products processed from the lavender and other plants grown on the farm. A building permit for a 262.08m<sup>2</sup> (2,821 ft<sup>2</sup>) agricultural building has already been issued, and this application will enable it to become an Agricultural Market to sell year-round, lavender products and the flowers grown on the farm. In addition, ownership is proposing other improvements to the farm to streamline NEOB’s operations, including a farm help house, a farm dwelling, and a Farm Storage and



Processing Building for farm storage and the processing of lavender oils, all of which are considered agricultural and agricultural-related uses.

A Pre-Consultation meeting with the Town of Niagara-on-the-Lake was held on March 2, 2023. It was determined that the implementation of the proposed Agricultural Market buildings, which will sell products processed from crops grown on the farm as well as the Farm Storage and Processing Building, requires a site-specific amendment to the Town of Niagara-on-the-Lake Zoning By-law, and a Site Plan application to implement the proposed development.

## **Section 2– Application and Purpose**

Schedule A – Rural Area (Attachment 1) of the Town of Niagara-on-the-Lake Zoning By-law 500A-74 zones the subject property Rural (A) zone. The Rural (A) zone does not list an Agricultural Market as a permitted use. As well, the processing on the farm, of the agricultural produce is not listed as a permitted use. Subsequently, a Zoning By-law Amendment is required to change the existing zoning from Rural (A) to Special Exemption XY – Niagara Essential Oils and Blend (21.A. XY) Zone to permit the Agricultural Market use and the processing of the produce grown on the subject property.

A Site Plan application has been submitted in conjunction with the Zoning By-law Amendment to implement the proposed development.

The purpose of this report is to provide a thorough analysis of the proposed agricultural-related uses and evaluate the appropriateness of the proposed Zoning By-law Amendment and Site Plan Approval applications in the context of the Provincial Policy Statement (2020), the Provincial Policy Statement 2024, Greenbelt Plan (2017), Niagara Region Official Plan (2022), Town of Niagara-on-the-Lake Official Plan and the Town of Niagara-on-the-Lake Zoning By-Law 500A-74.



### **Section 3 – Subject Property and Neighbourhood**

The subject property is known legally as PT TWP LT 170 NIAGARA AS IN R0317470 EXCEPT LANDS IN MIC. PL 1102 S/TNTP15297 and known municipally as 933 Niagara Stone Road. The subject property is located at the intersection of Concession 7 Road, Line 4 Road, and Niagara Stone Road, in a predominantly agricultural area of the Town. Several vineyards, orchards and clusters of non-farm rural residences and farm related industrial/commercial uses are located nearby.

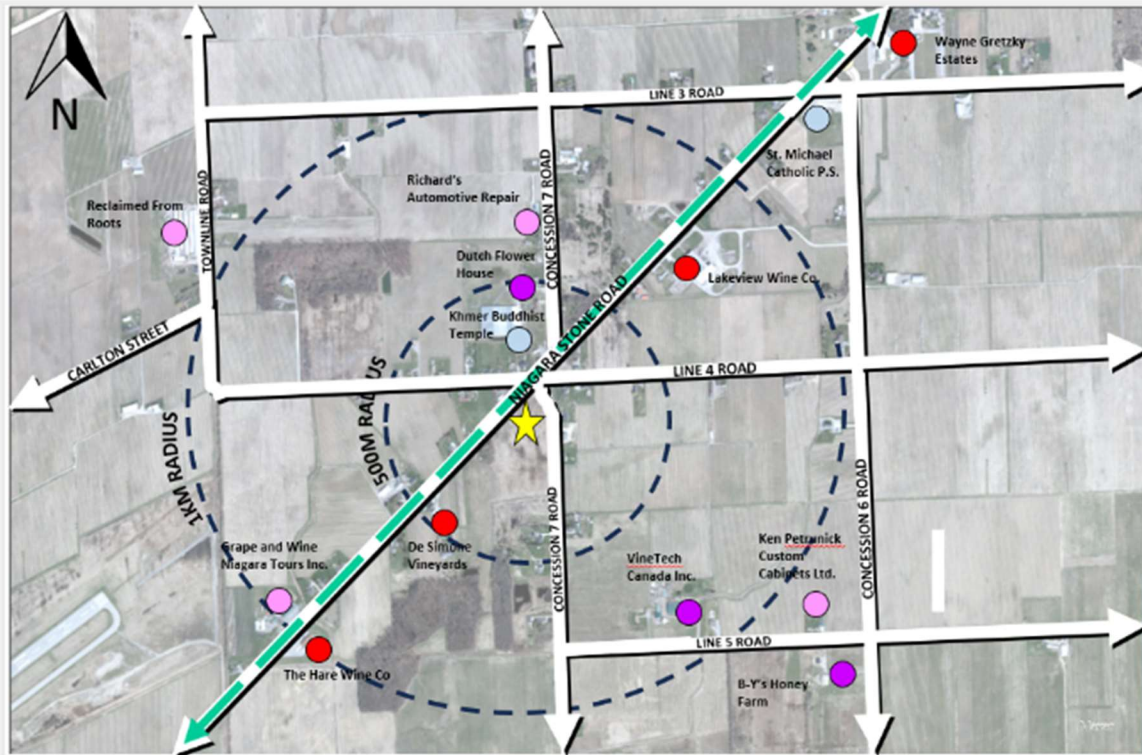
The 5.0-hectare (12.5 acre) property has approximately 138.63 metres of frontage on Niagara Stone Road. The farm is currently planted in lavender. A 56.1m<sup>2</sup> (603 ft<sup>2</sup>) existing garage has been converted into a Seasonal Home Grown Produce Stand and a farm help trailer is located on the property that is approximately 72 m<sup>2</sup> (775 ft<sup>2</sup>) in size. A building permit has been issued for an agricultural farm building, 262.08m<sup>2</sup> (2821 ft<sup>2</sup>) which will be constructed adjacent to the Seasonal Home Grown Produce Stand. Both of these buildings are proposed to be zoned to become an Agricultural Market. See attached aerial imagery (Attachment 2) and Site Plan (Attachment 3) for reference.

#### **Adjacent Existing Land Uses**

- **North**
  - To the north of the subject property across Niagara Stone Rd. are a cluster of detached rural dwellings and institutional uses.
  - Further to the north are orchard and several rural residential dwellings surrounded by agricultural land uses.
- **East**
  - To the east of the subject property are several detached rural dwellings that back onto vineyards and orchards and are part of existing agricultural landscape.
  - Further to the east are agricultural land uses including vineyards and orchards.
- **South**
  - Adjacent to the property is a detached rural dwelling on lots that back out onto existing agricultural land uses.
  - Further to the south are more rural detached dwellings and agricultural land uses including vineyards and agricultural businesses such as B-Y's honey farm
- **West**
  - To the west and immediately adjacent to the property is an existing dwelling backing onto agricultural operations.
  - Further to the west lies more agricultural operations.

Details of the surrounding area within a 1-kilometer radius of the subject property can be found in the context map below (Figure 1).

Figure 1 – Context Map



Icon	Description	Icon	Description
	Subject Property		Institutional Uses
	Wineries		Agricultural Uses
	Retail & Services		Niagara Region Strategic Cycling Network

## Section 4 – Proposed Development

The two proposed Agricultural Market buildings will sell lavender oils and blends that are made from lavender and other plants grown on the farm. The Agricultural Markets will operate year-round. Additional Agriculture-Related Uses in the form of Farm Storage and Processing Building (691.2m<sup>2</sup> / 7,440ft<sup>2</sup>) are also proposed. These are permitted as of right in the zoning bylaw. See Attachment 3 for the proposed Site Plan.



The proposed Agricultural Market buildings will be located to the north of the subject property, fronting onto Niagara Stone Road. The Markets will sell NEOB products; processed lavender, (such as essential oils and other scented products) which is made from the lavender and other plants grown and processed on the subject property.

The proposed elevations of the future market buildings are illustrated on Attachment 3. They will be designed as a board and batten sided barn building, creating an inviting retail experience for patrons by establishing the identity of a farm. They will be designed to meet the requirement of the Building Code and Fire Code, of which further details will be provided as part of the Building Permit application process.

A new Farm Storage and Processing building, approximately 691.2m<sup>2</sup> / 7,440ft<sup>2</sup>, is proposed to the south of the produce stand. The Farm Storage and Processing building will be used for farm storage and oil processing facilities as an Agriculture-Related Use. The proposed structure will be constructed of corrugated metal siding for its facades and roof while some walls will be treated with two-coat stucco treatments to ensure the processing building is visually appealing. The building will contain the following: a general office area (91.44m<sup>2</sup>/ 984ft<sup>2</sup>), warehouse / processing area (478.87m<sup>2</sup> / 5,155ft<sup>2</sup>), and a Flower Drying Area (96.77m<sup>2</sup> / 1,042ft<sup>2</sup>) vital to NEOB's operations. (Attachment 3) It is anticipated that four (4) employees will work in this building.

The southern and southeastern boundaries of the subject property will be screened with black & white spruce trees and American arborvitae species. The proposed farm dwelling will be screened from the adjacent dwelling and Concession 7 Road by black spruces in the front and American arborvitae to the south. The eastern boundary of the property follows the same landscape pattern as the southern boundary consisting of a mixture of spruces and American arborvitae. The western boundary of the property line consists of multiple woodward arborvitae shrubs to aid in screening the farm storage building and the farm help trailer from the adjacent lands.

The driveway entrance to the property located on Niagara Stone Road and the parking lot will be enhanced by maple and redbud trees. Lining the interior sidewalks surrounding the proposed Agricultural Market buildings are a collection of shrubs including hydrangeas, lilacs, and asters.

The primary access point and functional frontage will be the existing driveway located on Niagara Stone Road. This access will be used by the public, employees, and service vehicles. The Niagara Stone Road access is utilizing and improving on an existing driveway condition.

A total of 22 parking spaces (with two (2) accessible parking spaces) are proposed to accommodate the parking demands for the new retail uses. Three (3) additional bus parking spaces for out-of-town tour groups is being accommodated alongside 14 parking spaces located in front of the agricultural markets for customers. An additional eight (8) parking spaces are provided on the driveway to the Farm Storage & Processing Building.

