

**Planning Justification Report**

**Zoning By-law Amendment**

**1822 Niagara Stone Road, Niagara on the Lake, Ontario**



For: 2638906 Ontario Inc.

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## 1.0 Introduction

NPG Planning Solutions Inc. (“NPG”) are planning consultants to 2638906 Ontario Inc., “Owner” of approximately of 10.24 hectares of land in Niagara-on-the-Lake, spanning two (2) agricultural properties. The first property, consisting of 5.96 hectares of farmland - municipally known as 1822 Niagara Stone Road, are the “Subject Lands”. The second property comprises 4.27 hectares and is located at 1829 Concession Road 4, and features ‘Ferox – by Fabian Reis’ – a farm winery. Application for Zoning By-law Amendment is being considered by the Town regarding 1829 Concession 4 Road to facilitate the development of an Estate Winery to support the addition of hospitality areas and permit the use of commercial cooking equipment.

NPG has been retained to provide professional planning advice on an application for a proposed Zoning By-law Amendment (“ZBA”) application for the Subject Lands to permit new uses, including a micro-brewery and farm distillery. Implementation of the proposed development requires an amendment to site-specific Zoning By-law 500WK-13.

This Planning Justification Report (“PJR”) analyzes the proposed development and evaluates the appropriateness of an application for an amendment to the Zoning By-law when assessed against policies in the *Planning Act*, the Provincial Planning Statement, 2024 (“PPS”), the Greenbelt Plan, the Niagara Official Plan (“NOP”), the Niagara on the Lake Official Plan (“Town OP”), Niagara on the Lake Zoning By-law No. 500A-74 and Site Specific Zoning By-law 500WK-13. This PJR will also assess the Ontario Ministry of Agriculture, Food and Rural Affairs Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas (“OMAFRA Guidelines”).

Sections 5.1, 5.2, 5.3, and 5.4 of this PJR present analysis of the application in relation to Provincial planning policies. Section 5.5 and 5.6 of this report discusses the proposal's conformity with the NOP and Town OP. Section 6.0 provides justification for approval of the proposed ZBA.

## 2.0 Description of Subject Lands and Surrounding Area

The Subject Lands are legally described as BLK 14 TP PL 85 Niagara, except PT 1, 2, 3 HWY1108 & HWY364, located in Niagara-on-the-Lake, Ontario between the urban area of Virgil and Old Town. Municipally, the lands are known as 1822 Niagara Stone Road.

The Subject Lands are triangular in shape with a total lot area of 5.96 hectares as shown in the survey of the Subject Lands (see **Appendix B**). The Subject Lands are bordered by Niagara Stone Road at the south, East & West Line at the north and Concession 4 Road at the west.

Approximately 75% of the Subject Lands are in active agricultural operation and are planted with grapevines (refer to **Photos 1 & 2**). In addition to the primary agricultural use, the Subject Lands contains two (2) buildings that are not currently in use.

The eastern most building, located at the intersection of Niagara Stone Road and East & West Line is the largest and formerly served as the “Harvest Barn” market (see **Photos**

**3 & 4).** The Harvest Barn building has a building area of approximately 830 m<sup>2</sup>, with the ground floor providing approximately 495 m<sup>2</sup> (5,328 ft<sup>2</sup>) of gross leasable floor area (“GLFA”). The remaining space was designated for storage and utility areas.

The second structure, an accessory storage barn, referred to as the “Grey Barn”, is located approximately forty (40) metres west of the Harvest Barn facility and has a building area of approximately 230 m<sup>2</sup> with a GLFA of approximately 130 m<sup>2</sup> (**see Photo 5**). An enclosed lean-to has been constructed on the south end of the Grey Barn which includes a built-in pizza oven (**see Photo 6**).

Vehicles can access the Subject Lands via several existing entrances. The primary access point is located on Niagara Stone Road and leads directly to the main parking area, which accommodates fifty-four (54) parking spaces. A secondary entrance/exit connects the parking area to East & West Line. Three (3) additional entrances are connected to East & West Line and serve specific functions: one (1) provides access to the smaller 'Grey Barn' with gravel parking area containing eight (8) parking spaces, a second connects to a parking area containing four (4) parking spaces, while third access supports shipping and commercial operations at the Harvest Barn facility.

The Subject Lands are zoned Rural (A-H) - Site Specific Zone, which permits an estate winery as a primary use on the Subject Lands, in addition to secondary uses such as retail wine sales area, an agricultural market and refreshment area and bakery as accessory uses to the agricultural market. The site-specific by-law permits that the total gross floor area permitted for secondary use to the estate winery shall not exceed 1,179.0 m<sup>2</sup> (12,690.7 ft<sup>2</sup>).

The Subject Lands are fully serviced with municipal infrastructure, including a 150 mm sanitary lateral connection to the sanitary sewer at Niagara Stone Road and a 25 mm lateral connection to a 200 mm watermain along East & West Line. Additionally, the property has access to natural gas services, ensuring the site is equipped to support current and future development needs.

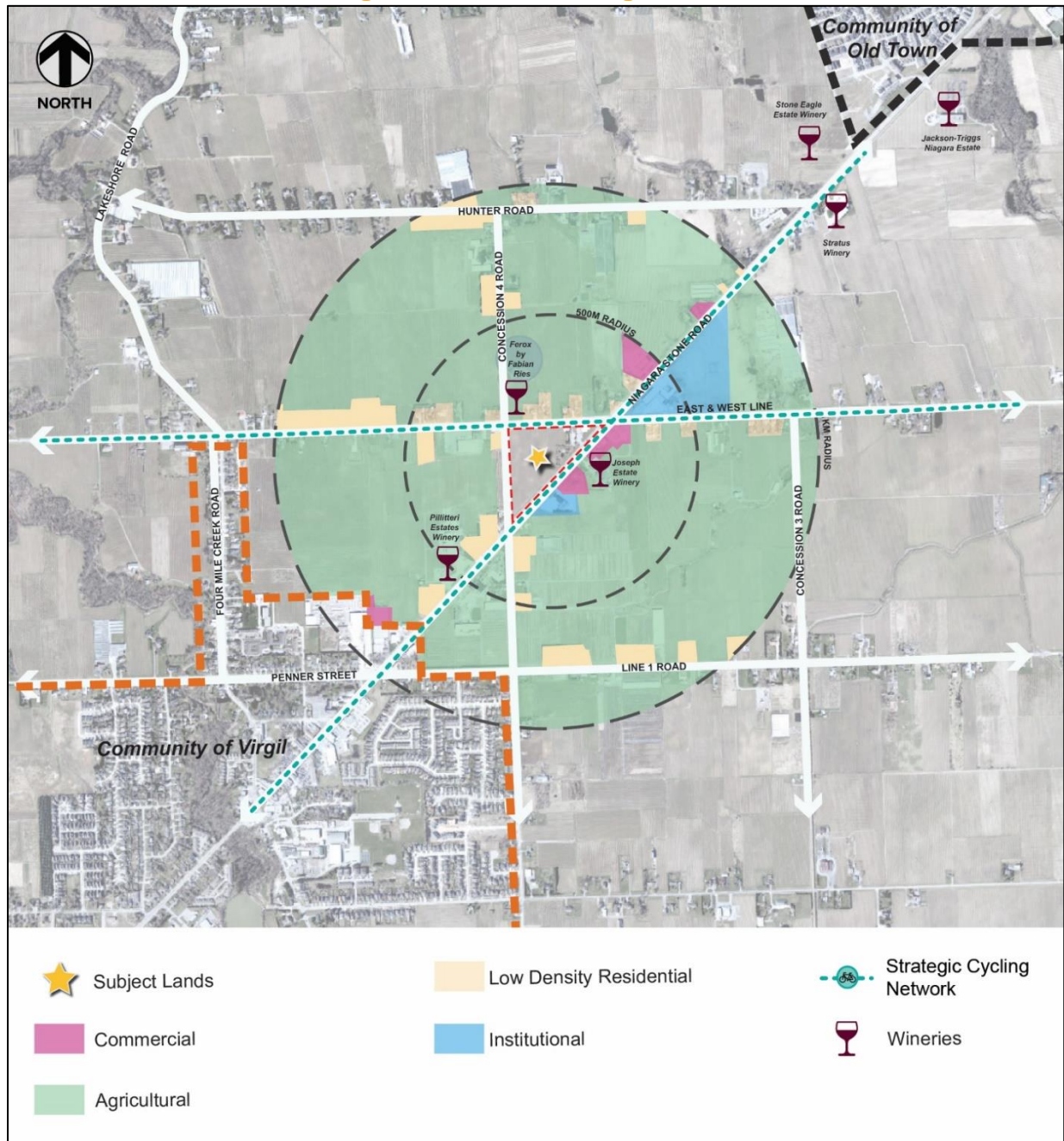
The surrounding area is characterized by agricultural land dedicated to grape cultivation, interspersed with rural residential properties, commercial establishments, and institutional facilities. A variety of estate wineries can be found in proximity, as illustrated in **Figure 1 – Agricultural Context**. Notable wineries in the immediate vicinity include Ferox – by Fabien Reis, Joseph Estate Winery, and Pillitteri Estate Winery. Located one (1) to two (2) kilometres from the Subject Lands are Jackson Triggs Estate Winery, Stratus Winery, and Stone Eagle Estate Winery (currently under construction). Additionally, the Subject Lands are near several commercial and institutional amenities. Directly across Niagara Stone Road is a McDonald’s restaurant, while Vineridge Academy (an international high school) is located at the intersection of Niagara Stone Road and East & West Line. Notably, East & West Line Road and Niagara Stone Road are part of the Region's Strategic Cycling Network.

The Subject Lands are further contextualized by photos collected during a site visit on June 18, 2024, in Section 2.1 of this report. The photos document the existing buildings



and structures on the Subject Lands, highlighting current uses, overall condition, and primary agricultural function.

Figure 1 – Surrounding Land Context



## 2.1 Site Images

**Photo 1 – Primary Agricultural Use on the Subject Lands  
(View looking north-east)**



**Photo 2 – Primary Agricultural Use on the Subject Lands  
(View looking north-east)**





**Photo 3 – Harvest Barn facility, east elevation as viewed from the intersection of East and West Line and Niagara Stone Road**



**Photo 4 – Harvest Barn, south elevation as viewed from Parking Lot**





**Photo 5 – Grey Barn and gravel parking area, east elevation**



**Photo 6 – Unenclosed Lean-to (at the rear of the Grey Barn) – Features a Pizza Oven and Bar Top**





**Photo 7 – Interior of Harvest Barn building, future multi-use flexible space**



**Photo 8 – Interior of Grey Barn, Future Production / Hospitality Area**



**Photo 9 – Location of proposed event tent (South of Grey Barn)**



### **3.0 Proposed Development**

The proposed ZBA seeks to modify site-specific Zoning By-law 500WK-13 to permit a micro-brewery and farm distillery as primary uses on the Subject Lands. This application facilitates the adaptive reuse of the existing, currently vacant, Harvest Barn building and Grey Barn for these purposes, without requiring additional exterior development. Both the uses of micro-brewery and farm distillery are classified as Agricultural-Related Uses (“ARUs”) under the OMAFRA Guidelines.

The ZBA also proposes to allow a range of secondary uses, including hospitality areas, an event tent, a commercial kitchen, and the hosting of special events, in addition to the uses already permitted on the Subject Lands. The hospitality areas will serve food pairings prepared using on-site commercial cooking equipment, but not in association with a restaurant. The hosting of special events and use of commercial cooking equipment are categorized as On-Farm Diversified Uses (“OFDU”) in alignment with OMAFRA Guidelines, and subject to site-specific conditions as outlined in Section 6 of this PJR.

Three (3) hospitality areas are proposed to be included: one (1) within the existing Harvest Barn building, one (1) in the Grey Barn, and one (1) to be located within a new event tent. Each will be permitted to serve food pairings, utilizing a commercial kitchen for



preparation. The Subject Lands will also accommodate a variety of private, public, and community events, all restricted to the designated hospitality areas.

Although the floorplans allocate 750 m<sup>2</sup> of GLFA, which includes the hospitality areas in the Harvest Barn, the Grey Barn, and the Event Tent, this is less than the floor area permitted for secondary uses on the Subject Lands under the existing Zoning By-law. The proposed By-law does not seek any changes to secondary use floor area beyond what is currently permitted.

The ZBA also intends to remove the provision in Zoning By-law 500WK-13 that restricts the use of an estate winery and the retail sale of wine at 1822 Niagara Stone Road, only in conjunction with the farm operation at 1829 Concession 4 Road, Niagara-on-the-Lake. The ZBA proposes to allow for the retail sale of wine on the Subject Lands, irrespective of the farm operation at 1829 Concession 4 Road. Estate Winery uses are permitted in Provincial and Regional policies and plans as ARUs. The Town's OP provides policies regarding parcel sizes for Estate Winery Uses in section 7.4(b). These policies are analysed in Section 5.6.4 of this PJR.

### 3.1 Harvest Barn

The Harvest Barn facility is intended as the primary production facility for the micro-brewery, which will produce beer brewed from grape skins — a byproduct of wine production that is typically discarded — in addition to other agricultural products grown off-site, as referenced in Section 5.3.1. The focus of the proposed micro-brewery and farm distillery is to utilize on-site ingredients, emphasizing waste reduction and sustainability.

The facility's GLFA is planned to support a variety of secondary uses including hospitality areas (see **Photo 7**), retail space for products produced on-site, as well as Ferox wine produced off-site at 1829 Concession Road 4. Additionally, the GLFA includes space for hosting special events. While the proposed ZBA seeks to permit a commercial kitchen within the Harvest Barn facility, there are no current plans for its installation, and the potential location for the kitchen is yet to be determined. intended to accommodate a range of secondary uses.

