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Public Hearings Committee – May 04, 2021

Subject: OPNPL2020234 and ZNPL2020235 – An application has been received to amend the Official Plan to include a site-specific policy to the existing 'Agricultural' designation to permit 'Farm Condominium Dwelling Units' with resort-oriented on-farm diversified uses including food and beverage services, group tourist cabins and conference centre. A Zoning By-Law amendment is also associated with this application to add a special provision to the current 'Agricultural' zone to permit single detached dwellings and on-farm diversified uses including tourist cabins, riding arena and stables, wedding & conference centre and a saloon. G. DOUGLAS VALLEE LTD. on behalf of JEFF BOUCK has put forth the application affecting the lands described as 436 Front Road, St. Williams, Ontario.

Report Number: CD 21-30
Division: Community Development
Department: Planning
Purpose: For Information

Executive Summary:

An application has been received to amend the Official Plan and Zoning By-Law for lands currently designated and zoned "Agricultural" with the following site specific proposed additional permitted uses:

Official Plan Amendment: to add a Site-Specific Policy to permit "Farm Dwelling Units" in the form of a condominium, with On-Farm diversified Uses including tourist cabin, saloon and a conference centre in the form of a multi-purpose riding arena/stable (barn);

Zoning By-Law Amendment: to add a Special Provision to permit 23 Farm Dwelling Units within a condominium with On-Farm diversified Uses including an 8 bed tourist cabin, a saloon and a multi-purpose conference centre with a height allowance of 20 feet.

This report is being presented as part of the statutory public meeting required by the Planning Act. A subsequent report will be brought forward containing a recommendation for Council consideration.

Site Features and Land Use:

The lands are approximately 23.6 hectares in area and are located at 436 Front Road, St. Williams, Norfolk County. The property is outside the urban settlement boundary and lies between Port Rowan and Booths Harbour. The subject lands have a gradual descending slope from Front Road toward Lake Erie and a greater slope within the Significant Woodland area to the east of the property boundary.

'Agricultural' Lands predominantly surround the property with a small parcel of General Industrial (MG) use at the opposite side of Front road. There is a 'Hazard Land' zone with "Significant Woodlands" at the east side, which is extended to the south along Lake Erie.



Figure 1: The subject lands and surrounding land-uses.

A portion of the land is currently rented out for cash crops, and the balance of the land is used as a horse ranch with several dwelling units already located on the site used by family members.



Figure 2: The site entrance from Front Road at west side of the property.

The Proposal: The development concept proposes a combination of resort-oriented condominium development consisting of 23 farm dwelling units (including the existing primary dwelling) which will share a redeveloped ranch and stable area. To make the proposal financially viable and to utilize the existing farmland and natural characteristics of the Lake Shore area, the proposal includes certain functions in the form of 'On-Farm Diversified Uses,' and identified their linkage to Official Plan policies. The proposed 'On-Farm Diversified Uses,' are listed below:

1. A country style Inn/Tourist Cabins for short term accommodations: a secondary use of primary 'Agricultural' land;
2. A commercial indoor and outdoor riding arena: a secondary use of primary equestrian activities of the property;
3. A saloon: to promote local products, food and beverage, integrating local agri-food network;
4. A wedding and conference Centre within the riding arena/stable: to promote agri-tourism in the Lakeshore Policy Area.

The concept is unique in nature and heavily influenced by local farmland settings and the Lakeshore area's unique natural features. The proposal emphasizes the Lakeshore Special Policy Area Secondary Plan that supports sustainable tourism and recreational opportunities within the Plan area to accommodate both tourists and County residents. The policies identified in the Planning Justification Report dated November, 2020, prepared by Vallee Consulting Engineers in support of the development include:

- Section 11.4.4 that promotes ‘Agri-tourism and Resource-based Tourism’ uses within the agricultural designated area along Lakeshore Special Policy Area (LSPA);
- Section 11.6.1.3 related to ‘Unique Tourism Development Proposals’ that provides a framework to evaluate and review unique tourism development proposals which are not contemplated by the Official Plan within the LSPA Agricultural Area;
- Section 11.6.3 related to ‘Accommodations’ that supports the provision of roofed accommodations within the LSPA to provide overnight accommodations to support the County’s tourism and economic development objectives.