There is an existing 400mm Niagara Regional watermain and an existing 250mm PVC Town watermain located along Niagara Stone Road. A new private septic system is proposed at the southwest corner of the subject property. An Application for a Permit to Construct or Demolish a Sewage System was submitted to Niagara Region on December 1, 2023. Approval for the construction of a Class 4 Sewage System (Type A Bed – Waterloo) was provided by Niagara Region on February 13, 2024. Supporting studies have been conducted in support of the proposed development and are highlighted in Section 6.0 of this report. Potable water will be provided by cisterns.



Schedule A – Rural Area (Attachment 1) of the Town of Niagara-on-the-Lake Zoning By-law 500A-74 zones the subject property Rural (A) zone. The Rural (A) zone does not list Agricultural Market, as a permitted use. A Zoning By-law Amendment is required to change the existing zoning from Rural (A) to Special Exemption XY – Niagara Essential Oils and Blend (21.A. XY) Zone to permit Agricultural Markets and the Farm Storage & Processing Building on the subject property.

A Site Plan Approval application has been submitted concurrently with the Zoning By-law Amendment and will provide further details of the proposed development. A site plan, landscape plan, lighting plan, building elevations and floor plans along with the functional servicing report, grading and stormwater management plan for the proposed development have been submitted along with the necessary applications. The technical reports will be revised as necessary to implement the proposed site plan.

## **Section 5 - Policy Framework**

### **Section 5.1 - Provincial Policy Statements (2020 and 2024)**

The amended Provincial Policy Statement ("PPS") came into effect on May 1, 2020, and subsequent 2024 amendment "Provincial Planning Statement" ("PPS") came into effect on October 20, 2024 which updates the Provincial government's policies on land use planning. The document provides policy direction with respect to land use planning to promote strong communities, a strong economy, and a clean and healthy environment.

The subject lands were located within the Prime Agricultural Area of the 2020 PPS.

The PPS 2020 and 2024 provide definitions for the uses in agricultural areas. Guidelines on Permitted uses in Ontario's Prime Agricultural Areas, Publication 851, have subsequently been developed to assist municipalities and are now an important tool in supporting agricultural uses and the economic activities that will reinforce the agricultural industry.

The permitted uses within Prime Agricultural Areas are defined as follows:

- Section 2.3.3.1 (PPS 2020), which states: "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."
- Section 4.3.2.1 (PPS 2024), which states: "In prime agricultural areas, permitted uses and activities are agricultural uses, agriculture related uses, and on-farm diversified uses based on provincial guidance. 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 provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives."

Relevant PPS (2024) definitions include:

- Agricultural Uses are defined within the PPS as follows: "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 housing for farm workers when the size and nature of the operation requires additional employment”.

- Agricultural-Related Uses are defined within the PPS as follows: *“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.*
- Agri-Tourism are defined within the PPS as follows: *“farm-related tourism uses...that promote the enjoyment, education or activities related to the farm operation.”*

The definitions provided in Part 5: Section 6 of the 2020 PPS and Chapter 8 of the 2024 PPS have taken a comprehensive approach to requiring the protection of prime agricultural land, particularly specialty crop lands, and supporting the additional uses that will ensure the economic viability of the operating farm including “Agriculture-Related Uses” farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area”.

The lavender farm is a beautiful agricultural operation which will attract visitors to view and take pictures of the fields and purchase the produce. Considering the subject property’s total site area of 50,471.61 m<sup>2</sup> and the square footage of 262.08 m<sup>2</sup> (2,821 ft<sup>2</sup>), the proposed Agricultural Market is secondary to the principal agricultural use of the property as it is limited in area. The approval of the Agricultural Market to sell lavender products on the subject property will support NEOB’s efforts to economically diversify their farming operation. This development will facilitate an additional value-added use and as an agri-tourism use, it will increase the economic and consumer appeal of NEOB’s agricultural product as well as be an important addition to the agricultural economy in Niagara.

The proposed development is an example of an Agricultural-Related Use as defined by the PPS.

Agricultural-Related Uses are supported by a number of Sections within the PPS, including:

- Section 1.1.4.1 (2020), which states:  
*“Healthy, integrated and viable rural areas should be supported by:*
  1. *Building upon rural character, and leveraging rural amenities and assets*
  2. *Promoting regeneration, including the redevelopment of brownfield sites*
  3. *Accommodating an appropriate range and mix of housing in rural settlement areas*
  4. *Encouraging the conservation and redevelopment of existing rural housing stock on rural lands*
  5. *Using infrastructure and public service facilities efficiently*
  6. *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*
  7. *Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets*
  8. *Conserving biodiversity and considering the ecological benefits provided by nature*
  9. *Providing opportunities for economic activities in prime agricultural areas in accordance with policy 2.3”*
- Section 2.5.1 (2024), which states:  
*“Healthy, integrated and viable rural areas should be supported by:*
  - a) *Building upon rural character, and leveraging rural amenities and assets*
  - b) *Promoting regeneration, including the redevelopment of brownfield sites*
  - c) *Accommodating an appropriate range and mix of housing in rural settlement areas*



- d) *Using rural infrastructure and public service facilities efficiently*
  - e) *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*
  - f) *Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets*
  - g) *Conserving biodiversity and considering the ecological benefits provided by nature*
  - h) *Providing opportunities for economic activities in prime agricultural areas in accordance with policy 4.3”*
- 
- Section 1.7.1 (2020), which states: *“Long-term economic prosperity should be supported by:*
    - 1. *Promoting opportunities for economic development and community investment-readiness*
    - 3. *Optimizing the long-term availability and use of land, resources, infrastructure, and public service facilities*
    - 9. *Sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network.”*
  
  - Section 2.3.1 (2020), which states: *“Prime agricultural areas shall be protected for long-term use for agriculture.”*
  
  - Section 4.3.1 (2024), which states: *“General Policies for Agriculture:*
    - 1. *Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.*
    - 2. *As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture*
  
  - Section 4.3.2 (2024), which states: *“Permitted Uses:*
    - 2. *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*
    - 4. *A principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).*

Both versions of the PPS have taken a comprehensive approach to requiring the protection of prime agricultural land, particularly specialty crop lands, and supporting the additional uses that will ensure the economic viability of the operating farm on the land.

In accordance with the Sections detailed above, the proposed Zoning By-law Amendment and Site Plan Approval application are consistent with the PPS. The proposed development has been thoughtfully designed to protect the land for its long-term use for agriculture. The Agriculture-Related Uses will promote economic diversification for NEOB, creating no anticipated conflicts with adjacent farming operations. The proposed development is designed to build upon the existing rural character of the immediate area and leverage rural amenities and assets to offer economic opportunities in accordance with the Provincial Policy Statement and associated guidelines. Further, as an Agriculture-Related Use, the proposed Agricultural Market and Storage



and Processing Facility will promote economic diversification, improve the local agricultural economic network and tourism as anticipated by the PPS.

The PPS encourages Agricultural-Related, On-Farm Diversification, and Agricultural Tourism uses to support agriculture, preserve crop lands, and contribute to the economic viability of the farming businesses. Guidelines have been prepared to enable municipalities to guide their decision making when considering the approval of secondary uses and ensuring adjacent agricultural operations are not adversely impacted. These guidelines have been evaluated in detail within Section 5.4 of this report.

The proposed development is consistent with the PPS.

## **Section 5.2 - Growth Plan for the Greater Golden Horseshoe (2020)**

The Growth Plan for the Greater Golden Horseshoe 2020 has been consolidated with the PPS of 2020 to create the PPS 2024 as of October 20, 2024. Previously it provided a framework for building stronger, prosperous communities by better managing growth. The Growth Plan stated that natural areas and agricultural lands will provide a significant contribution to the Region's resilience and ability to adopt to a changing climate. Unique and high-quality agricultural lands would be protected for the provision of healthy, local food for future generations. Farming will be productive, diverse, and sustainable.

The Growth Plan underscored the protection of agricultural lands by directing growth to Settlement Areas (2.2.1 Managing Growth) and "supporting the environmental and agricultural protection and conservation objectives of this plan" (2.2.1,3 d) as well as directing the expansion of any Settlement Area away from "prime agricultural areas" (2.2.8 3(f)). Section 4.2.6 Agricultural system requires that municipalities map specialty crop areas and protect them "for long-term use for agriculture" which has been done through the Niagara Region and Town of Niagara-on-the-Lake Official Plans.

There are policy directives within the Growth Plan that supported agricultural uses in the Greater Golden Horseshoe, including the economic diversification of an Agricultural Market/Retail Store proposed on the subject property, including:

- Section 1.2.1, which states: *"The policies of this plan...are based on the following principles: "Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network.;" and, "Protect and enhance natural heritage, hydrologic and landform systems, features and functions"*
- Section 4.2.6, which states: *"Prime agricultural area, including specialty crop areas, will be designated in accordance with mapping identified by the Province, and these areas will be protected for long-term use for agriculture...Municipalities are encouraged to implement regional agri-food strategies and other approaches to sustain and enhance the Agricultural System and long-term economic prosperity and viability of the agri-food sector."*

The proposed Agricultural Market Use and Farm Storage and Processing Building are consistent with the Growth Plan for the Greater Golden Horseshoe. The subject property is located within a "Specialty Crop Area" within the Greenbelt Plan and the Niagara Region Official Plan, and "Agriculture" in the Town of Niagara-on-the-Lake Official Plan. Subsequently, the subject property is protected for long term agricultural use by all Provincial, Regional and Town planning documents, which is consistent with the Growth Plan. The limited



scale of Niagara Essential Oils and Blend's proposed Agricultural Market and oils production operations will further support the local agricultural economy.

The proposed development of the Agricultural Market as an Agricultural-Related Use, and Small Scale Industrial and Commercial Activities are consistent with the objectives of the Growth Plan. The proposed uses and how they align with Provincial Guidelines for Agricultural-Related uses are explored in greater detail within Section 5.4 of this report.

### **Section 5.3 - Greenbelt Plan**

The Greenbelt Plan is a Provincial policy document that was amended effective July 1<sup>st</sup>, 2017, and addresses the significance of Southern Ontario's farmland and introducing guiding principles to protect farmlands. These guiding principles look to protect sensitive prime agricultural areas while encouraging diversity within the agricultural sector, enhancing economic opportunities. The subject property located is within the Greenbelt Area Boundary (Attachment 4).

The Greenbelt Plan designates the subject property "Specialty Crop Area (Niagara Peninsula Tender Fruit and Grape Area)" within the "Protected Countryside" designation. Lands under this designation shall be protected for the long-term use for agriculture, with Specialty Crop Areas given the highest priority for protection.