### 3.2 Grey Barn

The Grey Barn is intended as the primary production facility for the farm distillery, facilitating the production of grape-based spirits such as grappa, vodka, and gin. It will also accommodate grape crushing, an important step to make wine, with subsequent fermentation and production of wine continuing at 1829 Concession Road 4. In addition to its agricultural function, the Grey Barn will support small-scale special events, and hospitality uses (see **Photo 8**). The floor space dedicated to secondary uses within the building is 130 m<sup>2</sup>.

Directly behind the Grey Barn is a lean-to with an area of 80 m<sup>2</sup> that will also be dedicated to secondary uses. This area is equipped with a pizza oven, which will allow guests to

enjoy freshly made pizza alongside grape-based spirits and beer produced on-site. When weather permits, guests may be seated around the perimeter bar top.

### 3.3 Event Tent

An event tent will be set up in the grassed area behind the Grey Barn also intended to host outdoor gatherings (see **Photo 9**). The size of the tent is to be determined; however, it will not exceed 125 m<sup>2</sup> (1,350 ft<sup>2</sup>).

The overall site layout is shown in **Appendix A**.

## 4.0 Supporting Studies Review

A Pre-consultation Meeting for the proposed ZBA application was held on May 16, 2024. The meeting was hosted by the Town's Planning Department and included representatives from various Town Departments, the Region, the Owner, and the authorized agent. The following studies and plans were deemed necessary as part of a complete application:

- Architectural Plans (including Site Plan, Floor Plans & Site Planting)
- Functional Servicing Brief
- Planning Justification Report

These studies and plans, prepared by qualified professionals according to industry standards, have been submitted with the application and should be read and reviewed in conjunction with this PJR. The studies and plan were reviewed as part of the preparation of this PJR and inform this PJR.

The pre-consultation notes identified several additional studies and plans as potentially required; however, they have not been included in the submission package for specific reasons. Archaeological assessments were deemed necessary only if a concrete pad were to be poured beneath the event tent. Although the possibility of a concrete pad was discussed during pre-consultation, the owner has ultimately decided not to pursue this option.

Additionally, the Town requested building elevations as outlined in the pre-consultation notes. Since no additions are proposed and there are no planned alterations to the existing building façade, these elevations have not been included in the submission.

### 4.1 Site Plan

NPG prepared the Site Plan, dated December 5, 2024, outlining the areas designated for the proposed micro-brewery, farm distillery and secondary uses. The Site Plan illustrates the existing on-site parking with access points from Niagara Stone Road and East & West Line Road, which are not proposed to change with this application. The plan also demonstrates the proposed GLFA for the Harvest Barn building, Grey Barn and event tent.

## 4.2 Functional Servicing Brief

Landsmith Engineering & Consulting Ltd. has prepared a Functional Servicing Brief (“FSB”) (dated July 30, 2024) to determine the functional sizing of the proposed storm, sanitary and water services from the site.

The FSB determined that:

- The existing 25mm water service connected to the 200mm watermain along East & West Line should be upsized to 31.75mm to accommodate the proposed increase in fixtures. The brief concludes that the existing watermain can support this increase in domestic demand.
- The existing 150mm sanitary service lateral can be reused to handle the buildings' sanitary flows. The downstream system, which flows to the Sanitary Pumping Station (SPS) at 1974 Niagara Stone Road, has an operational capacity of 20.7 L/s and can accommodate the site's peak flows.
- Fire flow demands will remain unchanged due to the unchanged building footprint and can be met by the existing hydrants.

## 5.0 Planning Legislation and Policies

### 5.1 Planning Act

The *Planning Act*, R.S.O. 1990, Chapter P.13, provides provincial legislation that establishes the requirements for land use planning in Ontario. The Act describes how land uses may be controlled, and who may control them.

Section 2 of the *Planning Act* (“the Act”) outlines the matters of provincial interest that the council of a municipality, a planning board and the Ontario Land Tribunal shall have regard to in carrying out their responsibilities under the Act. Table 1 provides a summary of the provincial interests, along with an analysis as it relates to the proposed development and the subject application.

**Table 1 – Analysis of Provincial Interest – Section 2 of Ontario Planning Act**

Provincial Interest		Analysis
<b>a)</b>	<i>the protection of ecological systems, including natural areas, features and functions</i>	No ecological systems, including natural areas, features or functions will be affected with this proposal.
<b>b)</b>	<i>the protection of the agricultural resources of the Province</i>	The Applications propose to repurpose existing buildings which would ensure that the removal of any lands in agricultural production does not occur. The proposed use will leverage existing assets on the Subject Lands to create value-added products from grape skins, a by-product of



Provincial Interest		Analysis
		winemaking. This increases the value of agricultural resources, safeguarding them for the future.
<b>d)</b>	<i>the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest</i>	The proposed development will not impact natural resources or mineral resources. An archaeological assessment has not been deemed necessary, as the ground disturbance is not considered significant to warrant an archaeological review.
<b>f)</b>	<i>the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems</i>	The existing municipal services are capable of supporting the proposed development. Please see the FSB for further details.
<b>h.1)</b>	<i>the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies</i>	The internal alterations to the buildings and future site plan will be required to comply with the Ontario Building Code and the Integrated Accessibility Standards under the <i>Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11</i> ensuring full accessibility for persons with disabilities.
<b>k)</b>	<i>the adequate provision of employment opportunities</i>	The proposed micro-brewery and farm distillery will create additional employment opportunities in Niagara-on-the-Lake.

Subsection 3(5) of the *Planning Act* requires that decisions of Council shall be consistent with provincial policy statements and shall conform with provincial plans that are in effect.

Subsection 24(1) of the *Planning Act* requires that by-laws passed by Council shall conform to official plans that are in effect.

Section 34 of the *Planning Act* permits councils of local municipalities to pass and/or amend zoning by-laws for such purposes as may be set out in the by-law, and for regulating construction and land use within the municipality.

## SUMMARY

In summary, the proposed development and implementing application address matters of Provincial interest. This report provides a thorough discussion on how the proposal aligns with Provincial, Regional, and Town policies. Based on the analysis presented in

the following sections, the Application is deemed to comply with the relevant provisions of the Act.

## 5.2 Provincial Planning Statement (2024)

The PPS sets the policy foundation for regulating land use in Ontario. It requires that developments make efficient use of land and services and supports opportunities for long-term economic prosperity.

### 5.2.1 Rural Areas in Municipalities

Section 2.5 of the PPS provides policy direction in support of rural areas in the Province. The following policies apply to the proposed development:

## POLICY

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- 2.5 *Healthy, integrated and viable rural areas should be supported by:*
- a) *building upon rural character, and leveraging rural amenities and assets;*
  - 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;*
  - h) *providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.*

## ANALYSIS

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The proposed conversion of the Harvest Barn and Grey Barn into a micro-brewery and farm distillery strengthens the rural character of Niagara-on-the-Lake while efficiently utilizing existing municipal infrastructure, including water and sanitary services. This development aligns with policy goals by promoting farm diversification, enhancing the economic resilience of the Subject Lands, and contributing to the long-term sustainability of agriculture in the region.

The micro-brewery and farm distillery are anticipated to increase local tourism by leveraging existing assets. Furthermore, the production of value-added products such as beer, and grape-based spirits, complemented by food pairings, is expected to generate new employment opportunities and increase economic activity. Repurposing these vacant facilities is an efficient use of existing resources and enhances the prime agricultural use of the Subject Lands while safeguarding agricultural production.

### 5.2.2 Agriculture

Section 4.3 of the PPS outlines policy guidance on permitted uses in Agricultural Areas, with the following policies applicable to the proposed development:

## POLICY

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### 4.3.1 General Policies for Agriculture

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.
3. 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.

### 4.3.2 Permitted Uses

1. 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.*

The PPS provides the following relevant definitions:

**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 housing for farm workers, 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, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.



## **ANALYSIS**

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The application would permit agricultural uses, ARUs and OFDUs on the Subject Lands.

The agricultural use on the Subject Lands is the vineyard, as it involves the cultivation of grapes for commercial purposes, specifically for wine production. If the Application is approved, the primary use of the Subject Lands will remain agricultural, with over 75% of the land planted with grapevines.

The proposed micro-brewery and farm distillery are directly related to the farm operation on the Subject Lands and in the area. The micro-brewery and farm distillery support agriculture and benefits from proximity to farm operations in the area because it primarily uses grapes grown on the Subject Lands and the surrounding area. For these reasons, the micro-brewery and farm distillery are regarded as an ARU.

The hospitality areas proposed within the Harvest Barn, Grey Barn and outdoor event tent accommodate a combination of ARUs and OFDUs. The primary function of the hospitality areas is to provide tastings of grape-based spirits and beer produced by the micro-brewery and farm distillery with food pairings. Additionally, these spaces will host special events, generating additional revenue for the agricultural operation, increasing brand visibility, and supporting the agri-tourism industry in the Town. The future addition of commercial cooking equipment is intended to further enhance the tasting experience in hospitality areas, creating a more refined and comprehensive experience for guests. By promoting agri-tourism, the micro-brewery and farm distillery will strengthen the financial resilience of agricultural operation, thereby safeguarding the long-term viability of agricultural lands.

The Ontario Ministry of Agriculture, Food and Rural Affairs has put in place Publication 851: Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. The OMAFRA Guidelines provides guidance on agriculture, ARUs and OFDUs. An analysis of the proposed use in relation to the OMAFRA Guidelines is included in Section 5.3 of this PJR.

Subject to analysis against the OMAFRA Guidelines, the proposed ZBA is consistent with Sections 4.3.1 and 4.3.2 of the PPS as it would facilitate the development of ARUs and OFDUs that are compatible with surrounding agricultural operations.

## **SUMMARY**

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Based on the preceding analysis, the application aligns with the policies of the PPS by enabling the development of ARUs and OFDUs that strengthen the economic base, generate employment opportunities, and promote sustainable and diversified tourism within the Town.

### **5.3 Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas**

The OMAFRA Guidelines (Publication 851: Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas) is intended to assist in interpreting the policies in the PPS and represent, where specific parameters are proposed, best practices (not standards) to be complied with in every case.

The OMAFRA Guidelines identify two key objectives of the PPS policies that pertain to prime agricultural areas:

1. maintaining the land base for agriculture; and
2. supporting a thriving agricultural industry and rural economy.

As these objectives may at times compete with one another, the OMAFRA Guidelines are intended to help decision-makers balance these objectives and ensure development proposals meet all applicable criteria for permitted uses in Ontario's prime agricultural areas.

The general intent of the PPS is to allow uses in prime agricultural areas that ensure settlement areas remain the focus of growth and development, while permitting a wide range of compatible uses that enable the following: agriculture and farm operators to prosper; development of new farm products; valued/necessary rural services to be available; diversification of the rural economy and tax base; job creation that helps stabilize and grow rural communities; and, greater awareness and appreciation of agriculture in the area.

The OMAFRA Guidelines provide further direction on how agricultural uses, ARUs and OFDUs are to be classified.

### *Agricultural Uses*

Agricultural uses include the growing of crops and raising of animals of any type, size, or intensity. Agricultural uses may also include associated farm buildings and structures that are used for agricultural purposes and integral to the farm operation. The OMAFRA Guidelines provide examples of agricultural uses which include but are not limited to, cropland, farm implement buildings and drivesheds, greenhouses for plant cultivation, primary farm residences, accommodation for full-time farm labor, and value-retaining facilities.

### *Agriculture-Related Uses*

ARUs 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.

According to subsection 2.2.1, for a use to be classified as agriculture-related it must meet all the following criteria:

1. *Be a farm-related commercial or industrial use.*
2. *Be compatible with, and not hinder, surrounding agricultural operations.*
3. *Be directly related to farm operations in the area.*
4. *Support agriculture.*
5. *Provide direct products and/or services to farm operations as a primary activity.*
6. *Benefit from being in close proximity to farm operations.*

### *On-Farm Diversified Uses*

A farm may also have uses on-site not directly related to the primary agricultural operation, which are OFDUs. A wide variety of uses may qualify as OFDUs based on the PPS definition, so long as they meet specific criteria (outlined below). OFDU's are intended to enable farm operators to diversify and supplement their farm income, as well as accommodate value-added and agri-tourism uses in prime agricultural areas.

The primary criteria to determine if a use is an OFDU are found in subsection 2.3.1, and are as follows:

1. *Be located on a farm.*
2. *Be secondary to the principal agricultural use of the property.*
3. *Limited in area.*
4. *Can include, but is not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products.*
5. *Be compatible with, and shall not hinder, surrounding agricultural operations.*

The OMAFRA Guidelines provide clear instructions on how the criteria should be applied to maintain agriculture as the primary use of the Subject Lands. The OFDU will be secondary to the primary agricultural use on the property and be limited in area. This is measured in spatial and temporal terms. Spatially, the use must be secondary relative to the primary agricultural use on the property. The spatial limits are addressed under the "limited in area" criterion (#3 above). Temporal considerations apply to uses that are temporary or intermittent, such as events. Given that OFDUs (and ARU's) must be compatible with surrounding agricultural operations, the frequency and timing of such events must not interfere with cropping cycles or other agricultural uses on the farm or in the surrounding area.

While PPS policies enable a wide variety of on-farm economic opportunities, it also requires those uses be 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*
- *Limit off-site impacts (e.g. traffic, changes to the agricultural-rural character) to ensure compatibility with surrounding agricultural operations*

The OMAFRA Guidelines offer specific recommendations to aid decision-makers in applying the "limited in area" criteria. They suggest that OFDU's occupy no more than 2% of the property on which the uses are located, to a maximum of 1 ha. Additionally, the OMAFRA Guidelines provide detailed data to assist the applicant implement the OFDU 2% recommendation. This includes the following:

- *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 berms, laneways, parking, etc. are counted at 100%*
- *The gross floor area of buildings used for on-farm diversified uses is limited (20% of the 2%)*

The OMAFRA guidelines contemplate a combination of permitted uses on a farm parcel. The guidelines are not intended to provide detailed guidance on how to apply the criteria derived from the PPS to complex proposals such as a micro-brewery and/or farm distillery. Instead, a simplified example of an existing 19-hectare farm with a combination of permitted uses is provided as Appendix 3 in the Guidelines. This example is helpful in so far as it confirms that with respect to the criterion that OFDUs be “limited in area” that areas can be shared between ARUs and OFDUs. In the example, however, areas are allocated 50-50 between ARUs and OFDUs without any explanation for how this allocation was arrived at, nor a general procedure to apply when determining areas for each use. Interpretative work is therefore required to apply the OMAFRA guidelines in a reasonable way in specific cases, consistent with the PPS.