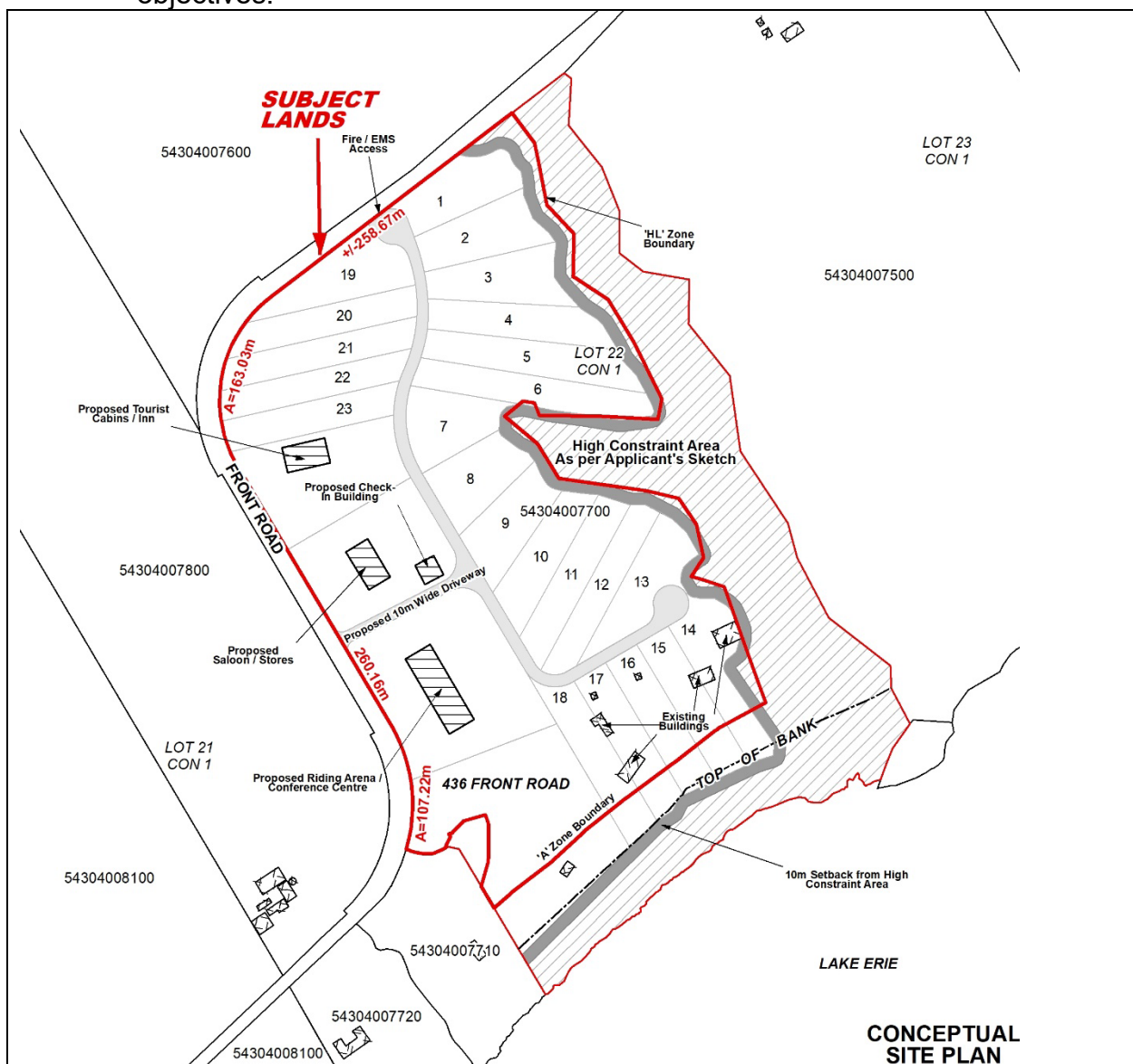


Figure 3: Development Concept

Discussion:

Land-use Compatibility: The subject property is located in a predominantly agricultural area. The closest dwelling to the subject property is claimed to be the property owner's son and who supports the proposed development. The Planning Justification Report dated November 24, 2020, prepared by G. Douglas Vallee Limited, mentioned two other dwellings within 200 metres of the subject property. All adjacent dwellings are zoned as 'Agricultural.' Significant woodlands also surround the subject property at the east and south side along the Lakeshore area. A portion of the lands are currently rented out for cash crops, and the balance of the land is used as a horse ranch and primary residence of the owner.