The proposed development of an Agricultural Market and Farm Storage and Processing building as Agricultural-Related Uses is supported by several Sections within the Greenbelt Plan, including:

- Section 1.2.1, which states: "*The Greenbelt is a broad band of permanently protected land which:*
  - *Protects against the loss and fragmentation of the agricultural land base and supports agriculture as the predominant land use;*
  - *Provides for a diverse range of economic and social activities associated with rural communities, agriculture, tourism, recreation and resource uses;*
- Section 1.2.2.1, which states: "*To enhance our urban and rural areas and overall quality of life by promoting the following matters within the Protected Countryside:*
  - a) *Protection of the specialty crop area land base while allowing agriculture-supporting infrastructure and value-added uses necessary for sustainable agricultural uses and activities*
  - b) *Support for the unique nature of specialty crop areas as our vital fruit and vegetable growing regions, which includes*
    - The Niagara Peninsula specialty crop area, a destination for and centre of agriculture focused on the agri-food sector and agritourism related to grape and tender fruit production;*
  - d) *Provision of the appropriate flexibility to allow for agricultural, agriculture-related and on-farm diversified uses, normal farm practices and an evolving agricultural and rural economy.*
  - e) *Increasing certainty for the agricultural sector to foster long-term investment in the agri-food network and improvement to and management of the agricultural land base; and*



- f) *Enhancing the strengths of the Agricultural System, including through consideration for the impacts of development on agriculture and planning for local food and near-urban agriculture.*"
- Section 3.1.2, which states: *"For lands falling within the specialty crop areas of the Protected Countryside, the following policies shall apply:*
    1. *All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected, and a full range of agricultural uses, agricultural-related uses, and on-farm diversified uses are permitted based on the provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations*
    6. *The geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network shall be maintained and enhanced."*

In accordance with Section 1.2.2 and Section 3.1.2, the proposed Zoning By-law Amendment and Site Plan Approval is consistent with the Greenbelt Plan. The Greenbelt Plan supports competitive, economically sustainable, and environmentally friendly agricultural uses. The proposed uses will conform to the intent of the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. As illustrated by the analysis within Section 5.4 of this report, the Greenbelt Plan is supportive of the proposal for the Agricultural Markets and the Farm Storage and Processing Building.

In accordance with the PPS and Greenbelt Plan, the proposed Agricultural Market buildings on the subject property will maintain the land base for agricultural uses and support a thriving agricultural industry and rural economy in Niagara. Agriculture will remain the principal use of the subject property, as a minimal amount of land is being taken out of agricultural production, this development will positively impact the viability of ongoing and future farming operations (See Table 2 below). The growing of local lavender and flowers on the subject property will remain unhindered, and the agricultural character of the surrounding area will be maintained.

As illustrated on the provided Site Plan (Attachment 3), the proposed Agricultural Market use and the Storage and Processing Facility are small scale and designed and located to be compatible with existing agricultural operations. The secondary uses will not impact the functionality of the agricultural operations of the lavender farm. As such, normal farm practices on the subject property and adjacent lands will continue unhindered, and the agricultural and rural character of the surrounding area will be maintained.

Implementing Agricultural-Related uses on the property will contribute to the economic viability of the lavender and flower farm and make a positive contribution to the agricultural and tourism industry of Niagara-on-the-Lake and Niagara Region.

Subsequently, the proposed Zoning By-law Amendment and Site Plan Approval applications are consistent with the policy directives of the PPS, the Growth Plan, and the Greenbelt Plan.



**Section 5.4 - Publication 851 – Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas**

The Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas Publication 851 helps municipalities, decision makers, farmers, and others interpret the policies in the PPS regarding the uses that are permitted in Prime Agricultural Areas (Attachment 5). These Guidelines are not regulations and provide a set of criteria to assist in the evaluation of proposed Agricultural-Related Uses.

The proposed Agricultural-Related Uses include, an Agricultural Market which will sell products grown and processed on the property and the Farm Storage and Processing building where produce grown on the farm are processed and stored.

Section 2.2 of the Provincial Guidelines for Permitted Uses in Ontario’s Prime Agricultural Areas (Ontario Publication 851) Agricultural-Related uses describe six (6) criteria that should be considered, being:

- Farm-related commercial and farm-related industrial use
- Shall be compatible with, and shall not hinder, surrounding agricultural operations
- Directly related to farm operations in the area
- Supports Agriculture
- Provides direct products and/or services to farm operations as a primary activity
- Benefits from being in close proximity to farm operations

To demonstrate conformity, the proposed development has been evaluated against these criteria in Table 1 below.

<b>Table 1</b>		
<b>#</b>	<b>Criteria</b>	<b>Justification</b>
1	Farm-related commercial and farm-related industrial use)	The proposed Agriculture-Related (Agricultural Markets & Farm Storage and Processing Facility) uses focus on the processing and retail sale of value-added products created from the lavender and other produce grown on the property itself. The industrial use is the processing and storage of lavender in the proposed Farm Storage and Processing Facility creating value-added products from lavender grown on the farm. The commercial uses are the proposed agricultural markets that will conduct retail sales of processed produce grown on the subject property.
2	Shall be compatible with, and shall not hinder, surrounding agricultural operations	The proposed Agriculture-Related uses will not hinder surrounding agricultural practices. The site is presently being used to farm lavender plants and has demonstrated compatibility with its existing lavender operations with respect to the surrounding areas,  A servicing plan and a SWM / FSR has been provided with this application to demonstrate that the proposed Agricultural-Related use’s servicing requirements is appropriate for the level of rural services located on the site. The existing road access from Niagara



		<p>Stone Road has been used as the primary access and egress for 933 Niagara Stone Road and has demonstrated functionality with its road access requirements. As such, the servicing and access requirements for the proposed use will not pose any negative impacts.</p> <p>The proposed Agriculture-Related uses maintain the rural character of the neighbourhood by reusing the existing previously existing garage and now produce stand as part of a proposed agricultural market in conjunction with the proposed retail building. The proposed agricultural markets are designed to take on the aesthetics of a barn similar to other historic barns in the community. Proposed lighting is limited as there is currently only one light pole being proposed which illuminates the proposed parking area. The photometric plan illustrates that the extent of the light pole focuses on illuminating the parking and retail areas while limiting light pollution onto neighbouring residential uses. The landscaping plan provided illustrates that the proposed uses will be screened from adjacent uses by plantings along property boundaries. The proposed signage will be designed to coordinate with the rural character of the area and meet the requirements of the Town sign bylaw.</p> <p>The proposed Agriculture-Related uses are limited in nature and will not negatively impact the agricultural nature of the area as the operations of NEOB's lavender farm is a permitted agricultural use.</p>
3	Directly related to farm operations in the area	<p>The proposed Agriculture-Related uses are directly related to the lavender and other flowers being grown on the farm. The value-added products created from processing lavender grown on the farm at the Agriculture-Related Farm Storage &amp; Processing Facility will have immediate access to the agricultural market and processing facility located on the site itself. The lavender farm and the Agricultural-Related Uses will complement the other Agri-tourism, uses in the Town.</p>
4	Supports Agriculture	<p>The proposed Agriculture-Related uses support the existing lavender farming operations by transforming the farmed lavender into value-added products for retail sale. The products will then be sold at the proposed agricultural markets. The growing, processing and sale of lavender products will be a strong addition to the agricultural economy in Niagara.</p>



5	Provides direct products and/or services to farm operations as a primary activity	The proposed Agriculture-Related uses are reliant on the existing farm operation to provide produce and will enable the sale of value-added products created from the lavender grown on the farm. The primary use of the land is for the purpose of growing lavender which provides the produce for the proposed agricultural market and processing facility.
6	Benefits from being in close proximity to farm operations	The proposed Agriculture-Related uses are directly located on the same lot that is being used for existing farm operations which eliminates any shipping costs from the farm to the processing facility, and from the processing facility to the location of said Agriculture-Related uses.

Consistent with these guidelines, the proposed Agriculture-Related uses will be established on an existing lavender farm. The subject property is located within the Prime Agricultural area and on lands considered as a Specialty Crop Area under the Greenbelt Plan.

The proposed Agriculture-related uses will be secondary to the principal Agricultural use as a lavender farm.

The proposed uses will be small scale and limited in area. Figure 2 of Publication 851 specifically lists “Processing of produce grown in the area” as an example of “Agriculture-Related uses” and illustrates other examples of such uses as a farmer’s market (Attachment 5). The farm operation comprises of approximately 4 hectares (10.5 acres) of lavender fields and 1 hectare (2 acres) of other fresh flowers. NEOB’s operations in Niagara-on-the-Lake represents a total of 5.0 hectares (12.5 acres). The Agricultural Market and Storage and Processing Facility will be 691.2m<sup>2</sup> / 7,440ft<sup>2</sup> in size.

The Agricultural Market and Farm Storage & Processing Facility are examples of an Agriculture-Related Uses as described in Section 2.4, Table 2 of Publication 851, which includes the following uses:

- Value-retention of farm products
- Value-added process
- Pick-your-own operation

The proposed development will support agriculture through economic diversification of the existing farming operation and the Niagara agricultural economy.

The intention of Provincial Guidelines for the scale of diversification is to ensure that such uses remain secondary to the principal operation of farming, and that such uses are minor in nature so that rural character is maintained. The proposal to add Agriculture-Related uses to the site will not change the relationship between the existing farm operations. The proposed development will remove a minimal amount of land from the growing of crops; flowers, lavender and other agricultural produce. Once the "Agriculture-Related Uses" are implemented, NEOB will continue to exist compatibly with adjacent agricultural uses. The introduction of the "Agriculture-Related Use" will not result in any adverse impacts to abutting landowners.



When applying these Guidelines comprehensively, the proposed use is limited in scale as there is no negative impact of the Agriculture-Related uses on the lavender farm nor adjacent agricultural operations. The proposal is in conformity with the policies of the Provincial Policy Statement and the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, Publication 851. Subsequently, the proposed Zoning By-law Amendment is consistent with the PPS and Publication 851.

## **Section 5.5 - Niagara Region Official Plan (2022)**

On November 4th, 2022, the Minister of Municipal Affairs and Housing approved the 2022 Niagara Official Plan, with modifications. The new Niagara Official Plan is a long-term land use planning document that shapes and defines the Region for future generations. The Official Plan identifies an agricultural system for protection and sets out policies to facilitate a strong, diverse and resilient agricultural economy.