#### **5.3.1 Agriculture-Related Uses on Subject Lands**

A micro-brewery and farm distillery are considered to be farm-related commercial and industrial use. According to the OMAFRA Guidelines, such operations can be classified as ARUs if they primarily use locally grown agricultural products as its primary input and is supported by appropriate water and wastewater servicing.

The micro-brewery and farm distillery will use two distinct techniques to produce grape-based spirits and beer, both incorporating grape skins, a by-product of grapes grown on the Subject Lands and surrounding agricultural lands, as a key ingredient.

The farm distillery will produce grappa, vodka, and gin using grape skins as a primary ingredient. These spirits are distilled from fermented grape skins, where natural sugars are converted into alcohol, resulting in a wine-like liquid. This liquid, along with the fermented grape skins, is then distilled to produce a raw spirit, commonly referred to as a "grape-based low wines spirit". This base spirit is subsequently refined and further distilled to craft grappa, vodka, and gin.

Grape skins can also be used in beer production, although hops, an essential ingredient, will still be required. While hops are not grown in Niagara-on-the-Lake, they are grown in municipalities within a two-hour radius of the Subject Lands. Additional ingredients, including rye from the Brantford area, corn from the Creemore area, and wheat and barley from the Linwood area, will also be incorporated. The Owner of the Subject Lands has indicated that grape skins will replace up to 25% of the grain mixture, thereby reducing the need for hops. Additionally, grape skins will be incorporated into the fermentation process as a partial substitute for dry hopping, potentially lowering hop usage by up to 50%.

The use of ingredients grown on the Subject Lands will be maximized in the production of both grape-based spirits and beer. It is estimated that grape skins will account for approximately 50% of the agricultural products used, with a higher proportion being utilized in the production of grape-based spirits compared to beer.

Additionally, it is important to note that the site has full access to water and wastewater services, as detailed in the FSB included with this application. Considering these factors, the micro-brewery and farm distillery can be classified as ARUs if they meet the criteria specified in **Table 2**.

The OMAFRA Guidelines in subsection 2.2.1 outline the criteria for classifying a use as agriculture related. The following table analyzes these criteria for the proposed micro-brewery and farm distillery on the Subject Lands.

**Table 2 – OMAFRA Guideline Criteria for Agriculture-Related Uses**

	Criteria	Commentary
1	<i>Be a farm-related commercial or industrial use</i>	The proposed micro-brewery and farm distillery will process locally grown ingredients, primarily grape skins from grape pressing, to produce a variety of grape-based spirits and beer, which will also be retailed and marketed on-site.
2	<i>Be compatible with, and not hinder, surrounding agricultural operations.</i>	The existing site layout will largely remain unchanged to accommodate the proposed uses. The introduction of new hospitality functions and interior modifications to existing buildings will not disrupt surrounding agricultural operations.
3	<i>Be directly related to farm operations in the area.</i>	The proposed micro-brewery and farm distillery will produce grape-based spirits and beer using locally grown grapes. The cultivation and processing of grapes in the making grape-based alcoholic beverages is common in the surrounding agricultural area.
4	<i>Support agriculture</i>	The proposed micro-brewery and farm distillery support agriculture by improving the economic sustainability of the agricultural lands, creating additional revenue streams, and helping ensure that the lands are used for agricultural purposes in the long term.

	Criteria	Commentary
5	<i>Provide direct products and/or services to farm operations as a primary activity.</i>	The proposed micro-brewery and farm distillery will process locally grown ingredients to produce grape-based spirits and beer as its primary activity. It will also market and retail the grape-based spirits and beer that are prepared on site.
6	<i>Benefit from being in close proximity to farm operations.</i>	The proposed micro-brewery and farm distillery benefits from being in proximity to farm operations as they process locally grown crop as a primary function. The proposed uses would also strengthen the connection between farming, food production and consumption.

The production and retail of grape-based spirits, and beer meets the criteria outlined in **Table 2** and is therefore classified as an ARU. As a result, any floor area that directly supports the core business operations of grape production, marketing, and retail can be considered part of the ARU. This designation encompasses not only the production areas for grape-based spirits and beer but also the spaces supporting the commercial operations of the micro-brewery and farm distillery, including shipping, retail, and tasting of the agricultural product produced on-site.

### 5.3.2 On-Farm Diversified Uses on the Subject Lands

The following OFDUs are proposed on the Subject Lands: the commercial kitchen and the hosting of special events. These uses are generally allocated within the Harvest Barn Building, Grey Barn (including the lean-to) and Event Tent. Allocations for OFDUs within the buildings are described in Section 5.3.3.

Neither the hosting of special events nor the operation of a commercial kitchen qualifies substantively as an ARU, as they are not inherently tied to farm operations nor directly related to agricultural activities. However, these uses are designed to allow farm operators to diversify their revenue streams and supplement farm income, making them most appropriately categorized as OFDUs.

To qualify as an OFDU under the province's direction, each use must meet the criteria. **Table 3** outlines the criteria and provides detailed commentary on the proposed OFDUs.

**Table 3 – OMAFRA Guideline Criteria for On-Farm Diversified Uses**

	Criteria	Commentary
1	<i>Be located on a farm.</i>	The proposed OFDUs are located on the Subject Lands, which is a farm property.

	Criteria	Commentary
2	<i>Be secondary to the principal agricultural use of the property.</i>	<p>The agricultural use, specifically, viticulture will remain the dominant use of the Subject Lands. The proposed OFDUs will not necessitate the displacement of any agricultural lands.</p> <p>Special events will be hosted exclusively within the designated hospitality areas on the Subject Lands, with the cumulative area adhering to the limitations outlined in <b>Table 4</b>. These events will occur intermittently and will not disrupt ongoing agricultural operations.</p>
3	<i>Limited in area.</i>	The proposed OFDUs are limited in area in terms of the area of the farm parcel. The total area allocated as OFDU is less than 2% of the total land area. Analysis on the areas allocated to OFDUs is provided in <b>Table 4</b> and <b>Table 5</b> .
4	<i>Can include, but is not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products.</i>	The proposed OFDU will complement the value-added agricultural products (grape-based spirits and beer).
5	<i>Be compatible with, and not hinder, surrounding agricultural operations.</i>	<p>The OFDUs are primarily contained within existing buildings, except for the event tent. The strategic placement of the event tent, in an open space behind the Grey Barn within an area not presently in agricultural production, minimizes potential land use conflicts. This location ensures that potential impacts on surrounding agricultural activities are appropriately mitigated.</p> <p>Please refer to <b>Table 7</b> for further details.</p>

The OMAFRA guidelines provide more prescriptive direction or recommendations for OFDUs, particularly with respect to how the specific criterion “be limited in area” should be applied.

**Table 4 – OMAFRA Guidelines On-Farm Diversified Uses**

	Criteria	Commentary
1	<i>Occupy no more than 2% of the farm parcel to a maximum of 1 hectare.</i>	The Subject Lands encompass an area of 5.96 hectares (59,620 m <sup>2</sup> ). Consequently, the maximum size permitted for OFDUs is 1,192 m <sup>2</sup> .



	Criteria	Commentary
2	Maximum floor area devoted to on-farm diversified uses (20% of 2% of farm parcel size).	Based on the criteria for overall size, the maximum permitted building floor area to be allocated as an OFDU is 238.5 m <sup>2</sup> .

### 5.3.3 Analysis of Building Area that contain OFDUs

The OMAFRA Guidelines stipulate that the total area dedicated to OFDU must not exceed 2% of the entire farm parcel. This 2% limit encompasses both internal floor areas allocated to OFDU and external elements of the Subject Lands.

Buildings or structures built before April 30, 2014, that are used for OFDU are subject to a 50% discount in their area calculations. While both the Harvest Barn and the Grey Barn were built prior to this date, the lean-to located at the rear of the Grey Barn was built after April 30, 2014, so is not subject to the 50% discount.

**Table 5** provides a summary of the spaces allocated for OFDU within the proposed micro-brewery and farm distillery.

**Table 5 - Total Building Area Occupied by On-Farm Diversified Uses**

Description	Area (m²)	Allocated to On-Farm Diversified Use	
		%	(m²)
Existing Area – Built prior to April 30, 2014			
Harvest Barn Gross Leasable Floor Area (1) Ground Floor	495	75	371.3
Grey Barn Gross Leasable Floor Area (Hospitality Room) (2)	130	50	65.0
Building Areas - OFDU			436.3
50% Existing Building Discount	-	-	218.2
Existing Area – Built after April 30, 2014			
Grey Barn Lean To (3)	80	25	20.0
Total Building Areas - OFDU			238.2

According to **Table 5**, the total building area designated for OFDUs, following the application of the existing buildings discount is 238.2 m<sup>2</sup>. The following rationale provides the justification for the allocation of percentages assigned to each individual interior space:

- (1) The GLFA of the Harvest Barn is primarily designated for OFDUs to facilitate the hosting of special events and accommodate a potential future commercial kitchen. Given the current uncertainty regarding the specific locations for these activities within the Harvest Barn, a conservative approach will consider the entire GLFA as a single entity. However, 25% of the GLFA is designated for ARUs, recognizing that the OFDUs, particularly those related to special event hosting, will facilitate additional sales of grape-based spirits and beer, thereby enhancing the value-added components of the agricultural operation.
- (2) The Grey Barn is intended to serve dual purposes. The area will function as the production space for the farm distillery. This area will also serve as a hospitality space for guests to enjoy grape-based spirits and beer and is intended to accommodate small events. Therefore, 50% of the GLFA is designated for OFDU, with the remaining portion allocated to ARU.
- (3) The lean-to is primarily intended for staff to cook pizzas in the existing pizza oven, which will be served as a food pairing to the grape-based spirits and beer produced and served on-site. This area will also include several seats along the bar for use seasonally. Therefore, 25% of the building area is allocated as OFDU.

The remaining GLFA is classified as ARU, as it directly supports the core agricultural operation, either through the production and retail of beer in the micro-brewery production areas or the sale of wine, grape-based spirits and beer in the retail area. Additionally, common spaces such as the entryway, stairwells, washrooms, and utility areas are also considered ARUs, as they are essential for supporting the micro-brewery and farm distillery's intended function, regardless of the inclusion of OFDUs in the proposal.

#### 5.3.4 Analysis of Farm Parcel Area with OFDUs

As detailed above, the Guidelines stipulate that the 2% area calculation should account for all aspects related to an OFDU such as buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and new access roads.

**Table 6** provides a summary of the exterior elements on the Subject Lands that are allocated as OFDUs.

**Table 6 - Total Area of Farm Parcel Occupied by On-Farm Diversified Uses**

Description	Area (m <sup>2</sup> )	Allocated to On-Farm Diversified Use	
		%	(m <sup>2</sup> )
Total Building Areas - OFDU			238.2
Event Tent (1)	125	75	93.8
Driveway & Parking Area (2)	2,580	0	0
<b>Total</b>	<b>-</b>	<b>-</b>	<b>332</b>

- (1) As the event tent will primarily support event hosting, 75% of the event tent's area is designated for OFDUs. The remaining 25% of the tent area is allocated to ARUs, as it supports the commercial aspect of the business by facilitating on-site tastings and the retail of grape-based spirits and beer.
- (2) Existing driveways have not been allocated to the OFDU percentage, as they are already established and essential for supporting the agricultural-related functions of the farm, irrespective of the presence of OFDUs. According to the Guidelines, shared laneways between agricultural uses and OFDUs should not be considered for allocation.

The cumulative area allocated for OFDUs, including the event tent and the building areas listed in **Table 6**, amounts to 332 m<sup>2</sup>. This area represents 0.56% of the Subject Lands, substantially less than the 2% threshold implemented by the OMAFRA Guidelines.

Since the allocated area for OFDUs is less than the 2% threshold and the building floor area devoted to on-farm diversified uses is less than 20% of 2% of farm parcel size, the proposal aligns with the first and second criteria outlined by OAFRA in Table 4.

If the GLFA that can accommodate secondary uses were to be expanded in the future beyond what is currently shown in the Site Plan and analyzed above, in accordance with the Draft ZBA, the OFDU percentage would still comply with the first criterion in **Table 4**.

#### 5.3.5 OMAFRA Guidelines on Compatibility

The OMAFRA Guidelines provide various compatibility considerations for OFDUs, with special event hosting considered in **Table 7** below. Although the commercial kitchen, if installed, is not explicitly addressed in the following table, it is not expected to create compatibility concerns, as it would be located entirely within the existing Harvest Barn facility. Additionally, there is established precedent for the incorporation of commercial kitchens within agricultural areas in Niagara-on-the-Lake, as outlined in Section 6 of this report.

**Table 7 – Compatibility Considerations**

Criteria	Commentary
<i>does not hinder surrounding agricultural operations</i>	Special events are proposed within existing buildings and the proposed event tent. The event tent is located behind the Grey Barn, within an area not presently in agricultural production, minimizing potential land use conflicts between OFDUs and agricultural production.
<i>appropriate to available rural services and infrastructure</i>	The Subject Lands have direct access to municipal infrastructure, including water and sanitary services.  Please refer to the FSB submitted with this application for additional details.