The property is located between Port Rowan and Booths Harbour with various tourist and recreational functions within 1 kilometre, including lifestyle residential condominiums for retirees and seniors, motor homes, boathouses, marina and various recreational facilities. The subject lands are also located on the Lake Erie shoreline with direct access to the Big Creek Circle Cycling Route, Wine Tour Cycling Route and Waterfront Cycling Route.

Resort-oriented residential condominiums, tourist activities, and agri-tourism are historically present in the locality. The Planning Justification Report states that the proposed Farm Condominium Dwelling Units will share the redeveloped ranch and stable areas. There will be no overall increase in the existing ranch and stable areas. Planning Staff recommends a consolidation of all On-farm Diversified Use structures to reduce the physical footprint on agricultural activities and maximize the preservation of existing cash-crop production, or other possible production opportunities in the future.

New Lot Creation in 'Agricultural' Land: Staff believes that creating 23 new lots (as shown in the concept plan) may need a creative approach to be consistent with PPS policy 2.3.4.3 and Official Plan policy 7.2.3. As the proposed development will operate under a condominium corporation, the individual units can still function without creating separate lot configurations. For the purpose of Official Plan and Zoning applications, staff suggests exploring the possibility of considering the whole land as one lot under a full condominium development. Legal advice may be necessary to explore if individual buildings can be owned by individual owners while sharing other spaces as a common element. This may eliminate the need for creating separate lots. There are examples of resort-oriented residential condominium which can be found within one kilometre of the subject site.

On-farm Diversified Use: Both PPS 2020 and Norfolk County Official Plan encourages On-farm Diversified Uses under certain conditions. The permitted uses include but are not limited to home occupations, home industries, agri-tourism uses including overnight tourist accommodation and uses that produce value-added agricultural products, including those that use crops from other producers. Different municipalities have minor deviations on required details, such as the variety of uses and sizes, which is basically

defined by their own municipal context. In addition to PPS 2020 policies, Norfolk Official Plan and Lakeshore Special Policy Area (LSPA) Secondary Plan also provide direction and guidelines in more detail about On-farm Diversified Uses. Based on these policies, the following are planning comments concerning the proposed on-farm diversified uses:

1. Small-scale roofed and overnight accommodation in the form of an Inn or Group Tourist Cabins - consistent with section 7.2.2 b) of the Official Plan and section 11.4.4 of the LSPA Secondary Plan;
2. A saloon with food and beverage services: This use can be considered 'on-farm diversified' provided that locally and on-site produced products are incorporated into the services;
3. A conference centre in the form of a multi-purpose riding arena/stable (barn) to host weddings, team-building events and conferences - consistent with section 7.2.2 b) of the Official Plan and section 11.4.4 of the LSPA Secondary Plan.

The details of the On-farm Diversified Uses can be further reviewed during the subsequent stage of the planning process. However, the overall size of the On-farm Diversified Use should be addressed through the zoning by-law amendment. It is also a point worthy of mentioning that section 7.2.2 ix) of the Official Plan does not permit severance of land for on-farm diversified uses. On-farm Diversified Use is not intended for new lot creation; rather, the use is considered an accessory of the existing agricultural activities.

Minimum Separation Distance (MDS): According to the Planning Justification Report dated November 24, 2020, prepared by G. Douglas Vallee Limited, the subject property currently has approximately 262 square metres of stable area. The proposed development intends to remove the stable facilities and relocate them to newer structures. When the facilities are replaced, they must be constructed in accordance with applicable Minimum Distance (MDS) formulae. There are no current or proposed manure storage facilities for the property as manure will continue to be removed from the lands.

The stable facilities' new location should be located with a certain distance from lot lines, road allowance, and other dwelling types and land uses. Given the nature of the proposal, staff may need input from OMFRA in the calculation of MDS.