As detailed on Attachment 6, the subject property is designated Specialty Crop Area within the Greenbelt Area Boundary on Schedule F – Agricultural Land Base. As such, the proposed development is subject to a number of objectives and policies, including:

- Section 4.1: *"The objectives of this section The Agricultural System are as follows:*
  1. *Facilitate a strong, diverse, and resilient agricultural economy*
  2. *Protect the region's agricultural land base*
  3. *Ensure agriculture is the predominant land use in specialty crop areas and prime agricultural areas*
  4. *Ensure the long-term sustainability and function of uses within the agricultural system*
  5. *Protect specialty crop areas from fragmentation.*
- Section 4.1.2.3: *"In specialty crop areas and prime agricultural areas, all types, sizes, and intensities of agricultural uses and normal farm practices shall be promoted and protected, and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are permitted"*
- Section 4.1.7.3: *"Agriculture uses, agriculture-related uses and on-farm diversified uses are permitted in the following areas:*
  - a. *specialty crop areas*
  - b. *prime agricultural areas, and*
  - c. *rural lands"*
- Section 4.1.7.4: *"Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations"*
- Section 4.1.7.5: *"Agriculture-related uses and on-farm diversified uses shall be consistent with the provisions of the Provincial Policy Statement, and conform to the Growth Plan, Greenbelt Plan, and Niagara Escarpment Plan."*

To ensure that the proposed Agriculture-Related use is in conformity with the Niagara Regional Official Plan, a table has been prepared illustrating how the proposed development meets the criteria for Agriculture-Related uses located in Table 4-1 of the Official Plan.



<b>Table 2</b>		
<b>#</b>	<b>Criteria</b>	<b>Justification</b>
1	May or may not be on a farm.	The proposed Agriculture-Related Uses (Agricultural Markets & Farm Storage and Processing Facility) will be located on the existing lavender farm and will facilitate the processing and retail sale of produce grown on the farm.
2	Farm-related commercial and farm-related industrial use	The proposed Agriculture-Related (Agricultural Markets & Farm Storage and Processing Facility) uses focus on the processing and retail sale of value-added products created from the lavender and other produce grown on the property itself. The industrial use is the processing and storage of lavender in the proposed Farm Storage and Processing Facility creating value-added products from lavender grown on the farm. The commercial uses are the proposed agricultural markets that will conduct retail sales of processed produce grown on the subject property.
3	Compatible with, surrounding agricultural operations	<p>The proposed Agriculture-Related uses will not hinder surrounding agricultural practices. The site is presently a farm growing lavender plants and has demonstrated compatibility with its existing lavender operations with respect to the surrounding areas,</p> <p>A servicing plan and a SWM / FSR has been provided with this application to demonstrate that the proposed Agricultural-Related use's servicing requirements is appropriate for the level of rural services located on the site. The existing road access from Niagara Stone Road has been used as the primary access and egress for 933 Niagara Stone Road and has demonstrated functionality with its road access requirements. As such, the servicing and access requirements for the proposed use will not pose any negative impacts.</p> <p>The proposed Agriculture-Related uses maintain the rural character of the neighbourhood by reusing the existing previously existing garage and now produce stand as part of a proposed agricultural market in conjunction with the proposed retail building. The proposed agricultural markets are designed to take on the aesthetics of a barn similar to other barns in the community. Proposed lighting is limited as there is currently only one light pole being proposed which illuminates the proposed parking area. The photometric plan illustrates that the extent of the light pole focuses on illuminating the parking and retail areas while limiting light pollution onto neighbouring residential uses. The landscaping plan provided illustrates that the proposed uses will be screened from adjacent uses by plantings along property boundaries. The proposed signage will be designed to coordinate with</p>



		<p>the rural character of the area and meet the requirements of the Town sign bylaw.</p> <p>The proposed Agriculture-Related uses are limited in nature and will not negatively impact the agricultural nature of the area as the operations of NEOB's lavender farm is a permitted agricultural use.</p>
4	Directly related to farm operations in the area	The proposed Agriculture-Related uses are directly related to the lavender being grown on the farm. The value-added products created from processing lavender grown on the farm at the Agriculture-Related Farm Storage & Processing Facility will have immediate access to the agricultural market is located on the site itself. The lavender farm and the Agricultural-Related Uses will complement the other Agri-tourism, uses in the Town.
5	Supports Agriculture	The proposed Agriculture-Related uses support the existing lavender farming operations by transforming the farmed lavender into value-added products for retail sale. The products will then be sold at the proposed agricultural markets. There are also many other inputs to the production process and sale of product which support the agricultural industry in Niagara.
6	Provides products and/or services to farms.	The proposed Agriculture-Related uses are reliant on the existing farm operation to provide produce and will enable the sale of value-added products created from the lavender grown on the farm. The primary use of the land is for the purpose of growing lavender which provides the produce for the proposed agricultural market and processing facility.
7	Benefits from proximity to farms	The proposed Agriculture-Related uses are directly located on the same lot that is being used for existing farm operations which eliminates any shipping costs from the farm to the processing facility, and from the processing facility to the location of said Agriculture-Related uses.

The lavender and flower farm and proposed Agricultural-Related Uses are located within the Specialty Crop Area as defined in Publication 851 and the Niagara Regional Official Plan. The proposed Agricultural Market will not hinder existing and surrounding agricultural operations. As detailed above, the proposed development is consistent with Provincial Guidelines for permitted uses in Speciality Crop Areas and is supported by higher order planning documents including the Niagara Official Plan. The Niagara Regional Official Plan's guidelines for Agriculture-Related uses are similar to the guidelines in Publication 851. The justification provided remains the same except for the 1<sup>st</sup> criteria highlighted in the Niagara Official Plan requiring that the Agriculture-Related use be located on a farm. The Agriculture-Related uses are located directly on a farm as to facilitate the efficient harvesting, processing, and sale of lavender and other plants grown on the farm.



The Niagara Region Official Plan lists processing of Agricultural Products as an example of permitted Agriculture-Related uses in Table 4-1 indicating that the proposed Farm Storage & Processing Facility is permitted. The proposed Agriculture-Related buildings are located on the same property where its products will be grown and will not interfere with the primary agricultural operation. The Agriculture-Related uses will create a major revenue stream for NEOB and support economic diversification of their existing farming operation. Agriculture will continue as the principal use of the property. As such, the proposed development is in conformity with the Niagara Region Official Plan.

## **Section 5.6 – Town of Niagara-on-the-Lake Official Plan**

The Town of Niagara-on-the-Lake Official Plan (“Town OP”) provides policy direction for the future development of the community and the provision of public works within the community. The policies of the plan are directed towards preserving the agricultural land base, particularly prime agricultural land.

The Town OP designates the subject property as Agricultural on Schedule A - Land Use Plan (Attachment 7). As such, the proposed development is subject to several objectives and policies, including:

- Section 7.2, which states:

*“Goals and Objectives:*

- *To help ensure the preservation of prime agricultural lands for farming with particular emphasis on the preservation of specialty crop lands,*
  - *To help preserve the existing and potential agriculturally productive land giving highest priority to Good Tender Fruit/Grape Lands.*
  - *To allow flexibility to farm operations in both type and size and to permit the expansion and contraction of farm operations as necessary provided that the farm remains economically viable and that the size of the farm is appropriate and common in the area*
  - *To permit a limited amount of farm-related development by way of retirement lots, selectively located small scale agriculturally related commercial and industrial developments*
  - *To ensure that existing small-scale industries and commercial uses supportive of agricultural operations are allowed to expand where appropriate, while requiring new development or redevelopment not primarily related to where agriculture is to locate in appropriately designated areas.*
  - *To ensure that agricultural areas are protected from harassment and conflict from non-farm residents and non-farm related uses through measures such as preventing the development of non-farm uses in the Agricultural designation.*
  - *To consider the impact on agriculture as the primary guideline in evaluating development proposals in the agricultural area.”*
- Section 7.3.1, which states: *“In the agricultural designation the following uses shall be permitted:*

*Main Uses: The main use permitted is agriculture including all types of farming, their related buildings and structures, the farm residence, the raising of animals and fowl, market gardening, greenhouses and nurseries, forestry and reforestation. Conservation of water, soil, wildlife and other natural resources in their natural state is also permitted.*

*Secondary Uses: Uses permitted with a Main Use:*

- *Roadside Produce Outlets*



- *Farm Wineries*
- *Home Industries and Occupations included Bed & Breakfasts*
- *Group Homes*
- *Accessory Buildings and Structures*
- *Farm Help Houses and Additional Farm Dwellings for Seasonal or Full Time Farm Help*

*Uses Permitted Independent of Main Use*

- *Agricultural Market*
- *Estate Wineries*
- *Small scale industrial and commercial activities that are directly related to and serve agriculture and require a location in close proximity to farms. Provided that such uses are not in conflict with the Niagara Escarpment Plan, as amended from time to time and it is not possible for such uses to locate in Urban Areas. Such uses should also be located so that their effect on surrounding prime agricultural land and viable farm operations is minimized.*
- *Retirement lots*

“Agricultural Market” is listed under Uses Permitted Independent of Main Use under Section 7.3.1 of the Town’s Official Plan and is an example of an “Agriculture-Related” as defined in the PPS. Figure 2 of Publication 851 specifically lists “Processing of produce grown in the area” as an example of “Agriculture-Related Use” (Attachment 5).

The proposed Small Scale Industrial and Commercial activities in the form of a farm storage and processing building are directly related to the agricultural operations of the existing lavender farm and meets the intent of the Official Plan. The proposed Agricultural Markets will sell oils and other products made from lavender and other plants grown on the subject property

Given the success of the NEOB brand that has been built over the years, and like their previous location, ownership is intending to operate the proposed Agricultural Market buildings on a year-round basis that will sell oils made from lavender grown and processed on the subject property, as well as flowers that are grown on the property. The proposed Markets will support the increased viability of the farming operation and ensure that the primary function of the subject property, the cultivation of lavender, is protected long into the future. The proposed Agricultural Market will contribute to the economic viability of the existing lavender farm, while maintaining a size and scale that is appropriate for the property’s current rural setting and meets the intent of the Town of Niagara-on-the-Lake’s Official Plan. The proposed development will not negatively impact adjacent uses and will not hinder nearby agricultural operations. It will reinforce Niagara’s agricultural economy.

The proposed development’s conformity with Provincial Guidelines for Agriculture-Related Uses have been made the focus of Section 5.4 of this report. As such, the proposed Zoning By-law Amendment conforms to the Town of Niagara-on-the-Lake’s Official Plan.