Criteria	Commentary
<i>maintains the agricultural/rural character of the area</i>	<p>The proposed development preserves the agricultural and rural character of the area. Approximately 75% of the Subject Lands are presently dedicated to grapevine cultivation. No grapevines will be removed from production as a result of this application. No external modifications to existing structures are proposed, nor are necessary to facilitate special events.</p> <p>Special events will comply with the Draft Zoning By-law, which is intended to regulate their area and frequency to ensure compatibility with the surrounding agricultural landscape.</p>
<i>meets all applicable environmental standards</i>	The proposed micro-brewery and farm distillery and its associated uses meet all applicable environmental standards.
<i>cumulative impact of multiple uses in prime agricultural areas is limited and does not undermine the agricultural nature of the area</i>	The cumulative impact of the special events and the potential use of a commercial kitchen in conjunction with the micro-brewery and farm distillery will be controlled and kept to a level that will not detract from the land's primary agricultural function.

## SUMMARY

Based on the preceding analysis, the micro-brewery and farm distillery qualify as an ARU as it meets the criteria outlined in **Table 2**. Additionally, the OFDUs proposed to be located on the Subject Lands are compatible with the surrounding agricultural lands and comply with the area limitations specified in **Table 4**. Therefore, the proposed uses adhere to the OMAFRA Guidelines on Permitted Uses.

### 5.4 Greenbelt Plan (2017)

The Subject Lands fall within the Protected Countryside of the Greenbelt Plan and are designated Niagara Peninsula Tender Fruit and Grape Area as per Schedule 2 of the Greenbelt Plan. The Niagara Peninsula Tender Fruit and Grape Area is a specialty crop area. The delineation of this area is based on provincial soil and climate analysis of the current and potential tender fruit and grape production areas. The Greenbelt Plan focuses on the protection of the specialty crop area land base while allowing agriculture-supportive infrastructure and value-added uses necessary for sustainable agricultural uses and activities.

#### 5.4.1 Protected Countryside Goals

Section 1.2.2 of the Greenbelt Plan includes policies aimed at improving both urban and rural areas, as well as enhancing the overall quality of life within the Protected Countryside. The following policies are relevant to this application:



## POLICY

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*To enhance our urban and rural areas and overall quality of life by promoting the following matters within the Protected Countryside:*

### 1. Agricultural Viability and Protection

- a) *Protection of the specialty crop area land base while allowing agriculture-supportive 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 include:*
  - i. *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; and*
- 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;*

### 3. Culture, Recreation and Tourism

- c) *Enabling continued opportunities for sustainable tourism development.*

## ANALYSIS

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The application aligns with the policies of the Greenbelt Plan by promoting farm diversification and agri-tourism. It establishes permissions for ARUs and OFDUs, while preserving the primary agricultural use. The proposed hospitality areas will promote tourism in Niagara-on-the-Lake, providing added economic value to the local community. The potential inclusion of a commercial kitchen would be intended to elevate food pairings, improving the visitor experience. For these reasons, the proposal is consistent with the objectives of the Greenbelt Plan.

### 5.4.2 Specialty Crop Area Policies

Section 3.1.2 of the Greenbelt Plan includes policies intended to protect and enhance agricultural lands within Specialty Crop areas.

## POLICY

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*For lands falling within 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, agriculture-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.*

## ANALYSIS

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The application would permit ARU and ODFU uses in accordance with the OMAFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas as reviewed in Section 5.3 of this PJR. The proposed use will not hinder any surrounding farm operations.

## SUMMARY

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Based on the preceding analysis, the proposed application conforms with the Greenbelt Plan.

### 5.5 Niagara Official Plan (2022)

The NOP is the Regional Municipality of Niagara's long-term, strategic policy planning framework for managing growth coming to Niagara. The NOP identifies what we need to protect; how and where we will grow; and policy tools to manage the same. Resources such as the natural environment system, agricultural system, source water, aggregates and petroleum, and cultural heritage and archaeology are protected for specific reasons whether it be ecological, economic, cultural heritage or community health. The Subject Lands are designated Specialty Crop Area as per **Schedule F** of the NOP.

#### 5.5.1 The Agricultural System

The agricultural system contains a structure for the agricultural land base and the agri-food network that enables the agri-food sector to thrive. The following relevant objectives apply.

## POLICY

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- 4.1 The objectives of this section are as follows:
  - a. *facilitate a strong, diverse, and resilient agricultural economy;*
  - b. *protect the region's agricultural land base;*
  - c. *ensure agriculture is the predominant land use in specialty crop areas and prime agricultural areas;*
  - d. *ensure the long-term sustainability and function of uses within the agricultural system;*
  - e. *protect specialty crop areas from fragmentation;*
  - f. *protect prime agricultural areas from fragmentation;*
  - g. *recognize and control changes to existing uses to ensure a viable agricultural system.*

## ANALYSIS

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The proposed non-agricultural uses will not fragment the farmlands as the buildings that would facilitate the new use are already in existence. The application would enhance the resilience of the agricultural operation to ensure its long-term sustainability by introducing an additional revenue stream while ensuring that the use maintains compatibility with surrounding agricultural activities.

### 5.5.2 Specialty Crop Areas and Prime Agricultural Areas

The NOP contains the following relevant policies to ensure the sustainability of Specialty Crop Areas and Prime Agricultural Areas.

## POLICY

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- 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.*
- 4.1.7.3 *Agricultural 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.*
- 4.1.7.4 *Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations.*
- 4.1.7.6 *On-farm diversified uses shall be:*
- a. *located on a farm;*
  - b. *secondary to the principal agricultural use of the property;*
  - c. *limited in area; and*
  - d. *compatible with, and shall not hinder, surrounding agricultural operations.*

## ANALYSIS

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The above policies of the NOP regarding ARUs and OFDUs are similar to those found within the PPS and the Greenbelt Plan. As discussed in the preceding sections, the Application is consistent with the PPS and the Greenbelt Plan.

### 5.5.3 Agricultural Related Use considerations

Sub-section 4.1.7.7 includes specific criteria that should be considered when reviewing applications for proposed ARUs.



## POLICY

- 4.1.7.7 *The appropriate scale for on-farm diversified uses may vary depending on the type of use and whether the activities are located in the specialty crop area or in other prime agricultural areas. The following criteria shall be considered when reviewing applications for proposed agriculture-related uses:*

**Table 8 – Criteria to Assess Agricultural Related Uses**

	<b>Criteria</b>	<b>Commentary</b>
a	<i>whether the proposed activity is more appropriately located in a nearby settlement area or on rural lands;</i>	The proposed ARU would process grapes grown on the Subject Lands. The proposed is appropriately located to strengthen the connection between farming and food processing.
b	<i>whether the use is required for or in close proximity to the agricultural operation for it to support and complement the agricultural activity;</i>	The proposed ARU provides value to the agricultural operation by creating a value-added product (i.e. grape-based spirits and beer) using grape skins that are a by-product of wine production, which occurs on site.
c	<i>the extent to which the use is compatible with the existing farming operation and surrounding farming operations;</i>	The proposed micro-brewery and farm distillery will be compatible with the surrounding agricultural operations.
d	<i>whether the scale of the activity is appropriate to the site and farming operation;</i>	The proposed ARU will be limited to the existing structures on the Subject Lands, with no modifications needed for the buildings, hardscaping, or private servicing infrastructure.
e	<i>whether the use is consistent with and maintains the character of the agricultural area;</i>	The proposed ARU aligns with and preserves the character of the agricultural area. No external alterations to the existing buildings are planned, and no agricultural land will be lost. Furthermore, similar uses, such as wineries, are common in the surrounding agricultural region.
f	<i>the use does not generate potentially conflicting off-site impacts;</i>	The proposed use will not generate off-site impacts.
g	<i>the activity does not include a new residential use;</i>	A residential use is not proposed.
h	<i>the use is limited to low water and low effluent producing uses and the site is</i>	The Subject Lands have direct access to municipal infrastructure and do not

	<i>capable of accommodating the use on private water and private sewage treatment systems;</i>	require private servicing infrastructure.
<i>i</i>	<i>the use does not require significant improvements to infrastructure; and</i>	The proposed use does not require any upgrades to municipal infrastructure. For more details, please refer to the FSB included with this application.
<i>j</i>	<i>the use complies with all other applicable provisions of this Plan.</i>	The use is compliant with other applicable provisions of the NOP.

#### 5.5.4 Economic Prosperity through Land Use Planning

Section 4.5.2 of the NOP consolidates policies that support economic prosperity across the plan. The following policy is particularly relevant to the Application:

#### POLICY

**4.5.2.1** *This section consolidates policy direction integrated throughout this Plan that supports economic prosperity.*

*The Region will endeavour to:*

- c. support the agri-food industry by:
 
  - i. promoting all types, sizes and intensities of agricultural uses and normal farm practices, including agriculture-related uses and on-farm diversified uses;**

#### ANALYSIS

The above policies of the NOP regarding ARUs and OFDUs are similar to those found in the PPS and Greenbelt Plan. As discussed in preceding sections of this report, the application is consistent with the PPS and Greenbelt Plan.

#### SUMMARY

Taking into consideration the analysis noted above, the proposed uses are in accordance with the policies included in the NOP.

#### 5.6 Niagara on the Lake Official Plan

The Town's OP provides policy direction to guide the Town's physical development. Most of the land in Niagara-on-the-Lake is in agricultural production. As such, agriculture is a significant contributor to the physical, social, and economic character of Niagara-on-the-Lake and the Town wishes to protect and enhance its agricultural system for the long-term by ensuring appropriate uses and activities in the agricultural area. To this end, permits secondary uses which support and are related to the agricultural industry. **Table 9** summarizes the designation of the Subject Lands in the Town's OP (**refer to Appendix E**).

**Table 9 – Niagara on the Lake Official Plan Relevant Schedules**

	Schedule	Designation
B	Land Use Plan – Niagara/Old Town	Agriculture
G	Transportation Plan	Niagara Stone Road is a Regional Road East & West Line Road is a local road.

### 5.6.1 Special Events

Section 6.31 of the Town's OP outlines policies designed to facilitate and regulate Special Events in the Town.

#### POLICY

- 6.31 *Nothing within any designation's policies shall be interpreted as permitting any special event that is not directly related to the dominant use of the site unless approved through an amendment to the zoning by-law or a temporary by-law. This policy applies to a variety of events including motor vehicle racing, rock concerts, music or other festivals. Special events shall expressly not be permitted where in the opinion of the Council the event will create a nuisance, be offensive or incompatible with surrounding uses. The requirement for an amendment does not apply to a special event in association with a main use or secondary use permitted in any designation provided that the proponent has received the permission of the Town in advance of the event. The Town reserves the right to refuse permission or limit the event where the Town is of the opinion that the event will create a nuisance, be offensive or incompatible with surrounding uses.*

#### ANALYSIS

The proposed application aims to permit special events as a secondary use alongside primary agricultural activities. According to the Town's OP, special events not directly related to the primary use require a ZBA or a temporary by-law. A site-specific ZBA, detailed in **Appendix F** of this PJR, will govern the area and schedule of these events.

All outdoor events are required to comply with the Town's Noise By-law to mitigate potential nuisances and ensure compatibility with surrounding land uses. This application effectively balances the integration of special events within the agricultural context while adhering to established planning policies.

### 5.6.2 Goals & Objectives

The Town's OP includes the following goals and objectives which apply to Agriculture:

#### POLICY

- 7.2.1. *To help ensure the preservation of prime agricultural lands for farming with particular emphasis on the preservation of specialty crop lands.*



- 7.2.2. *To help preserve the existing and potential agriculturally productive land giving highest priority to Good Tender Fruit/Grape Lands.*
- 7.2.3. *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.*
- 7.2.7. *To consider the impact on agriculture as the primary guideline in evaluating development proposals in the agricultural areas.*

## ANALYSIS

The proposed micro-brewery and farm distillery support the goals and objectives by enhancing the economic viability of the Subject Lands without the removal or degradation of lands from agricultural production. This proposal makes use of under-utilized on-site assets to produce value-added products like grape-based spirits and beer from grapes that are pressed on site, directly aligning with objectives to leverage Good Tender Fruit/Grape Lands for agricultural processing. This approach adds value to the agricultural products grown on site and improves the viability of the farming operation as a whole thereby safeguarding agriculture for future generations.

Niagara-on-the-Lake has an established precedent for on-site hospitality areas that use commercial equipment for food pairings, a practice designed to strengthen agricultural operations. The addition of the proposed OFDU is expected to support this goal without negatively impacting agricultural activities in the surrounding area.

### 5.6.3 Secondary Use Policies

Section 7.4(3)(a) of the Town's OP outlines development policies applicable to all secondary uses permitted within the agricultural designation. These policies are further analyzed in **Table 10** below.