Servicing: According to the Planning Justification Report dated November 24, 2020, prepared by G. Douglas Vallee Limited, private water and sanitary services are proposed for each individual farm dwelling, Inn or Tourist Cabins, saloon and riding arena/stable/conference centre/barn. Until such time that a hydro-geological and geotechnical study is completed, it cannot be determined if private cisterns, potable water wells, or both are best suited for overall development. Private septic and tile bed systems are envisioned for each use. The technical details will be reviewed during the site plan stage, and approval should be conditional upon submission of all technical reports to the satisfaction of the County.

Traffic: A high-level traffic analysis has been submitted to demonstrate existing and proposed volumes of traffic based on the development concept. The development concept shows 23 farm residential dwellings. Based on this proposal, the traffic count for peak hour on Saturday will be one car in every minute. The on-farm diversified uses such as the conference centre are event-driven and will occasionally add to the traffic on Front Road and are not included in this forecast.

According to Planning Justification Report, the volume of current and projected traffic is low and does not seem to warrant the need for any road improvements. G. Douglas Vallee Limited provided this basic review on a high-level basis; therefore, it is recommended that a full traffic impact study be submitted by a qualified professional with a future site plan application.

Technical Studies: Further to the overall Planning Justification Report which provides initial Technical Overviews, the applicant is aware that there are requirements for full assessment reports which will be required to ensure technical details are addressed appropriately. A high level overview of the following reports have been included with the Planning Justification Report. Some items, such as Agricultural Impact and Environmental Impact, may require more assessment and justification prior to any land use decision and others will need more detailed assessment at subsequent stages of the planning process.

- 1) Agricultural Impact Assessment, - to mitigate the impacts of any non-agricultural uses on agricultural operations.
- 2) Environmental Impact Study – to mitigate and/or protect any identified sensitive features;
- 3) Full Traffic Study
- 4) Geotechnical Report and Slope Stability analysis/erosion analysis
- 5) Functional Servicing Report
- 6) Stormwater Management Report
- 7) Archaeological Report

A holding provision may be necessary as part of the zoning amendment to ensure that further technical study and analysis is reviewed to the satisfaction of the County during the next stages of the planning process, and an appropriate development agreement is registered on title.

Site plan control: In accordance with Section 41 of the Planning Act and Site Plan Control By-law 2014-97, the proposed development will be required to go through a site plan application process to ensure County's development standards are maintained through the establishment of a site plan agreement.

Circulation Comments:

The technical comments received from departments and agencies to date are attached within Appendix A and form part of this Statutory Public Meeting report. Comments from the Ministry of Municipal Affairs and Housing (MMAH) are still pending and will be

provided to the applicant as soon as received and presented in the future report once received. Key technical comments from Staff and Agencies include:

1. Detailed information in relation to Minimum distance separation (MDS) calculations;
2. Consolidation of all On-farm diversified uses to minimize the overall lot coverage area;
3. Confirmation of the development away from Hazard lands;
4. Alternative approach to define the condominium development without creating 23 lots;
5. Confirmation of new location for the stable and barn; and
6. Requirement of Functional Servicing report and Traffic Impact Study.

Regard For Public Input:

No formal public input has been received for this application. This report is being presented as part of the statutory public meeting, and any public comments will be considered for future recommendation.

Planning Considerations:

It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals.

Provincial Policy Statement, 2020

The PPS was issued under Section 3 of the Planning Act and the current PPS (2020) came into effect on May 1, 2020. In this regard, Section 3 of the Planning Act requires that land use planning decisions "be consistent" with the PPS.

Section 2.3.4 related to 'Lot Creation and Lot Adjustments' states that the creation of new residential lots in prime agricultural areas shall not be permitted, except for surplus dwellings in an active farm operation.

Planning Comments: Staff believes that creating 23 new lots (as shown in the concept plan) may need a creative approach to be consistent with policy 2.3.4.3. Planning Staff will work with the Applicant to identify an alternative approach to address the PPS policy directions.