## **Section 5.7 - Town of Niagara-on-the-Lake Zoning By-Law 500A-74**

Zoning By-Law 500A-74 controls the use of land outside of the Urban Area within Niagara-on-the-Lake. As illustrated on Attachment 1, the subject property is currently zoned as Rural (A).

The property is a “Farm”, with an existing “Seasonal Home Grown Produce Stand”. An “Agricultural Market” is not listed as a permitted use and only permitted by way of a site-specific Zoning By-law Amendment. As such, a zoning amendment is being requested to further amend Bylaw 500A-74 to rezone the subject property from



Rural (A) to Rural (A-XX). The Agricultural Market and Farm Storage and Processing Facility are required to be defined and listed as permitted on the subject property.

As illustrated and described by the attached Draft Zoning By-law Amendment for the subject property, the proposed amendment will result in the following site-specific amendments.

**SPECIAL EXCEPTION XY - 933 NIAGARA STONE ROAD - NIAGARA ESSENTIAL OILS AND BLENDS (NEOB) (21.A.XY) ZONE:**

1. In addition to the permitted uses of “Section 4 - Rural (A) Zone”, the following use shall apply on the subject lands:
  - a. Agricultural Market
  - b. Farm Storage & Processing Building
2. The following provisions shall apply;
  - a. For the purposes of this amending By-law only and for the land zoned Rural (A) - Site Specific Zone, the following definitions shall apply:

*Agricultural Market* shall mean “a building and land used for the year-round retail sale of plants, fresh & dried flowers, and products made from processed lavender and other plants grown on the subject property.”

*Farm Storage & Processing Building* shall mean “a building and land used for the year-round processing and storage of agricultural produce grown on the subject property.”

- b. The maximum gross leasable floor area for the *Agricultural Market* shall be 320m<sup>2</sup> (3,444 ft<sup>2</sup>)

The maximum gross leasable floor area for the *Farm Storage & Processing Building* shall be 695m<sup>2</sup> (7,481ft<sup>2</sup>)

- c. Off-street parking for the *Farm Storage & Processing Building* shall be provided at the rate of 1 (one) parking space per employee.

<b>Table 2</b>		
<b>Provision</b>	<b>Rural (A)</b>	<b>Provided</b>
Min Lot Frontage	38.10m	177m along Niagara Stone Road / 331.5m along Concession 4 Road
Min Lot Area	4.05 ha.	5.05 ha.
Min Depth	N/A	320.8m
Max Lot Coverage	15%	Building 1: 0.52% Building 2: 0.11% Building 3: 1.36% Building 4: 0.14% Building 5: 0.36% Total 2.50%
Min Front Yard Setback	15.24m	Building 1: 27.7m Building 2: 18.3m



		<p>Building 3: N/A Building 4: N/A (Onto Niagara Stone Road)</p> <p>Building 5: 15.24m (onto Concession 4 Road)</p>
Min Interior Side Yard Setback	3.05m	<p>Building 1: N/A Building 2: 16.9m Building 3: 14.0m Building 4: 14.4m (Towards western lot line)</p> <p>Building 5: 3.05m (Towards southern lot line)</p>
Min Exterior Side Yard Setback	9.14m	<p>Building 1: 118m Building 2: N/A Building 3: 147.3m Building 4: N/A (Towards eastern lot line)</p> <p>Building 5: N/A (Towards northern lot line)</p>
Min Rear Yard Setback	15.24m	<p>Building 1: 188.8m Building 2: 198.5m Building 3: 109.3m Building 4: 96.6m (Towards southern lot line)</p> <p>Building 5: 160.4m (Towards western lot line)</p>
Max Building height	10.67m	<p>Building 1: 6.4m Building 2: 3.2m Building 3: 7.0m Building 4: 3.4m Building 5: 6.5m</p>
Min Dwelling Floor Area	1 Storey: 92.0m <sup>2</sup>	Building 5: 185.4m <sup>2</sup>
Max Retail Area <sup>a)</sup>	Agricultural Market: 18.5m <sup>2</sup>	<p><b>Building 1: 262.08m<sup>2</sup></b> <b>Amendment Required</b> <b>Building 2 56.1m<sup>2</sup></b></p>



		<b>Amendment Required</b>
Min Required Parking	<p>Agricultural Market: 1 P/S per 18.5m<sup>2</sup></p> <p>Farm Storage &amp; Processing Building: 1 P/S per employee</p> <p>Farm Help Trailer: N/A</p> <p>Dwelling-One Family: N/A</p> <p><b>Required P/S Per Building:</b>            Building 1: 14.1 P/S            Building 2: 3 P/S            Building 3: 4 P/S            Building 4: N/A            Building 5: N/A</p> <p>Total Required P/S: 21.1 P/S</p>	<p>Standard P/S: 22 (Including 2 Barrier-Free P/S)</p>

**Proposed Zoning By-Law Amendments**

- a) **MAXIMUM RETAIL AREA COVERAGE** – The proposed amendments to the Agricultural Markets are proposed to implement the proposed Agricultural Market use as part of the proposed Agricultural-Related use. The Maximum Retail Area is being defined in order to confirm the retail function remains secondary to the main use, the farming operation.

In addition to the Agricultural Market and Farm Storage and Produce building advancing the agricultural network and economy, NEOB role as an agri-tourism attraction reinforces the Town’s and Region’s direction to expand the tourist industry beyond Spring, Summer, & Autumn. Given the success of the NEOB brand that has been built over the years, ownership is intending to operate the proposed Agricultural Market on a year-round basis that will sell value-added products originating from the Agriculture-Related use of the farm storage & processing building creating products from lavender grown and on the subject property, as well as flowers that are grown on the property. The proposed Agricultural Market buildings will support the increased viability of the farming operation by selling the value-added products ensuring that the primary function of the subject property, the cultivation of lavender, is protected long into the future. The proposed Farm Storage and Processing building will enhance the economic viability of the existing lavender farm and the agricultural economy in Niagara, while maintaining a size and scale that is appropriate for the property’s current rural setting and meets the intent of the Zoning By-law.

As detailed previously within this report, the proposed application will not change the relationship between the existing lavender farm and adjacent uses. The proposed development will provide 22 car parking spaces and 3 bus parking spaces. Amending the Zoning By-law to permit an appropriately scaled Agricultural Market that is permitted to sell small-scale goods and merchandise not related to agriculture, will implement the Provincial policies and Niagara Region and Town of Niagara-on-the-Lake’s Official Plans by facilitating the economic diversification of NEOB, while maintaining land use compatibility. Adding permissions for an “Agricultural Market” as an “On-Farm Diversified Use” will be a positive addition to the Niagara agricultural system and will not negatively impact ongoing farming operations on the property, or in the immediate rural community.



As such, the requested amendments to the Zoning By-law are in conformity with the policy direction provided by the Town of Niagara-on-the-Lake's Official Plan.

## **Section 6 – Development Considerations**

In accordance with the March 2, 2023, Pre-Consultation Agreement with the Town-of-Niagara-on-the-Lake, several supporting reports, and studies have been prepared to guide the proposal, including:

### **6.1 Archaeological Assessment and Ministry Letters**

A Stage 1 & 2 Archaeological Assessment was prepared by Archaeological Consultants Canada, dated June 26, 2023, in support of the proposed development. The assessment concluded that no artifacts or other archaeological resources were identified during the Stage 1 & 2 archaeological assessment.

A letter from the Ministry of Citizenship and Multiculturalism (MCM), dated February 2, 2024, confirming that a review and entry of the Stage 1 and 2 Archaeological Assessment for 933 Niagara Stone Road has been completed.

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports.

### **6.2 Functional Servicing and Stormwater Management Brief**

A Functional Servicing and Stormwater Management Brief was prepared by Urban & Environmental Management Inc., dated March 1, 2024, in support of the proposed development. This report will be revised and submitted for approval by the Town to implement the site plan as presently proposed.

There is an existing 400mm Niagara Regional watermain and an existing 250mm PVC Town watermain located on Niagara Stone Road. There is also an existing fire hydrant connected to the 250mm Town watermain located along the north boulevard of Niagara Stone Road across the street from the subject property. Water for fire fighting will be provided by the fire hydrant located on the north-west side of Niagara Stone Road across the street from the site. Fire flows were estimated for the proposed retail building based on using non-combustible construction (unprotected metal structural components, masonry, or metal walls). The total required flow for this site will be approximately 5000 L/min. Static water pressure in the area is around 65 psi and sufficient water supply is available from the 250mm Town watermain.

Domestic water will be supplied by a cistern that will be replenished by water from the Town of Niagara on the Lake water supply. The total domestic water demand was calculated to be 76.8 L/min.

The proposed development will be on a private septic system designed for a maximum 10,000 litre daily volume. To estimate the peak domestic use, for comparison to peak domestic water demand an estimate using OBC Section 7 fixture units is also provided. Peak domestic sewage flow for 9 water closets (bathroom group with flush tank) is 3.18 l/s (190.8 L/min). A septic system design package prepared by Niagara Septic Inspection & Design Inc. for the total daily design sanitary sewage flow for the site is summarized in Section 6.6 below.



From a stormwater management perspective, the proposed grading and stormwater management system will direct building and pavement runoff overland to pervious grass areas, and to grass swales with infiltration trenches which will attenuate runoff, retain stormwater, and promote infiltration, and will meet the stormwater management objectives of controlling site discharge to within pre-development levels for up to the 100-year design storm. Low impact development measures have been incorporated into the design, including grass buffer strips, grassed swales and infiltration trenches will provide the necessary quality control to provide a minimum 80% TSS removal for an enhanced level of treatment per Niagara Region's SWM requirements.

The March 1, 2024, Functional Servicing and Stormwater Management Brief, and the accompanying drawings submitted, concluded that there is sufficient municipal servicing for the proposed development. The details of that report will be refined to implement the proposed site plan,

### **6.3 Septic Report**

An *Application for a Permit to Construct or Demolish a Sewage System* was submitted to Niagara Region on December 1, 2023. Approval for the construction of a Class 4 Sewage System (Type A Bed – Waterloo) was provided by Niagara Region on February 13, 2024. A copy of the approval can be found in Attachment 8 of this report.