## POLICY & ANALYSIS

**Table 10 – Secondary Use Policies**

Section	Policy	Analysis
<u>ii.</u>	<i>Such uses shall be encouraged wherever reasonably practical to locate on a relatively self-contained or isolated area separated from other agricultural lands by woodland, roads, railways or ravines.</i>	The proposed secondary uses will primarily occur within the existing buildings on the Subject Lands. Although some events are planned to take place in the event tent, no lands currently in agricultural production will be impacted, thereby ensuring the continued viability of agricultural operations on the site.
<u>iii.</u>	<i>The location of the facility or use imposes no operating constraints or results in no reduction of the efficiency of any existing farms.</i>	The scheduling of events will be managed to avoid interference with normal farming activities, thereby eliminating any potential operational

		constraints on existing farms. Site access / entrance points will not be altered with the new use and the existing buildings are not proposed to expand, therefore no reduction in efficiency for existing farms is anticipated.
<u>iv.</u>	<i>An adequate and potable water supply shall be available and it shall be the responsibility of the applicant to provide a report on the adequacy of the water supply, if required by the Town or the authority having jurisdiction.</i>	The FSB confirms that the existing buildings are connected to the watermain along East & West Line, which has the capacity to support the proposed service increase. To facilitate this increase, the existing on-site water service pipe will be upsized from 20 mm to 31.75 mm. Additionally, the FSB states that the existing 150mm diameter sanitary service lateral can be reused to adequately handle the sanitary flows from the buildings.
<u>vii.</u>	<i>Adequate entrances and exits to roads shall be so located as to minimize travel hazards. Ribbon development along roadways shall be discouraged.</i>	The site is accessible via existing entrances from Niagara Stone Road and East & West Line, which are designed to mitigate travel hazards and adhere to road access policies.
<u>viii.</u>	<i>Adequate off-street loading, parking spaces and access points shall be provided for all commercial and industrial development. Access points shall be clearly defined by pavement breaks, landscaping, curbing or other acceptable means. Outside storage may be limited.</i>	Adequate off-street parking is available, and compliant with the Town's Zoning By-law which is outlined in Section 6.0 of this PJR.
<u>x.</u>	<i>The lands shall be appropriately zoned and, where necessary, a Development Agreement be entered into.</i>	This application proposes a site-specific ZBA to ensure the secondary uses are suitable for the site and to protect the agricultural features of the Subject Lands.
<u>xi.</u>	<i>Development on treed areas, steep slopes, ravines, watercourses and any other natural or cultural resource shall be avoided.</i>	The proposed applications will not impact any natural or cultural resources.

#### 5.6.4 Wineries

Section 21.A.179.2 of the Town Zoning By-law 500A-74 permits an estate winery for the Subject Lands. Section 21.A.179.7 of the Town Zoning By-law provides that the estate winery and the retail sale of wine use on the Subject Lands is only permitted in conjunction with the farm operation at 1829 Concession 4 Road. The Application proposes to remove the requirement that the estate winery and the retail sale of wine use be permitted in conjunction with the farm operation at 1829 Concession 4 Road. Section 7.4 b) of the Town's OP includes requirements that must be considered to allow for the removal of the requirement contained in Section 21.A.179.7 of the Town Zoning By-law. These requirements are analyzed in **Table 11** below.

### POLICY & ANALYSIS

**Table 11 – Winery Policies**

Section	Policy	Analysis
i.	<i>The minimum acreage for an Estate Winery shall be established in the implementing Zoning By-law and shall generally be a contiguous parcel of at least 8 hectares (20 acres) the majority of land being in full vineyard production. This acreage is required to provide a rural setting for the Winery, land for the ponding of waste water and associated vineyards. Proposals for lesser acreage will be considered where it is demonstrated that the proponent can comply with all other policies of the plan and that the reduced area will not jeopardize the rural image of an Estate Winery. Notwithstanding the minimum acreage requirement of this plan, existing Estate Wineries as of the date of adoption of this Plan, having less than the minimum acreage will be recognized in the implementing zoning by-law providing all other policies of the plan are complied with.</i>	<p>The intent of the policy is to ensure adequate acreage to maintain a rural setting for the winery, and to ensure enough land for the ponding of wastewater and associated vineyards. However, the policy does permit lesser acreage where it is demonstrated that the proponent can comply with all other policies of the plan and that the reduced area will not jeopardize the rural image of an Estate Winery.</p> <p>Since the footprint of the existing buildings will remain unchanged and no agricultural land will be removed from production, the rural setting will be preserved. Furthermore, the addition of a winery does not inherently diminish the agricultural character of the area, as wineries are often considered ARUs under the OMAFRA Guidelines. Should a new winery building be proposed in the future, its size will be regulated by this By-law to ensure compatibility with the surrounding agricultural context.</p> <p>For these reasons, the reduced parcel size of 5.96 hectares is considered</p>

		appropriate to support the operation of an Estate Winery.
<u>ii.</u>	<p><i>The production of wine from an Estate Winery shall be subject to the following criteria:</i></p> <p><i>a) all wines produced shall be made from predominately locally grown fruit;</i></p> <p><i>b) all wines produced are to be made from predominately locally grown fruit crushed and fermented on site;</i></p> <p><i>c) an Estate Winery shall have the capability to bottle of all the wine produced on site.</i></p>	<p>a) All crafted alcoholic beverages, including wine, grape-based spirits, and beer, will be produced primarily using locally grown fruit.</p> <p>b) Grape crushing will occur within the Grey Barn on the Subject Lands.</p> <p>c) The Subject Lands are equipped to bottle wine, grape-based spirits, and beer entirely on-site.</p>
<u>iii.</u>	<i>All Estate Wineries shall be subject to a site specific zoning by-law amendment to control their number and location within the municipality</i>	The proposed Draft By-law will regulate the future development of an estate winery, should one be proposed.
<u>iv.</u>	<i>The retail sale of wine shall be permitted as part of an Estate Winery. The amount of floor space will be limited in the implementing zoning by-law so as not to detract from the main use of the land and not adversely affect other uses permitted in the agricultural area.</i>	The proposed Draft By-law regulates the use and area designated for the retail sale of wine, grape-based spirits, and beer.
<u>v.</u>	<i>A hospitality room where food and wine is prepared and served, the sale of products permitted in an agricultural market and over-night accommodation such as a bed &amp; breakfast may also be given consideration where it is clearly demonstrated that such uses are only accessory to and complement the estate winery. These uses shall only be permitted on an individual case by case basis and subject to a site specific zoning by-law amendment where the floor space may be restricted.</i>	Secondary uses, such as hospitality rooms for serving food alongside wine, grape-based spirits, and beer, as well as agricultural markets, are regulated by the proposed By-law.



<u>vi.</u>	<i>Estate Wineries shall be required to locate with direct or convenient access to an improved roadway with sufficient capacity to accommodate the anticipated traffic.</i>	The Subject Lands are accessible via Niagara Stone Road, a Regional Road and major transportation corridor into Niagara-on-the-Lake, as well as East & West Line, a local road. Moreover, the site provides a total of 66 parking spaces, which is sufficient to accommodate both visitors and employees for the proposed use.
<u>vii.</u>	<i>As indicated in sub-section (i) above, on-site vineyards are an important aspect of the image of an Estate Winery and encourages the use of local fruit in the production of wine. As such land not intended for building or on-site services shall be planted in vineyards and the Council may make vineyard planting a condition of the amending By-law to be completed prior to the issuance of a building permit.</i>	Approximately 75% of the Subject Lands are planted with vineyards. This application does not propose the removal of any grapevines, ensuring the preservation of the vineyard's appearance. Any future proposal for an estate winery that involves the removal of grapevines would be subject to evaluation through a new site plan agreement.

## SUMMARY

For the reasons mentioned in the analyses above, the proposed application complies with the Town's OP.

## 6.0 Proposed Zoning By-law Amendment

The Subject Lands are presently zoned "Rural (A-H) - Site Specific Zone" in accordance with By-law 500WK-13 (refer to **Appendix G**).

Site-specific By-law 500WK-13 took effect on June 24, 2013. Section 7 of the by-law permits the use of an Estate Winery and a retail sales area on the Subject Lands, but only in conjunction with the farm operation at 1829 Concession Road 4. It denotes that the Estate Winery use and the retail sale of wine at 1822 Niagara Stone Road should be prohibited by reason of the transfer of title to 1829 Concession Road 4 or 1822 Niagara Stone Road.

The existing site-specific by-law addresses Town OP policies set out in Section 7.4(3)(b)(i), which requires Estate Wineries generally be located on a minimum eight (8) hectare parcel of land with the majority of land being in full vineyard production. This policy is thoroughly analyzed in Section 5.6.4 of this PJR.

In addition to the uses currently permitted under Zoning By-law 500WK-13, the proposed amendment will permit the establishment of a micro-brewery and farm distillery on the

Subject Lands. The Draft By-law will also be revised to permit a multi-use flexible space to include the following secondary uses:

- hospitality area(s) with food service from a commercial kitchen
- commercial kitchen
- an event tent

The Subject Lands will also be permitted to host special events as a secondary use. Existing secondary uses, such as the agricultural market and wine retail sales, are carried over into the new draft by-law. The retail sales area will also be permitted to include the on-site sale of grape-based spirits and beer produced on the property.

**Table 12** provides an overview of compliance with the following applicable sections of the Zoning By-law:

- Section 21.A.179 (Special Exemptions);

**Table 12 – Zoning Schedule**

Section	Regulations	Zoning Requirement	Proposed Concept	Compliance
<b>Zoning By-law 500WK-13</b>				
21.A.179 2.	Permitted Uses	a) Estate Winery	a) Estate Winery b) Micro-Brewery c) Farm Distillery	No
	Secondary Uses	a) Retail wine sales area b) Agricultural Market c) Refreshment area and bakery as accessory uses to the agricultural market.	a) Hospitality Area with food service from Commercial Kitchen b) Event Tent c) Commercial Kitchen d) Special Events	No
	Prohibited Uses	a) Residential use	a) Residential use	Yes
	Zone Requirements	b) Minimum side yard setback to East and West Line Road 2.5 metres	2.56 metres	Yes
		c) Minimum side yard setback to Niagara Stone Road 6.0 metres	9.48 metres	Yes

		d) Maximum floor area devoted to the retail sale of wine <i>240 m<sup>2</sup></i>	240 m <sup>2</sup>	Yes
		h) Minimum loading bays <i>1 space</i>	1 space	Yes
		i) Minimum number of parking spaces <i>59 which includes 2 parking spaces for buses and 3 accessible parking spaces</i>	1 parking space for every 18.5 square metres (199 square feet) of floor area devoted to the secondary use.	Yes
			2 bus parking spaces to be provided.	Yes
			Accessible parking shall comply with the integrated accessibility standards under the accessibility for Ontarians with Disabilities Act.	Yes
		j) Minimum employee parking spaces <i>1 space per employee; 8 employees = 8 spaces required.</i>	8 spaces proposed	Yes

### **Permitted Uses**

The proposed ZBA intends to permit the development of a micro-brewery and farm distillery on the Subject Lands. Although the Town's current Zoning By-law does not permit these uses, this amendment is justified for the reasons identified in this PJR. All three (3) uses are farm-related commercial or industrial uses that use grapes to create value-added products, such as wine, or in this case – grape-based spirits and beer. These uses are essential to supporting the agricultural context in Niagara-on-the-Lake by providing tourist destinations, creating employment opportunities, and safeguarding agriculture in the long term by utilizing locally grown grapes. For these reasons, micro-breweries and farm distilleries should be permitted on the Subject Lands.

## **Hospitality areas**

The proposed ZBA intends to permit hospitality areas on the Subject Lands, with or without food service prepared by a commercial kitchen. Hospitality areas are intended to be in the Harvest Barn facility, the Grey Barn and the event tent. The future use of commercial cooking equipment will be permitted only within the Harvest Barn facility, and solely for the purpose of pairing food with grape-based spirits and beer tastings. This equipment will not be used in establishment of a restaurant.

Hospitality areas offering food pairings from a commercial kitchen is justified in the site-specific zoning by-laws, as they are intended to enhance the tasting experience of grape-based spirits and beer, aligning with and supporting the core agricultural business on the Subject Lands.

## **Commercial Kitchen**

Zoning By-law 500A-74 permits hospitality rooms in wineries as secondary uses where wine and food may be served, excluding the use of commercial cooking equipment for on-site food preparation. This restriction is intended to preserve the agricultural character of the lands by preventing the development of facilities that could resemble urban restaurants, which could lead to the urbanization of specialty crop areas.

According to the Zoning By-law, a restaurant is defined as a building or part of a building dedicated specifically to the preparation and retail sale of food to the public. If a commercial kitchen is introduced in the future, the proposal would not support the operation of a standalone food service establishment. Instead, it would focus on enhancing the experience of showcasing grape-based spirits and beer paired with complementary food offerings. The agricultural use would remain the primary function of the Subject Lands.

Notably, there is established precedent for permitting food pairings curated with the use of commercial cooking equipment in hospitality areas in Niagara on the Lake, including Chateau Des Charmes II, Caroline Cellars Estate Winery, Inniskillin Wines, Jackson Triggs Winery, Queenston Mile Winery, and Big Head Winery. These examples are further described in **Appendix H**. This precedent demonstrates that incorporating food pairings prepared in commercial kitchens does not compromise the agricultural nature of the operation.

## **Special Events**

The proposed ZBA seeks to permit special events on the Subject Lands as a secondary use. In accordance with the Town's OP, special events are permitted in agricultural zones as a secondary use to the primary agricultural activities. However, these events are authorized only through a site-specific ZBA, which regulates their area and schedule.

Hosting special events is common practice in Niagara-on-the-Lake. Many wineries within the agricultural areas are permitted to host events similar to those proposed for the



Subject Lands. A detailed list of wineries and distilleries with similar permissions is provided in **Appendix G**. The facilities listed include:

- Kurtz Orchard
- Inniskillin Winery
- Peller Estate Winery
- Riverbend Inn
- Cellars Estate Winery
- Diamond Estates Winery
- Southbrook Winery
- Pondview Winery
- Hinterbrook Winery
- Two Sisters Winery
- Pillitteri Estate Winery
- Wayne Gretzky Estate Winery & Craft Distillery

While the site-specific zoning by-law provisions for each site may differ, there are generally special regulations for outdoor events which may be perceived to have greater impacts on surrounding uses. These provisions are designed to control the frequency, scale, and intensity of activities, aiming to minimize their impact on surrounding lands. These events are usually confined to the spring, summer, and fall months, with most comparable cases allowing outdoor events from April 1<sup>st</sup> to October 31<sup>st</sup> each year. Operational hours are generally restricted from midday until early morning, with all outdoor activities required to conclude by 11:00 PM. The site-specific ZBA included in **Appendix H** regulates the area and schedule of outdoor events on the Subject Lands, though does not regulate the frequency of events. The precedence of special events held at similar facilities within agricultural areas of Niagara-on-the-Lake demonstrates that these uses can be compatible with the surrounding agricultural context and, therefore, can be supported.