Policy 2.3.6 related to 'Non-Agricultural Uses in Prime Agricultural Areas' states that Planning authorities may only permit non-agricultural uses in prime agricultural areas with certain conditions including:

1. the land does not comprise a specialty crop area;
2. the proposed use complies with the minimum distance separation formulae;

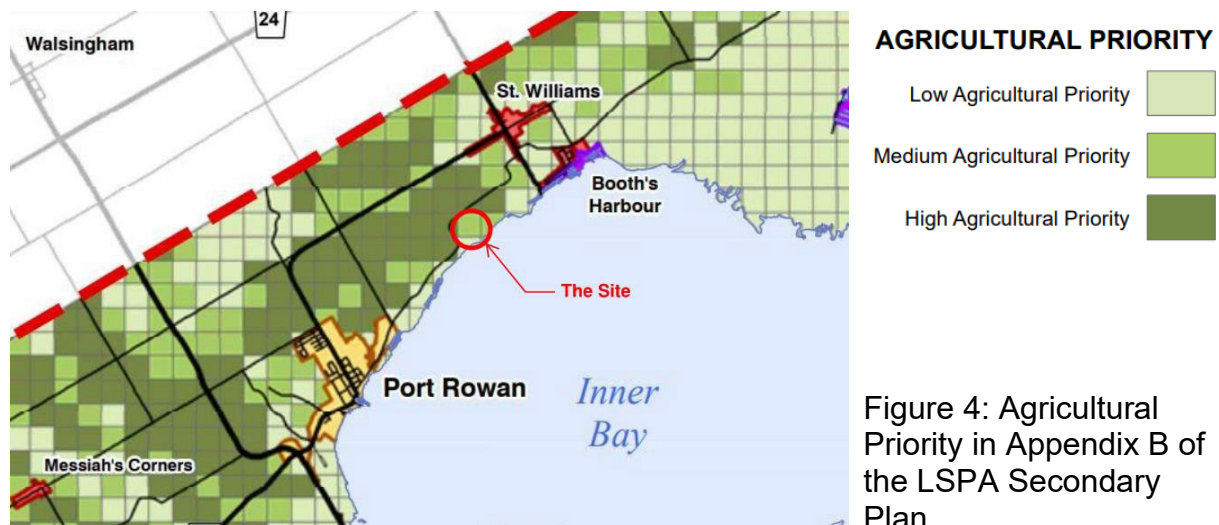
3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use; and alternative locations have been evaluated, and
 - I. there are no reasonable alternative locations which avoid prime agricultural areas; and
 - II. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

Planning Comments: *The proposed development will be further reviewed to conform to the above-noted conditions for non-agricultural uses in prime agricultural lands.*

Note: *Endangered and threatened species and their habitat are protected under the provinces Endangered Species Act, 2007 (ESA). The Act prohibits development or site alteration within areas of significant habitat for endangered or threatened species without demonstrating that no negative impacts will occur. Ministry of Environment, Conservation and Parks (MECP) provides the service of responding to species at risk information requests and project screenings. The applicant is advised to discuss the proposed activity and have their project screened with MECP by contacting at SAROntario@ontario.ca.*

Norfolk County Official Plan

The subject lands are designated as 'Agricultural' and 'Hazard Lands' in the Official Plan. A small part of the land is designated as Provincially Significant Wetland along Lake Erie Shoreline. There is also a strip of significant woodlands along east and south property line near the water edge. The subject lands are within the Lakeshore Special Policy Area as per Schedule A-1 of the Official Plan. Appendix B of the secondary plan identified the subject lands mostly as medium agricultural priority.



Section 7.2.2, related to 'Agricultural Designation' provides direction on 'On-farm Diversified Use'. Section 7.2.2 b) states, "the use may include, but is not limited to, home occupations, home industries, agri-tourism uses including overnight tourist

accommodation and uses that produce value-added agricultural products, including those that use crops from other producers.”

Section 7.2.2 also states, “the use is compatible with, and will not hinder, surrounding agricultural operations;” and “severances to separate the on-farm diversified uses from the farm property will not be permitted.”

Section 7.2.2, also states that limited non-agricultural uses may be permitted in the Agricultural Designation provided that certain policies are met including condition that the use shall be located on lower priority agricultural land unless it has been demonstrated that there are no reasonable alternative locations that avoid the use of prime agricultural lands.