## **Section 7 - Conclusion and Recommendation**

This report has illustrated that the proposed Agricultural Market meets the objectives, policies, and development criteria of the Provincial Policy Statement (2020), the Greenbelt Plan (2017), the Growth Plan for the Greater Golden Horseshoe (2019), the Provincial Planning Statement (2024), the Niagara Regional Official Plan (2014), and the Town of Niagara-on-the-Lake Official Plan.

The Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (Publication 851) provides municipalities assistance in implementing these policies. The proposal meets the intent of the Publication 851 guidelines for Agriculture-Related uses. The Agricultural Related Uses will continue to be limited in area and remain a secondary component to NEOB's farming operations in Niagara-on-the-Lake.

The proposed use meets the policy direction for these uses.

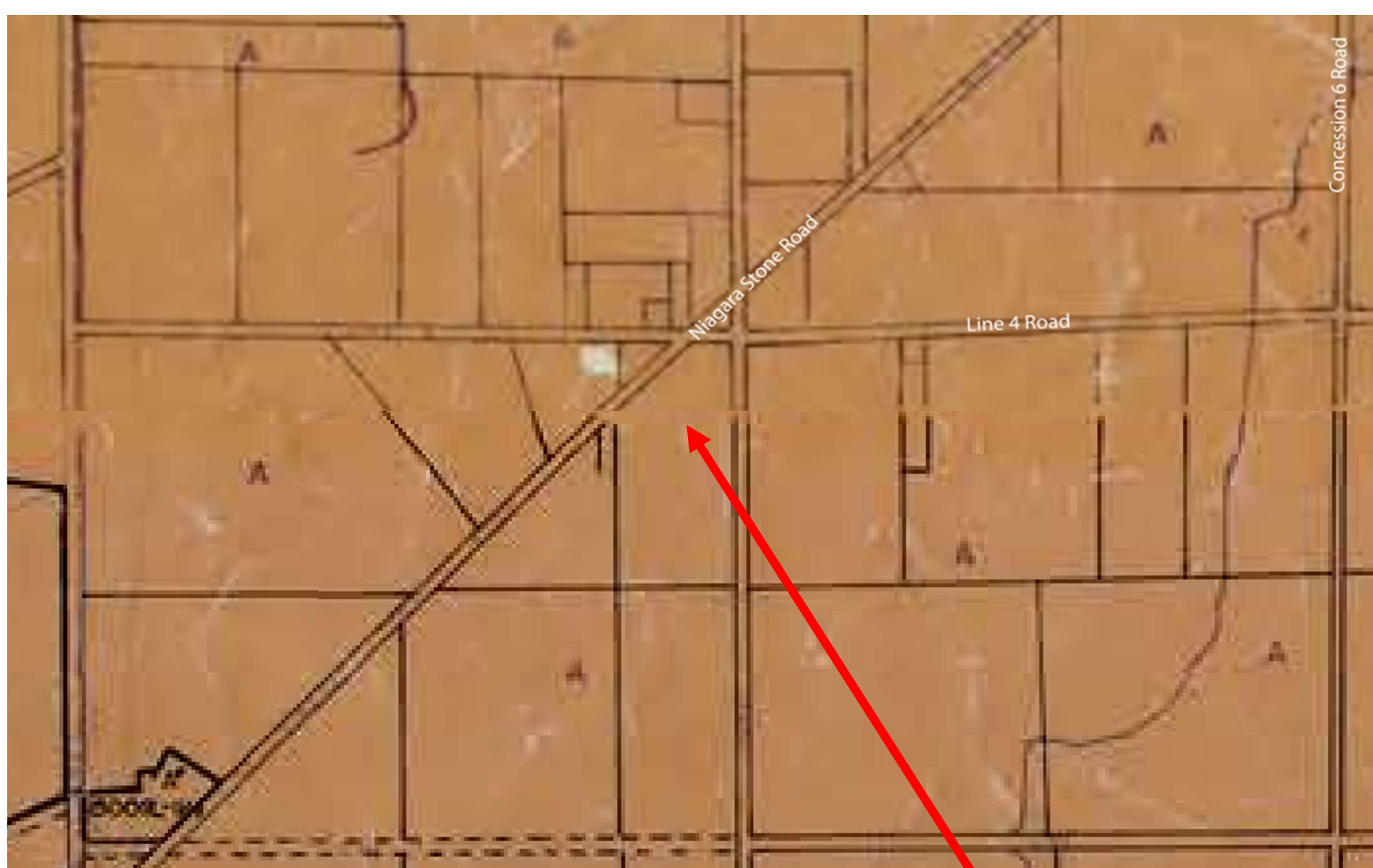
- Minimal land will be taken out of agricultural production,
- There will be no negative impact on the existing agricultural operation or any nearby agricultural operation,
- The proposed Agriculture-Related uses will diversify the lavender farm operation and contribute to NEOB's economic viability.
- The development will make a positive contribution to the Regional agricultural network.

It is recommended that the proposed Zoning By-law amendment and Site Plan application be approved as they represent good planning.

Prepared by,

A handwritten signature in black ink that reads "Stephen Bedford". The signature is written in a cursive, flowing style.

Stephen Bedford, MCIP, RPP, PLE  
Principal Planner  
LANDx Developments Ltd



Subject Property



Niagara Navigator



NAVIGATOR



Legend

0 0.07 0.15 0.3 0.45 0.6

© 2023 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17.

Date: 2024-04-02 Time: 11:41 AM



The Niagara Region makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, currency or otherwise of the information shown on this map.

Map by Microsoft, Terrain by Esri



## Attachment 2: Aerial Image of Subject Property



**KEY PLAN**  
SCALE: 



**OWNER'S NAME**  
OWNER'S SIGNATURE

**Town of Niagara-on-the-Lake**

**LORD MAYOR**  
**TOWN CLERK**  
DATE

**PROPERTY DESCRIPTION**  
PT TWP LT 170  
Niagara at in P0217470.  
Easement in Mo. PL 1182 s/n 611001  
Niagara-on-the-Lake

**MUNICIPAL ADDRESS**  
933 Niagara Stone Road  
Niagara on the Lake ON L0G 1J0



Standard Fire route sign  
LOOKING SOUTH ON PLW 45 87

**DISABLED PARKING**  
**SGS SPECIFICATIONS**

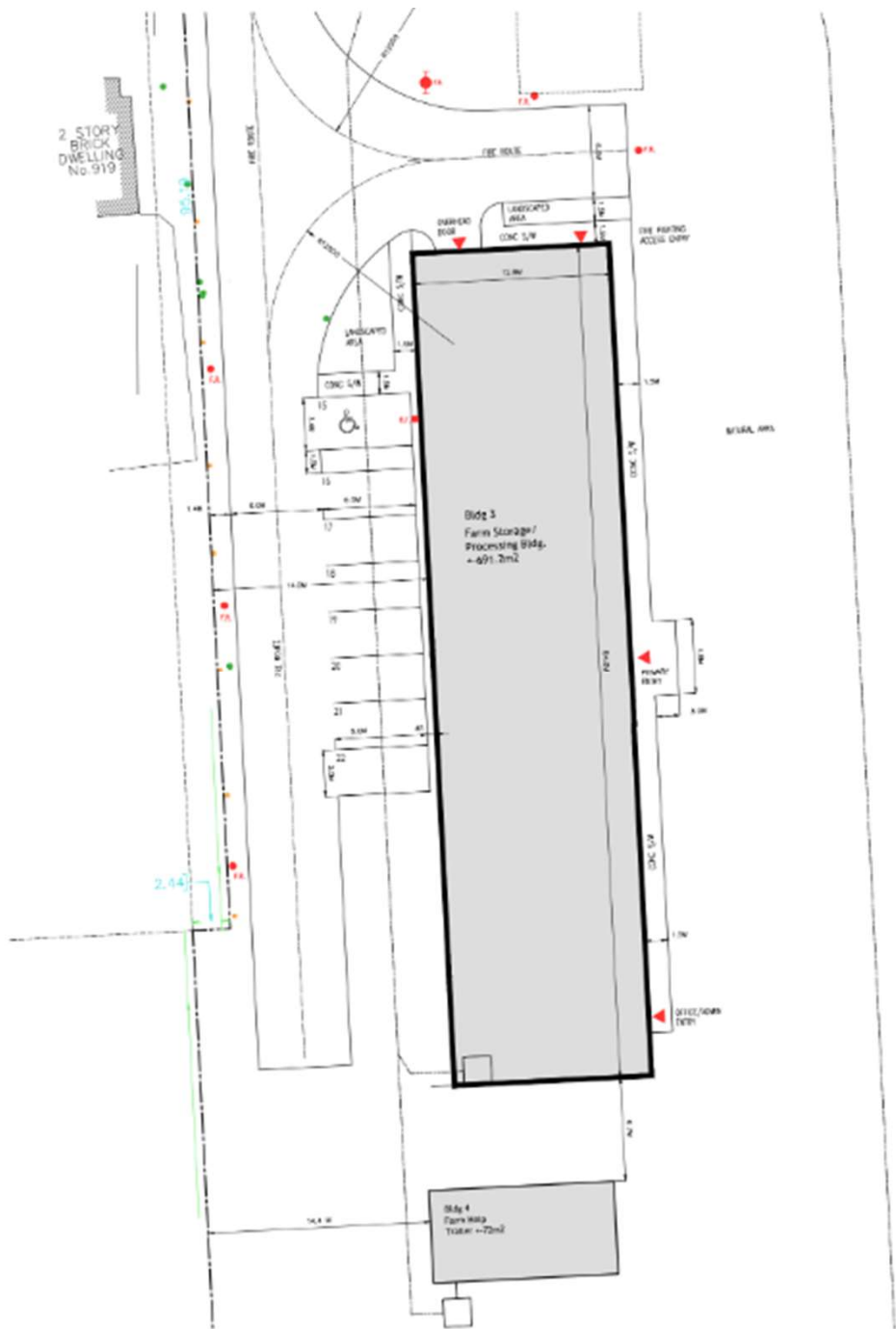
REGULATIONS: BLACK TOPPED (1" DEPTH MINIMUM)  
PAVEMENT, YELLOW PAINT  
CONTRASTING SURFACE  
MINIMUM WIDTH: 3.0M