#### **Minimum Parking Requirements**

**Required:** 59 which includes, 1 parking space per employee, 2 parking spaces for buses and 3 accessible parking spaces.

**Proposed:** 1 parking space for every 18.5 square metres (199 square feet) of floor area devoted to the secondary use, 1 parking space per employee, and 2 bus parking spaces, and accessible parking spaces in accordance with the Integrated Accessibility Standards under the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11*.

Although the final floor plans are yet to be finalized, the GLFA designated for the site's secondary uses are anticipated to be 750 m<sup>2</sup>. The breakdown of these areas is as follows:

- Harvest Barn: 495 m<sup>2</sup>
- Grey Barn: 130 m<sup>2</sup>
- Event Tent: 125 m<sup>2</sup>

The standard parking rate for secondary areas of an Estate Winery, which is similar to the demand for the proposed micro-brewery and farm distillery, is 1 parking space per 18.5 m<sup>2</sup> of secondary use. For this application, a minimum of 41 parking spaces is deemed appropriate based on the GLFA. Should secondary uses be expanded in the future, the site has a surplus of parking spaces available to accommodate the additional uses.

The requirement for accessible parking will be in accordance with the integrated accessibility standards under the *Accessibility for Ontarians with Disabilities Act*. Employee and bus parking will remain unchanged.

## **7.0 Summary and Conclusion**

It is our opinion the proposed Zoning By-law Amendment represents good land use planning, is in the public interest and should be approved for the following reasons:

1. The application is consistent with the PPS, aligns with the OMAFRA Guidelines, while also conforming to the Greenbelt Plan, the NOP, and the Town's OP;
2. The proposed use would repurpose existing buildings on the Subject Lands to produce value-added products from the agricultural output grown on the Subject Lands. The proposed use will increase the demand for grapes and enhance economic potential, thereby contributing to the long-term sustainability of agriculture;
3. The application would create employment opportunities in Niagara-on-the-Lake;
4. No agricultural land will be removed from production;
5. The proposed use will make efficient use of existing municipal services and facilities; and
6. The proposed inclusion of special events aligns with the practices of other facilities located within the Agricultural area of Niagara-on-the-Lake.

Report prepared by:



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**Robert Smit, MSc RPD**  
Planner  
*NPG Planning Solutions Inc.*

Report reviewed by:



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**Jesse Auspitz, RPP, MCIP**  
Principal Planner, Toronto  
*NPG Planning Solutions Inc.*

## **8.0 Appendices**

Appendix A – Proposed Site Plan

Appendix B – Site Survey

Appendix C – Greenbelt Plan

Appendix D – Niagara Official Plan Schedules

Appendix E – Niagara-on-the-Lake Official Plan

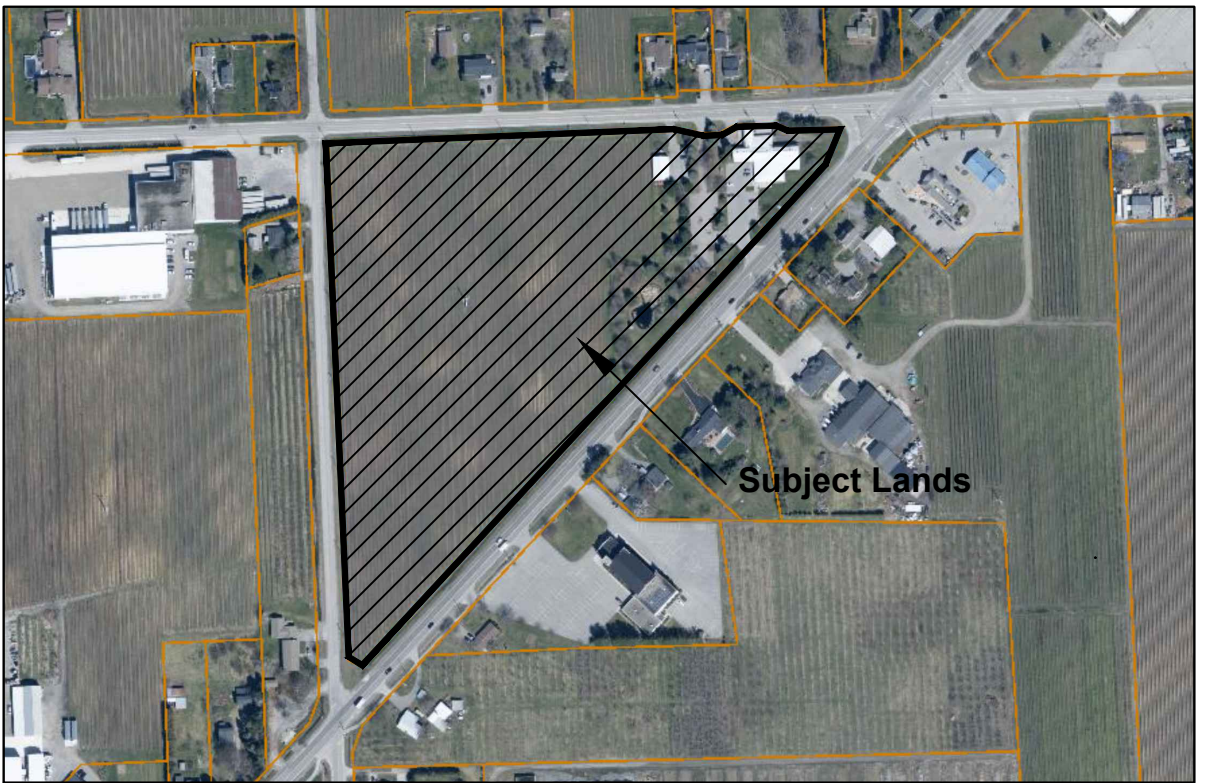
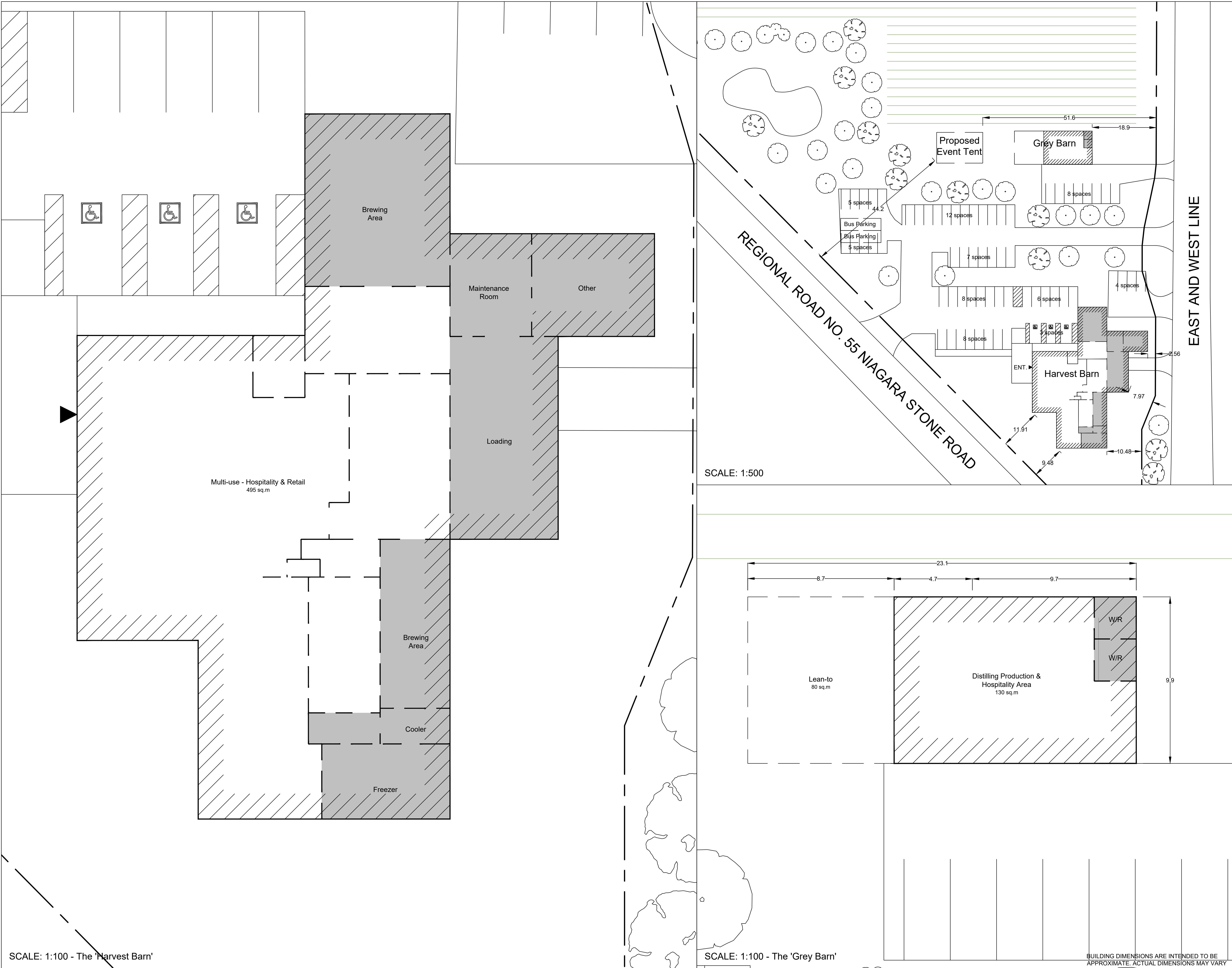
Appendix F – Niagara-on-the-Lake - Zoning By-law 500A-74

Appendix G – Niagara-on-the-Lake - Draft Zoning By-law Amendment

Appendix H – Special Event Venues in Niagara on the Lake

## Appendix A – Proposed Site Plan





KEY MAP

SITE STATISTICS			
MUNICIPAL ADDRESS:		1822 NIAGARA STONE ROAD NIAGARA ON THE LAKE, ONTARIO RURAL (A)	
ZONING:			
		%	
		METRIC (m <sup>2</sup> )	IMPERIAL (ft <sup>2</sup> )
LOT AREA: (APPROX)		5.962 HA	14.73 AC
LOT FRONTAGE: (NIAGARA STONE RD)		465.0	5005.4
BUILDING AREA		METRIC (m <sup>2</sup> )	IMPERIAL (ft <sup>2</sup> )
HARVEST BARN		830.0	8,934.3
GREY BARN & LEAN TO		230.0	2,475.8
PROPOSED EVENT TENT		125.0	1,345.5
BUILDING AREA (TOTAL)		1185.0	12755.7
GROSS LEASABLE FLOOR AREA		METRIC (m <sup>2</sup> )	IMPERIAL (ft <sup>2</sup> )
HARVEST BARN		495.0	5,328.3
GREY BARN (NOT INCL. W/R)		130.0	1,399.4
PROPOSED EVENT TENT		125.0	1,345.5
GROSS LEASABLE FLOOR AREA (TOTAL):		750.0	8073.2
ON-FARM DIVERSIFIED USE (OFDU)		METRIC (m <sup>2</sup> )	IMPERIAL (ft <sup>2</sup> )
HARVEST BARN (DISCOUNTED @ 50%)		185.6	1,998.1
GREY BARN (DISCOUNTED @ 50%)		32.5	349.8
GREY BARN LEAN-TO		20.0	215.3
PROPOSED EVENT TENT		93.8	1,009.1
OFDU (TOTAL):		331.9	3572.4
LOT AREA (TOTAL):		59,620.0	
OFDU PERCENTAGE:		0.56%	

PARKING:			
		REQUIREMENT	REQUIRED
			PROVIDED
STAFF PARKING		1 PER EMPLOYEE	8
VISTOR PARKING		1 PER 18.5 SQ.M	41

**ROOM LEGEND**

Non-Gross Leasable Floor Area

Gross Leasable Floor Area

**SITE PLAN**

**ZONING BY-LAW AMENDMENT**

**1822 NIAGARA STONE ROAD**

For: 2638906 ONTARIO INC. Scale: As Shown  
File No.: 231150 Date: Dec. 05, 2024

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DO NOT SCALE THE DRAWING.