INSTALLATION: 90 DEGREE ANGLE  
MINIMUM 1.5M CLEARANCE



**\$300.00 Fine**

Standard Barrier Free Signage  
LOOKING SOUTH ON PLW 45 87



neob inc



ANDREW ALLEN HELLWIG

CONSULTANT



neobniagara

**enlarged site**  
Farm Storage and Processing

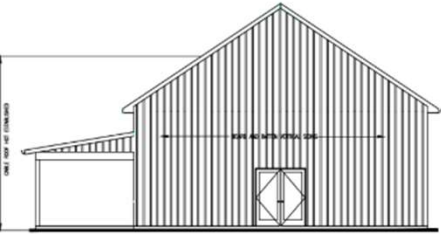
**disclaimer**

**copyright**

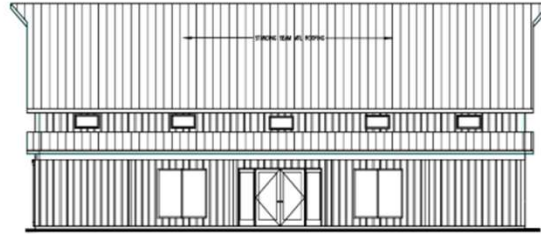
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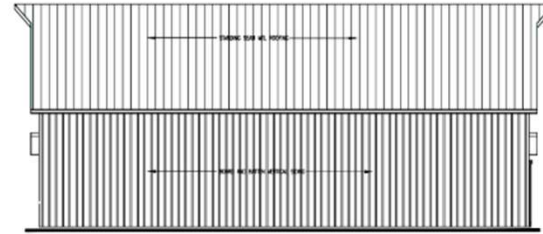
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proposed agricultural market (262.08 m2)



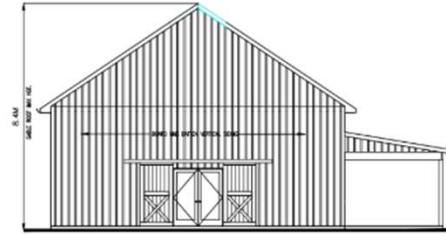
West (Right Side) Elevation  
SCALE 1:100



North (Front) Elevation  
SCALE 1:100



South (Rear) Elevation  
SCALE 1:100

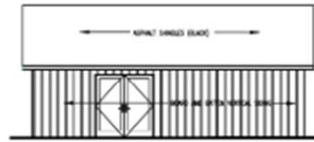


East (Left Side) Elevation  
SCALE 1:100

building 2  
Agricultural Market 56.1m2



East (Left Side) Elevation  
SCALE 1:100



North (Front) Elevation  
SCALE 1:100

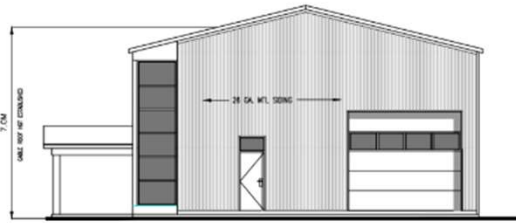


South (Rear) Elevation  
SCALE 1:100

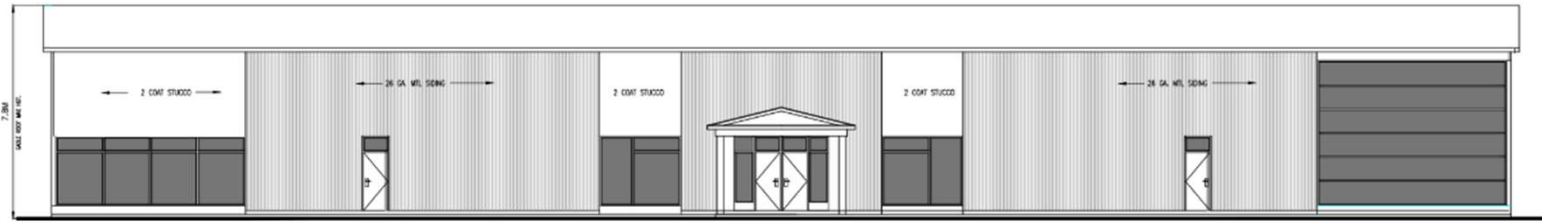


West (Right Side) Elevation  
SCALE 1:100

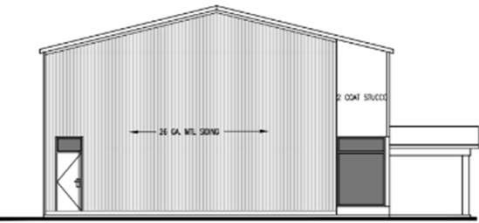
building 3  
future Farm Storage/processing building (691.2m2)



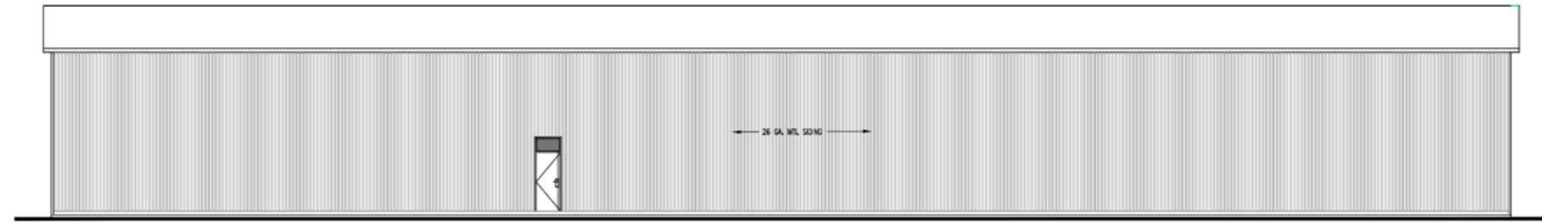
North (Front) Elevation  
SCALE 1:100



East (Left Side) Elevation  
SCALE 1:100



South (Rear) Elevation  
SCALE 1:100



West (Right Side) Elevation  
SCALE 1:150

building 4  
farm help trailer (72m2)



West (Right Side) Elevation  
SCALE



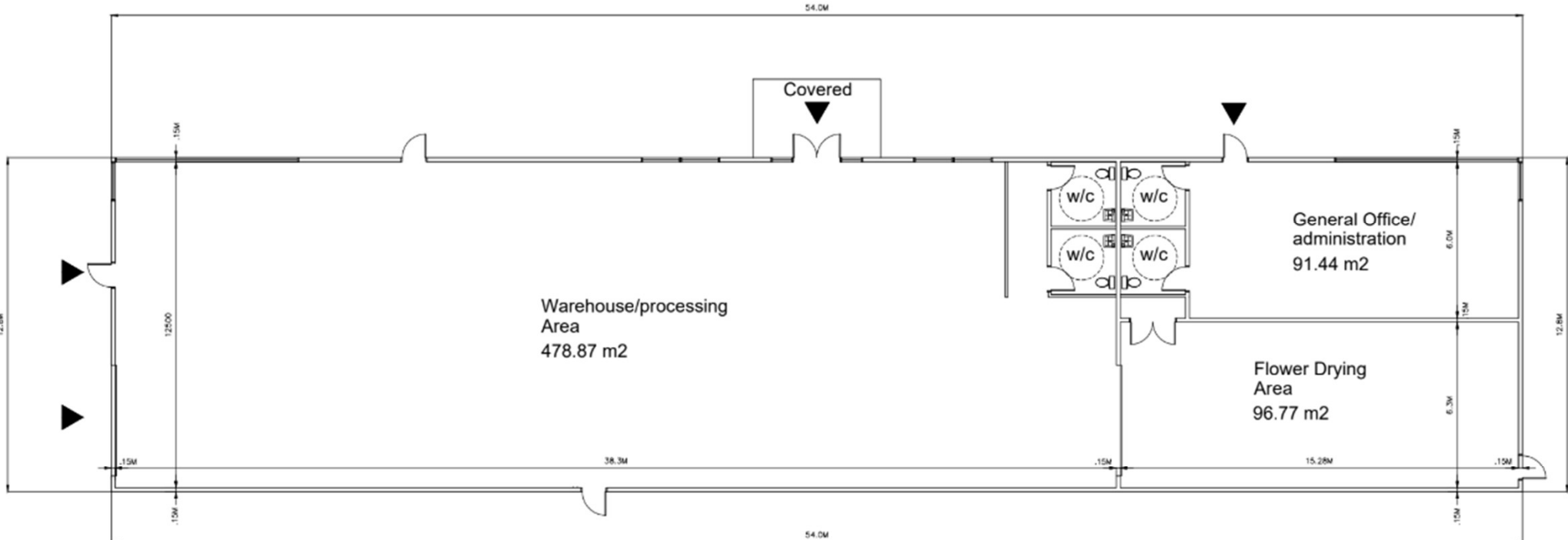
North (Front) Elevation  
SCALE 1:75



South (Rear) Elevation  
SCALE 1:75



East (Left Side) Elevation  
SCALE 1:75















Floor Plan

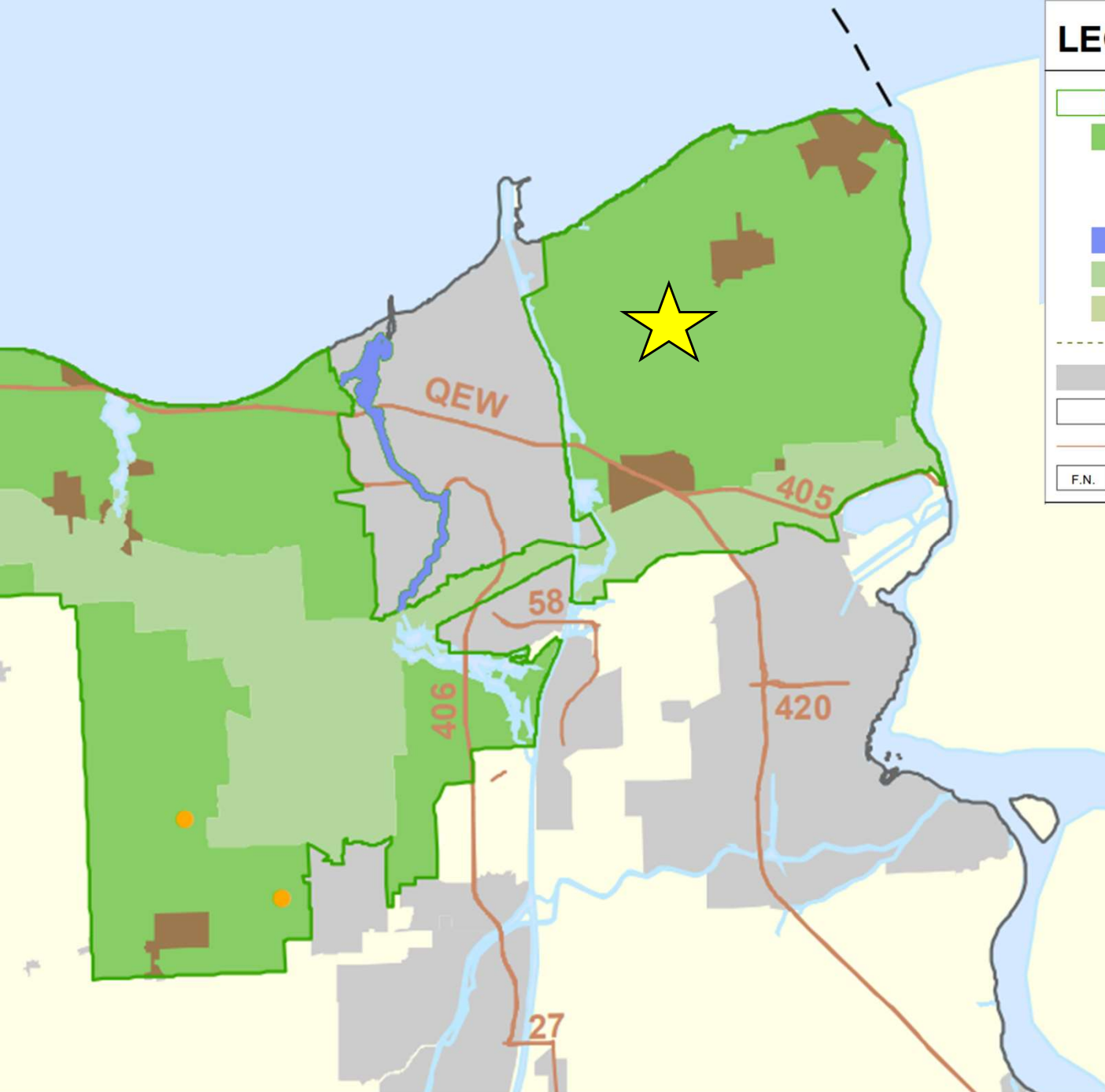
SCALE 1:150 METRIC

building 3  
 future Farm Storage/processing building (691.2m<sup>2</sup>)



# LEGEND

-  Greenbelt Area\*
-  Protected Countryside
-  Towns / Villages
-  Hamlets
-  Urban River Valleys
-  Niagara Escarpment Plan Area
-  Oak Ridges Moraine Area
-  External Connections
-  Settlement Areas Outside the Greenbelt
-  Upper and Single-Tier Municipal Boundaries
-  Road or Highway
-  F.N. First Nations



 = Subject Property

## Attachment 4: Greenbelt Area Mapping



Apple storage and distribution centre serving apple farm operations in the area



Farmers' market primarily selling products grown in the area\*



Processing of produce grown in the area (e.g., cider-making, cherry pitting, canning, quick-freezing, packing)\*



Grain dryer farm operations in the area



Agricultural research centre\*



Winery using grapes grown in the area\*



Abattoir processing and selling meat from animals raised in the area\*



Flour mill for grain grown in the area



Farm equipment repair shop\*



Livestock assembly yard or stock yard serving farm operating in the area



Auction for produce grown in the area

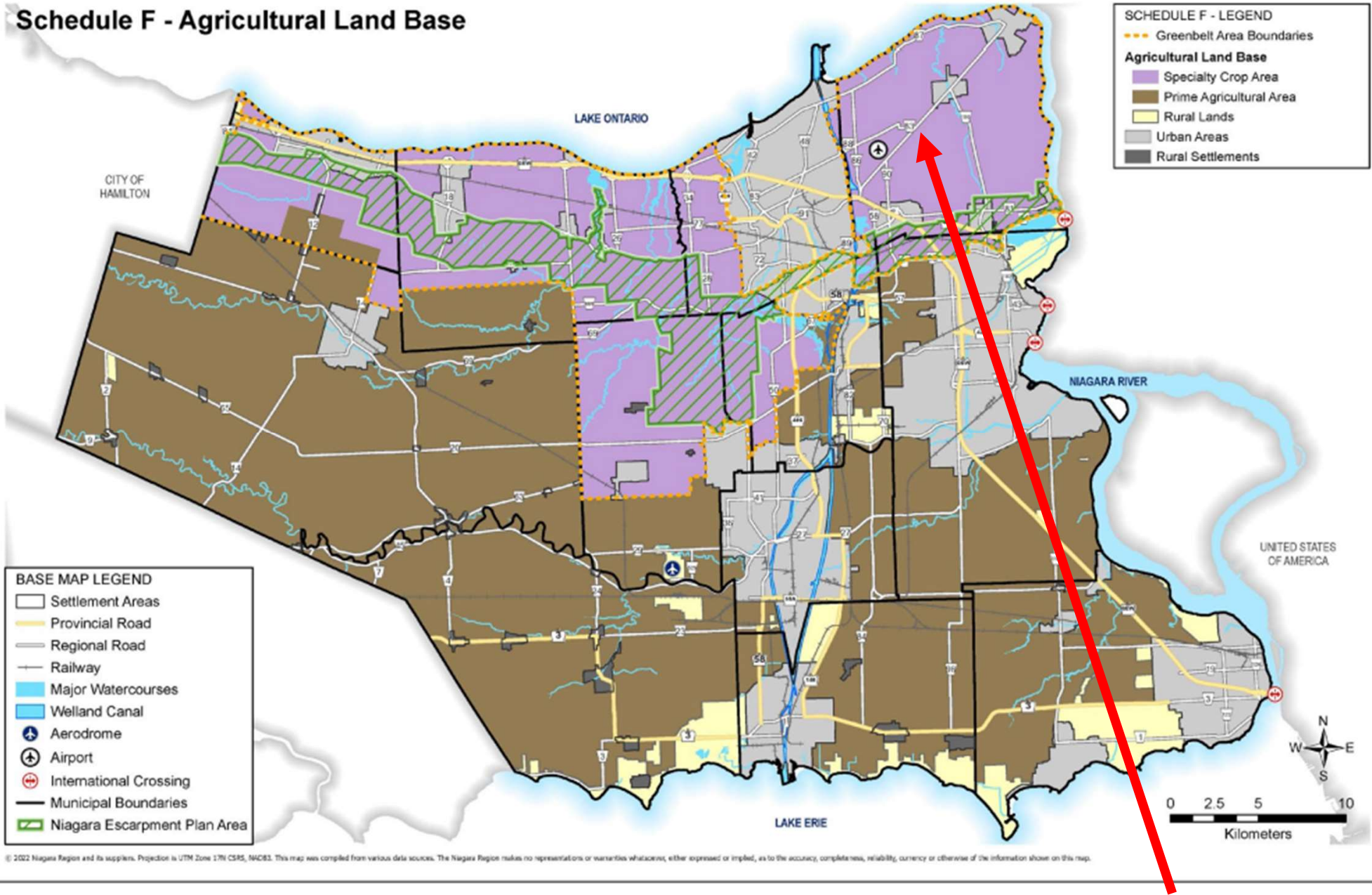


Farm input supplier (e.g., feed, seeds, fertilizer) (serving farm operations in the area)

**Figure 2.** Examples of agriculture-related uses provided all PPS criteria are met.

\* Source: Shutterstock

# Schedule F - Agricultural Land Base



Subject Property



-  Agricultural\*
-  Non-Farm Rural
-  Service Commercial
-  Niagara District Airport
-  Extractive
-  Conservation
-  Escarpment Protection Area
-  Escarpment Natural Area
-  Area of Natural & Scientific Interest
-  Major Open Space
-  Wetland (including adjacent lands)
-  Special Study Area
-  Exception - See Exceptions, Section 7
-  Niagara Escarpment Plan Boundary

Subject Property

PERMIT #: 24-0017

PERMIT VALID FOR ONE YEAR

RECEIPT #: R012138 (\$1100)

DATE OF RECEIPT: Feb/06/2024

PERMIT TO CONSTRUCT OR DEMOLISH

FOR CONSTRUCTION OR ALTERATION OF A SEWAGE SYSTEM IN Niagara-on-the-Lake

MUNICIPALITY

Name of Applicant: Robert Achal (2679569 Ontario Inc) Telephone #: (405) 356-3025

Mailing Address: 933 Niagara Stone Road, Niagara-on-the-Lake, Ontario, L0S 1J0

Location of Sewage Disposal Unit: 933 Niagara Stone Road Niagara-on-the-Lake

Street and Number Lot/Ft. Lot Conc./Plan # Municipality

Building Type: Commercial Size: - M<sup>2</sup>

roadside retail store (305 m<sup>2</sup>, 2 WC)  
warehouse (93 m<sup>2</sup> office space)  
837 m<sup>2</sup> warehouse, 1 WC  
Half home (2 workers)  
Future retail building (996 m<sup>2</sup> retail store, 4 WC)  
(19 m<sup>2</sup> office)

# Bedrooms: - # Plumbing Fixtures: - Daily Sewage Flow Rate: 9730 Litres Per Day

x Oversized for 10000 L/d

TANK SIZE Specifications for a Class 4 or 5 Sewage System

13980 (RR store, warehouse and HH)

Litres: 15210 (Future retail) Gallons: -

TYPE OF SYSTEM: Type A Dispersal Bed w Waterloo Biofilter

{ AD-127 }  
{ WOF-119 }  
{ AD-175 }  
{ WOF-114 }

Minimum area of stone 200 m<sup>2</sup> or - metres in a - metre wide trench

Conditions of Approval and Reason (e.g. fill, grading, drainage improvements, design sewage flows)

See Conditions Attached

CERTIFICATE OF ISSUANCE

Application approved and this Certificate of Issuance under the Building Code Act, S.O. 1992 and O.Reg. 22/98 is hereby issued for the proposal outlined on the application and its attachments as amended by the requirements and conditions provided that the sewage system shall be completed and an Occupancy Permit issued within 12 months of the issue hereof or such extended period as the Chief Building Official on application allows.

DO NOT OPERATE THE SYSTEM UNTIL A FINAL INSPECTION HAS BEEN CONDUCTED AND APPROVED.

Inspected by: Quintin Michuk Inspector Date: Feb 21/24

Issued by: [Signature] Chief Building Official Date: Feb 22/24

Mailed Copies: FEB 22 2024 (a) Owner (b) Municipality (c) Contractor



Attachment 8: Septic Design Approval Permit (2024)