## Appendix B – Site Survey

## Appendix C – Greenbelt Plan

### SCHEDULE 1: *Greenbelt Area*





Appendix D – Niagara Official Plan

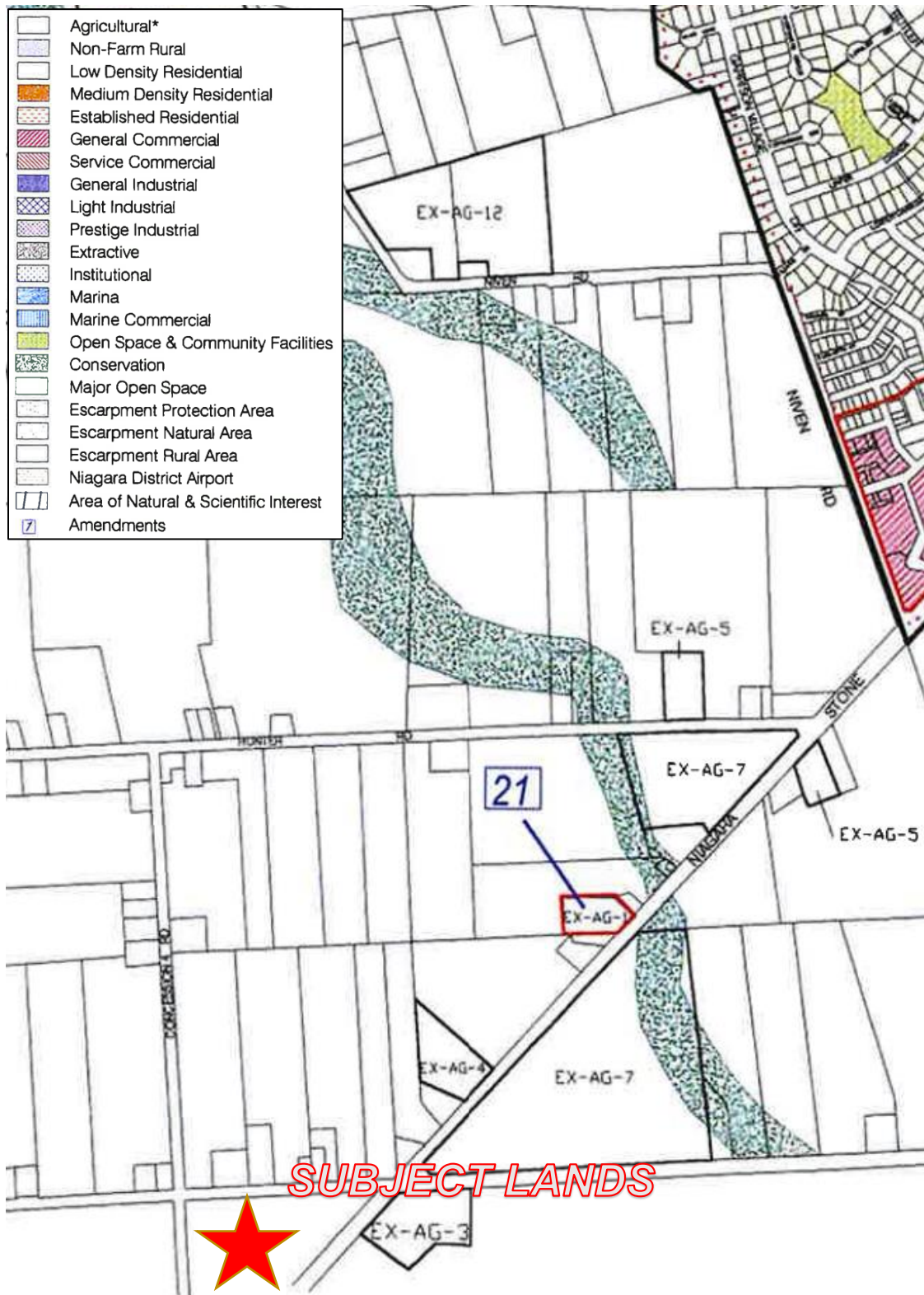
**SCHEDULE F: Agricultural Land Base**





## Appendix E – Niagara on the Lake Official Plan

### SCHEDULE B: Land Use Plan





## Appendix G – Niagara on the Lake Draft Zoning By-law Amendment

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE  
BY-LAW NO. 500A-74-##**

1822 Niagara Stone Road

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO PLANNING ACT TO AMEND BY-LAW 500WK-13, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES THEREON.

**WHEREAS** the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the *Planning Act*, R.S.O, 1990, c.P.13, as amended;

**AND WHEREAS** this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE ENACTS AS FOLLOWS:**

1. That Map 'A' is attached to and forms part of this By-law
2. Section 2 of By-law 500WK-13 is amended by repealing & replacing the permitted uses and secondary uses with the following:

**Permitted uses**

- a) Estate Winery
- b) Farm distillery
- c) Micro-brewery

**Secondary uses**

- a) Agricultural Market
- b) Retail sales area
- c) Hospitality Areas
- d) Event Tent
- e) Commercial Kitchen
- f) Special Events

## **Prohibited Uses**

- a) Residential Use
- 3. For the purposes of this by-law, a Farm Distillery means a building associated with an agricultural use for the making of spirits on a small scale, from locally grown agricultural fruit and grain.
- 4. For the purposes of this By-law, a micro-brewery means a facility used for the manufacture and retail sale of beer, cider, wine or spirits, produced exclusively for consumption on or off site.
- 5. For the purposes of this by-law, a hospitality room / area means a defined hospitality room / area or combined hospitality room / area where food and drinks may be served. The use of commercial cooking equipment is permitted provided that the commercial cooking equipment is used only for the pairing of food with alcohol in conjunction with hospitality services and events of the micro-distillery and farm distillery and not in the establishment of a restaurant use.
- 6. Repeal the existing zone requirements and replace them with the following provisions applicable to the Subject Lands:
  - a) Minimum lot area ..... 5.9 ha (14.5 ac)
  - b) Minimum side yard setback to East and West Line Road ..... 2.5 m (8.2 ft)
  - c) Minimum side yard setback to Niagara Stone Road ..... 6.0 m (19.7 ft)
  - d) Maximum floor area devoted to the retail sale of alcohol..... 240.0 m<sup>2</sup> (2,583.33 ft<sup>2</sup>)
  - e) Maximum floor area devoted to the agricultural market ..... 835.0 m<sup>2</sup> (8,073 ft<sup>2</sup>)
  - f) Minimum side yard setback from East & West Line to event tent..... 50m (164.0 ft)
  - g) Minimum side yard setback from Niagara Stone Road to event tent. 40m (131.0 ft)
  - h) Maximum lot coverage for all buildings ..... 10%
  - i) Minimum loading bays ..... 1
  - j) Minimum number of passenger bus parking spaces .....2
  - k) Minimum number of parking spaces ..... 1 parking space for every 18.5 square metres (199 square feet) of floor area devoted to the secondary use.
  - l) Minimum employee parking spaces ..... 1 space per employee for the permitted uses on the Subject Lands
  - m) Accessible parking will comply with the Integrated Accessibility Standards under the Accessibility for Ontarians with Disabilities Act.
- 7. Notwithstanding the provision of Zoning By-law 500A-74, as amended, the following shall apply to the event tent use on lands shown on Map A attached hereto:
  - a) The maximum total floor area for the event tent use shall be 125 m<sup>2</sup> (1,345.5 ft<sup>2</sup>)
  - b) The maximum height of the event tent shall be 6.0 m (19.7 ft)
  - c) A maximum of 125 guest are permitted at each event
  - d) No amplified music or public address system shall be permitted
  - e) All outdoor activity shall cease by 11:00 p.m.

8. The total gross floor area that is permitted to be occupied by a secondary use shall not exceed 1,179.0 m<sup>2</sup> (12,690.65 ft<sup>2</sup>).
9. 75% of the land shall be planted and kept in agricultural production.
10. That Section 7 of By-law 500WK-13 is hereby repealed.
11. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

---

LORD MAYOR GARY ZALEPA

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TOWN CLERK





## Appendix H – Special Event Venues in Niagara on the Lake

**Table 13 – Special Event Venues in Niagara on the Lake**

Special Event Facility	Urban Area or Agricultural Area	Zoning By-law and Appendix Reference	Provision in Zoning By-law
Kurtz Market	Agricultural Area	500WU-15	<p>3. <i>In addition to the permitted uses of the "Rural (A) Zone" the following value added uses shall be permitted as secondary uses on the subject lands: a) Agricultural Market b) Refreshment Area c) Agricultural Education Area d) Restaurant e) Wedding and hospitality (lunch and dinner) events</i></p> <p>4. <i>In lieu of the corresponding provisions of the "Rural (A) Zone" the following provisions shall apply on the subject lands:</i></p> <p>c) Maximum floor area for all secondary uses shall not exceed..... 1,436 m<sup>2</sup> (15,457 ft<sup>2</sup>)</p> <p>e) Maximum floor area for wedding and hospitality use ..... 469 m<sup>2</sup> (5,049 ft<sup>2</sup>)</p> <p>2. The following provisions shall apply for the wedding and hospitality events:</p> <p>a) Outdoor events shall be permitted between April 1st and October 31st of each year</p> <p>b) Hours of operations for any event shall be limited to between 12:00 noon and 1:00 a.m.</p> <p>c) All outdoor and tent activities shall cease at 11:00 p.m.</p> <p>d) All outdoor lighting shall be directed downwards and away from adjacent properties</p> <p>e) A maximum of twenty-four (24) events shall be permitted each year, with one event defined as one day. Wedding rehearsals will not be counted as an event.</p>

			<ul style="list-style-type: none"> <li>f) Event tents can remain erected from April 1 and October 31 each year and shall be removed within 24 hours of October 31 each year</li> <li>g) Only one event shall be held at any one time</li> <li>h) Meals served within the tent shall be prepared off-site or within the onsite restaurant</li> </ul>
Kurtz Orchards	Agricultural Area	500WJ-13	<p>2. <i>Notwithstanding the provisions of the "Rural (A) Zone" the following uses and provisions shall apply to those lands shown on the Schedule attached hereto:</i></p> <p><b>Secondary uses:</b></p> <p>a) <i>Agri-tourism: wedding and hospitality (lunch and dinner) events</i></p> <p>3. <i>Agri-tourism Use</i></p> <ul style="list-style-type: none"> <li>a) The total permitted secondary uses to the main use of the farm operation shall not exceed 400.0 m<sup>2</sup> (4,306.0 ft<sup>2</sup>). The floor area of 400.0 m<sup>2</sup> (4,306.0 ft<sup>2</sup>) includes two tents and one barn / conservatory / greenhouse building.</li> <li>b) Outdoor events shall be permitted between April 1 and October 31 of each year.</li> <li>c) Hours of operation shall be limited to between 12:00 noon and 11:00 p.m.</li> <li>d) All outdoor and tent activities shall cease at 11:00 PM</li> <li>e) All outdoor lighting shall be directed downwards and away from adjacent properties.</li> <li>f) A maximum of twenty-four (24) events shall be permitted each year, with one event defined as one day. Wedding rehearsals will not be counted as an event.</li> <li>g) Event tents can remain erected from April 1st to October 31st each year and shall be removed within 24 hours of October 31st each year.</li> <li>h) Only one event shall be held at any one time.</li> </ul>

Inniskillin Winery	Agricultural Area	500TY-07	<p>5. <i>Notwithstanding anything to the contrary in By-law 500A-74, as amended, outdoor special events are permitted as follows:</i></p> <p>a) <i>A maximum of 25 outdoor special events shall be permitted after public winery hours consisting of:</i></p> <ul style="list-style-type: none"> <li>i. <i>a maximum of 3 outdoor events having a maximum occupancy of between 350 and up to 500 persons; and</i></li> <li>ii. <i>a maximum of 12 outdoor events of up to 350 persons</i></li> <li>iii. <i>a maximum of 10 outdoor events of up to 100 persons.</i></li> </ul> <p>b) <i>All outdoor special events shall cease by 10:00 pm.</i></p> <p>c) <i>All outdoor special events catering to 350 persons or more shall employ the use of bus pick up and drop off for guests from pre-determined sites to ensure guests are transported to and from the winery.</i></p> <p>d) <i>All parking shall be provided on-site and there shall be no spill over of parking on the Line 3 Road right of way.</i></p> <p>e) <i>Outdoor special events shall be restricted to piazza and patio area only with no public use of the area to the east and south of the existing Retail Barn Building being used for outdoor event purposes.</i></p> <p>f) <i>No amplified music or public address system is permitted.</i></p>
Peller Estate Winery	Agricultural Area	500LY-98 & 500WY-16	<p>3. <i>In addition to those uses permitted in a "Rural (A) Zone" the following secondary uses shall also be permitted only in association with and accessory to the main use of the Estate Winery: ...</i></p> <p><b>500WY-16</b></p> <p>1. <i>That By-law 500LY-98, Section 3, Site Specific provisions is hereby further amended by increasing the maximum floor area for all permitted secondary uses to 2,721 m<sup>2</sup> (29,288.6 ft<sup>2</sup>) and by adding the following secondary uses:</i></p> <ul style="list-style-type: none"> <li>• <i>Outdoor Event Area (may include event tent) ..... 167.2 m<sup>2</sup> (1,800 ft<sup>2</sup>)</i></li> </ul>

			<ul style="list-style-type: none"> <li>• Kitchen (outdoor, may include removable cover) ..... 35 m<sup>2</sup> (377 ft<sup>2</sup>)</li> </ul>
Riverbend Inn	Agricultural Area	500SJ-05 & 500TU-07	<p>1. That By-law No. 500A-74, as amended by By-law 500RC-03 is hereby further amended by adding the following:</p> <p><i>In addition to those uses permitted in the "Rural (A) - Site Specific Zone" the following secondary uses shall be permitted in association with and accessory to the main use:</i></p> <p><i>Event Tent ..... 2400 ft<sup>2</sup></i></p> <p>2. Notwithstanding the provisions of Zoning By-law 500A-74, as amended by Bylaw 500RC-03 the secondary tent use shall be subject to the following provisions:</p> <ol style="list-style-type: none"> <li>All outdoor activity shall cease at 10:00 p.m.</li> <li>No amplified music shall be permitted.</li> <li>(as amended by By-law 500TU-07)</li> <li>An outdoor event tent shall be permitted between May 1<sup>st</sup> and October 31<sup>st</sup> of each year.</li> <li>A maximum number of 16 events will be permitted each year, with 4 of these events having to be for charitable purposes.</li> <li>A maximum number of 125 guests are permitted for each event.</li> <li>A maximum of 1 event shall be permitted per weekend, defined as Friday, Saturday and Sunday</li> </ol>
Cellars Estate Winery	Agricultural Land	500SL-05	<p>2. Notwithstanding the provisions of the "Rural (A) Zone" only the following uses shall be permitted on the lands shown on Schedule 1 attached hereto:</p> <p>c) accessory buildings and structures including an event tent</p> <p>4. Notwithstanding the provision of Zoning By-law 500A-74, as amended, the following shall apply to the event tent use on lands shown on Schedule 1 attached hereto:</p>



			<ul style="list-style-type: none"> <li>a) An outdoor event tent shall be permitted between May 1<sup>st</sup> and October 31<sup>st</sup> of each year</li> <li>b) No amplified music or public address system shall be permitted</li> <li>c) All outdoor activity shall cease by 11:00 p.m.</li> <li>d) A maximum of 12 events will be permitted each year with one event defined as one day</li> <li>e) A maximum of 125 guest are permitted at each event</li> <li>f) A maximum of 1 event shall be permitted per weekend, defined as Friday, Saturday and Sunday.</li> </ul>
Southbrook Winery	Agricultural Area	500UA-07	<p>3. By-law 500A-74, as amended by By-law 500TN-06 is hereby further amended by adding the following section:</p> <p><i>Section 5:</i>  <i>Outdoor special events are permitted as follows:</i></p> <ul style="list-style-type: none"> <li>a) A maximum of 24 outdoor special events shall be permitted subject to a limit of a 200 guest.</li> <li>b) All outdoor special events shall cease by 11:00 pm.</li> <li>c) All parking shall be provided on-site and there shall be no spill over of parking on the Niagara Stone Road right of way.</li> <li>d) Outdoor special events shall be restricted to the east outdoor patio area only.</li> <li>e) e. No amplified music or public address system is permitted.</li> </ul>
Pondview Winery	Agricultural Area	500VD-09	<p>3. In addition to those uses permitted in a "Rural (A) Zone" the following secondary uses shall also be permitted in association with and accessory to the main use of the Estate Winery:</p> <p style="text-align: center;"><i>special event area - 332.3 m<sup>2</sup> (3576.5 ft<sup>2</sup>)</i></p> <p>4. Notwithstanding anything to the contrary in By-law 500A-74, as amended, outdoor special events are permitted as follows:</p> <ul style="list-style-type: none"> <li>• All outdoor activity shall cease at 10:00 p.m.</li> </ul>

			<ul style="list-style-type: none"> <li>• No amplified music shall be permitted.</li> <li>• Event tents will be removed within twenty-four (24) hours of the event.</li> <li>• An outdoor event tent shall be permitted between May 1st and October 31st</li> <li>• A maximum number of twenty-four (24) events will be permitted each year.</li> <li>• A maximum number of seventy-five (75) guests are permitted for each event.</li> <li>• A maximum of one (1) event is permitted at any one time.</li> <li>• Off street parking for the outdoor special event is to be provided on-site in accordance with the requirements of Section 3.19, Parking Space Requirements.</li> </ul>
Hinterbrook Winery	Agricultural Area	500VN-10	<p>3. In addition to those uses permitted in a "Rural (A) Zone" the following secondary uses shall also be permitted in association with and accessory to the main use of the Estate Winery:</p> <ul style="list-style-type: none"> <li>• special events</li> </ul> <p>4. Notwithstanding anything to the contrary in By-law 500A-74, as amended, outdoor special events are permitted as follows:</p> <ul style="list-style-type: none"> <li>• All outdoor activity shall cease at 11 :00 p.m.</li> <li>• No amplified music shall be permitted.</li> <li>• Event tents will be removed within twenty-four (24) hours of the event.</li> <li>• An outdoor event tent shall be permitted between May 1st and October 31st.</li> <li>• A maximum number of eight (8) events will be permitted each year.</li> <li>• A maximum number of one hundred and fifty (150) guests are permitted for each event.</li> <li>• A maximum of one (1) event is permitted at any one time.</li> </ul>

			<ul style="list-style-type: none"> <li>Off street parking for the outdoor special event is to be provided on-site in accordance with the requirements of Section 3.19, Parking Space Requirements.</li> </ul>
Two Sisters Winery	Agricultural Area	500WR-15	<p>3. The following secondary uses are permitted on those lands shown as Part 1 on Map A attached hereto:</p> <p>d) Outdoor patio</p> <p>4. An outdoor patio shall have the following provisions:</p> <p>a) Outdoor events shall be permitted between May 1st and October 31st of each year</p> <p>b) No amplified music or public address system shall be permitted</p> <p>c) Hours of operation shall be limited to between 8 a.m. and 11 p.m.</p> <p>d) All outdoor lighting shall be directed downwards and away from residential properties</p> <p>e) A maximum of twenty-four (24) events shall be permitted each year, with one event defined as one day</p> <p>f) A maximum of one (1) event shall be permitted per weekend, defined as Friday, Saturday and Sunday</p>
Pillitteri Estate Winery	Agricultural Area	500WS-15	<p>1. That By-law 500MX-99 is rescinded in its entirety and replaced with the following:</p> <p>i. In addition to the permitted uses of the "Rural (A) Zone" the following uses shall be permitted:</p> <p>d) Outdoor Event Area (lawn and tent areas)</p> <p>i. In lieu of the corresponding provisions of Section 6.13, up to two event tents with a combined area of 150 m<sup>2</sup> (1,614.59 ft<sup>2</sup>) may be erected continuously between May 1st and October 31st of each</p>

			year, as part of the outdoor event area. All other event tents must be removed within 24 hours of an event.
Wayne Gretzky Estate Winery & Craft Distillery	Agricultural Area	500WV-15	<p>2. In addition to the permitted uses of the "Rural (A) Zone" the following uses shall be permitted:</p> <ul style="list-style-type: none"> <li>a) Estate Winery</li> <li>b) Farm Distillery</li> </ul> <p>3. In lieu of the corresponding provisions of Section 6.13 of Zoning By-law 4316- 09, as amended, and the zone requirements in Schedule F of Zoning By-law 500A-74, the following provisions shall apply on the subject lands:</p> <ul style="list-style-type: none"> <li>d) Outdoor events shall be permitted year round</li> </ul> <p>6. The following provisions shall apply to the proposed Farm Distillery:</p> <ul style="list-style-type: none"> <li>a) For the purposes of this by-law only, a Farm Distillery means a building associated with an agricultural use for the making of spirits on a small scale, from locally grown agricultural fruit and grain.</li> <li>b) Maximum gross leasable floor area for the Farm Distillery ..... 475 m<sup>2</sup></li> <li>c) Maximum gross leasable floor area for the Farm Distillery's secondary uses ..... 300 m<sup>2</sup></li> <li>d) Permitted secondary uses shall be restricted to the retail sale of spirits and hospitality area</li> </ul>
Pellar Estates Winery and Restaurant	Agricultural Area	500LY-98	<p>3. <i>In addition to those uses permitted in "Rural (A) Zone" the following secondary uses shall also be permitted only in association with an accessory to the main use of the Estate Winery</i></p> <p><i>Maximum total floor area for all secondary uses permitted herein shall be 2594 m<sup>2</sup> (27,920 ft<sup>2</sup>) with each individual use not exceeding the following:</i></p>

			<p><i>Function room..... 212.1 m<sup>2</sup> (2283 ft<sup>2</sup>)</i></p> <p><i>Outdoor Patio ..... 250 m<sup>2</sup> (2691 ft<sup>2</sup>)</i></p> <p><i>Event Tent ..... 45 m<sup>2</sup> (484 ft<sup>2</sup>)</i></p>
Diamond Estates Winery	Agricultural Area	500YD-23	<p>4. Section 2 of By-Law 500SW-06 is hereby deleted in its entirety and replaced with the following: Notwithstanding the provisions of the "Rural (A) Zone", the following uses shall be permitted in association with the agricultural production of land on the lands shown as Parts 1 and 3 on the Schedule hereto:</p> <p><b>Secondary uses:</b></p> <p>f) <i>Outdoor hospitality area (upper and lower terrace areas) and / event area</i></p> <p><b>Section 3(b)</b>  <i>Notwithstanding the provisions of Zoning By-Law 500A-74, as amended, the following shall apply to the event tent use area on lands shown as Parts 1 and 3 on the Schedule hereto:</i></p> <p>a) <i>An outdoor event tent shall be permitted between May 1 and October 31 of each year.</i></p> <p>b) <i>No amplified music or public address system shall be permitted.</i></p> <p>c) <i>Hours of operation shall be limited to between 8 a.m. and 11 p.m.</i></p> <p>d) <i>All outdoor lighting shall be directed downwards and away from residential properties.</i></p> <p>e) <i>Outdoor event area shall be setback a minimum of 30 metres from any residential property.</i></p> <p>f) <i>Outdoor event area shall be screened from any residential property.</i></p> <p>g) <i>A maximum of 24 events will be permitted each year, with one event defined as one day.</i></p>



			h) A maximum of 1 event shall be permitted per weekend, defined as Friday, Saturday and Sunday
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**Table 14 – Estate Wineries with Commercial Cooking**

Winery	Urban Area or Agricultural Area	Zoning By-law and Appendix Reference	Provision in Zoning By-law
Chateau Des Charmes II	Agricultural Area	500IX-94	4. The following secondary uses shall also be permitted only in association with and accessory to the main use of the Estate Winery permitted on the lands shown on Schedule 500IX-94.  b) A hospitality room permitting commercial cooking equipment.
Caroline Cellars Estate Winery	Agricultural Area	500VH-10	5. Section 3 of By-law 500SL-05 is hereby amended by adding the following: "Notwithstanding anything to the contrary in By-law 500A-74, as amended by By-law 500IO-94, the definition of "Hospitality Room" for the purposes of this By-law is deleted and replaced with the following:  "Hospitality Room/ Area mean a defined hospitality room / area or combined hospitality room/ area where food and wine may be served. The use of commercial cooking equipment is permitted provided that the commercial cooking equipment is used only for the pairing of food with wine in conjunction with hospitality services and events of the winery and not in the establishment of a restaurant use."
Colaneri Estate Winery	Agricultural Area	500WP-14	5. In addition to the secondary uses permitted in Section 6.13 of Zoning By-law No. 4316-09 the following secondary use shall be permitted on the subject lands:

			<i>a) Restaurant</i>
Inniskillin Wines	Agricultural Area	500TY-07	<p>5. Notwithstanding anything to the contrary in By-law 500A-74, as amended by By-law 500IO-94, the definition of 'Hospitality Room' for the purpose of this Bylaw only is deleted and replaced with the following:</p> <p><i>"Hospitality Room/Area means a defined hospitality room/area or combined hospitality room/area where food and wine may be served. Only within the combined retail and hospitality room/areas located in Winery Building 'D' and the outdoor piazza, the use of commercial cooking equipment is permitted provided that the commercial cooking equipment is used only for the pairing of food with wine in conjunction with hospitality service and events of the winery only and not in the establishment of a restaurant use."</i></p>
Jackson Triggs Winery	Agricultural Area	500MR-99	<p>3. In addition to those uses permitted in a "Rural (A) Zone" the following secondary uses shall also be permitted only in association with and accessory to the main use of the Estate Winery:</p> <p><i>a) Café/Serveries/Hospitality Area including commercial cooking equipment</i></p>
Pellar Estates Winery and Restaurant	Agricultural Area	500LY-98	<p>3. In addition to those uses permitted in "Rural (A) Zone" the following secondary uses shall also be permitted only in association with an accessory to the main use of the Estate Winery</p> <p><i>Restaurant/kitchen/delicatessen..... 544 square metres.</i></p>
Stone Eagle Winery	Agricultural Area	500YD-23	<p>4. In lieu of the uses permitted in Subsection 4.1 and Section 3.33, only the following uses shall be permitted on the lands zoned "Rural (A) - Site Specific Zone" shown on Map 'A' attached hereto:</p> <p><i>d) Secondary uses to an Estate Winery as follows:</i></p> <p><i>i. Restaurant/Function Room</i>  <i>ii. Kitchen and Service Station</i></p>

			<p>5. <i>In lieu of the provisions of Section 3.33 - Secondary Uses - Subsection (d), the maximum total floor area for all Secondary Uses for the Estate Winery on the lands zoned "Rural (A) - Site Specific Zone" shown on Map 'A' attached hereto shall not exceed 2,424 square metres (26,092 square feet) with the maximum floor area of each individual Secondary Use as follows:</i></p> <p><i>f) Kitchen and Service Station - 262 square metres (2,820 square feet)</i></p> <p>4. <i>For the purposes of this By-law, the following definitions shall apply to the lands zoned "Rural (A) - Site Specific Zone" shown on Map 'A' attached hereto:</i></p> <p><i>Restaurant/Function Room - shall mean part of the Estate Winery building where food is offered for retail sale to the public for immediate consumption either on or off the premises and where private events or functions may be held with catering or restaurant service.</i></p> <p><i>Kitchen and Service Station - shall mean part of the Estate Winery building where commercial cooking equipment is permitted for the preparation of food for retail sale.</i></p>
Strewn Winery	Agricultural Area	500KS-96	<p>6. <i>In addition to those uses permitted in a "Rural (A) Zone" the following secondary uses shall also be permitted only in association with and accessory to the main use of the Estate Winery:</i></p> <p><i>Restaurant ..... 280 m².</i></p>
Two Sisters Estate Winery	Agricultural Area	500WR-15	<p>7. <i>The following secondary uses are permitted on those lands shown as Part 1 on Map A attached hereto:</i></p> <p><i>e) Restaurant".</i></p>
Queenston Mile Winery	Agricultural Area	500XJ(2)-22	<p>3. <i>In addition to the permitted uses of "Section 4.1 - Rural (A) Zone", the following uses shall apply on the subject lands: a) Estate Winery b) Secondary uses to an Estate Winery as follows:</i></p>

			<p>ii. Hospitality Area</p> <p>iii. Kitchen (including commercial cooking equipment).</p> <p>4. For the subject lands identified on Map 'A' (attached to and forming part of this by-law), the following definition shall apply:</p> <p><b>Hospitality Area</b> shall mean part of a building such as indoor and outdoor areas (balcony and covered patio) where wine and food from the Estate winery is served. The use of commercial cooking equipment on site for the preparation of food is permitted in the designated kitchen. Such uses shall remain ancillary to the Estate Winery use.</p>
Big Head Winery	Agricultural Area	500YF-23	<p>1. Notwithstanding the permitted uses under Section 4 - Rural (A) Zone and Section 3.33, the following uses shall apply to the lands shown on Map A attached hereto:</p> <p>c) Restaurant/wine bar</p> <p>5. Notwithstanding the definition of "hospitality room" provided under Section 2.42B, commercial cooking equipment shall be permitted in the restaurant (kitchen).</p>