Planning Comment: *The development proposal will be tested through the policies of Section 7.2.2 to determine the permissibility of the proposed development from a land-use perspective. This will be further analyzed during the recommendation report.*

Significant woodlands are located on the subject lands, and are considered to be a Natural Heritage Feature. Section 3.5.2 b) states, “Development or site alteration proposed in, or adjacent to, a Natural Heritage Feature(s), shall be subject to the completion of an Environmental Impact Study. Development or site alteration in, or adjacent to, such features shall not be permitted unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated.

Planning Comment: *Planning Staff will further work with the applicant to ensure that that no developments are proposed within the Significant Woodlands or Hazard Lands area. A Full Environment Impact Assessment will be required during the subsequent stage of the planning process to the County's satisfaction.*

Section 7.3.2 – Hazard Lands Policies states, “Development on Hazard Lands which would aggravate or contribute to the hazard shall not be permitted”. The County’s policy on Hazard Lands is that new development should only occur in areas that are not susceptible to hazards.

Planning Comment: *The Applicant is working with LPRCA and the County Staff to identify the development limit considering the Hazard Land Zone and LPRCA regulated buffer from the Top of the Slope.*

Lakeshore Special Policy Area (LSPA) Secondary Plan

Section 11.4 related to Agricultural Strategy outlines a sustainable approach to protecting the County’s agricultural resources while promoting the long-term economic viability of agricultural operations.

When evaluating proposals for non-agriculture uses in the LSPA Agricultural Area, this kind of development shall be directed to lower priority agricultural land.

Planning Comments: *The subject lands are within medium priority agricultural land as shown on Appendix “B” of the plan. According to PPS policy direction, the applicant will provide justification that alternate locations have been evaluated.*

In recognition of the unique agri-tourism and resource based tourism uses associated with the lakeshore, such uses are promoted in accordance with the policies of Section 11.4.4 (Agri-Tourism and Resource Based Tourism Uses) of this Plan. In addition to the uses permitted within the Agricultural Designation in Section 4.2 (Agricultural Designation) of LPSA, the following additional secondary uses shall be permitted:

1. small inns, which shall be defined as roofed accommodations with 8 guest rooms or less;
2. restaurants, directly associated with a winery, agri-tourism or resource-based tourism use;
3. retail stores, directly associated with a winery, agri-tourism or resource-based tourism use; and
4. banquet and conference centres, directly associated with a winery, agri-tourism or resource-based tourism use;

Planning Comments: *In section 11.4.4 Resource-Based Tourism is considered as a secondary use. It is understood that the site-specific Official Plan and Zoning By-law Amendment will allow the proposed resource-based tourism, including Inn or Tourist Cabins as secondary use. A site-specific Zoning By-law amendment will establish site-specific development parameters related to gross floor area, number of rooms or seats, height, setbacks and massing, among other matters.*

Section 11.6.1.3 related to ‘Unique Tourism Development Proposals’ provides a framework to evaluate development proposals that are not contemplated by the Official Plan within the LSPA Agricultural Area. The secondary plan states that such unique tourism development proposals cannot be anticipated by the Official Plan given their unique market and locational characteristics. The LSPA also states that in such cases, an Official Plan amendment will be required and a comprehensive review of the LSPA secondary Plan may be required if further amendment is essential to this document, Key development criteria for assessing such unique proposal includes:

- the use shall be located adjacent to an Urban Area, Hamlet Area or Resort Area;
- the use shall have frontage on to, or is adequately accessible from Ontario’s South Coast Scenic Route;
- there shall be a demonstrated basis and need for the proposed use;
- the use shall be located on land that do not comprise specialty crop land;
- the use shall be located on lower priority agricultural land in accordance with Section 11.4.2 (Priority Agricultural Land), when possible;

- the use shall be located in an area where there will be little or no impact on agriculture;
- the use shall protect and enhance the areas significant natural features, cultural resources and views;
- the use shall comply with the Minimum Distance Separation Formulae;
- the use shall be located on an arterial or collector road;
- the use shall not be permitted in Provincially Significant Features and Hazard Lands,

Planning Comments: *The above mentioned development criteria will be further reviewed and utilized to assess the various components of the proposal. A conformity check will be provided within the future recommendation report.*

Norfolk County Zoning By-Law 1-Z-2014

As per Schedule A-12 to the Zoning By-law of Norfolk County 1-Z-2014 (the “Zoning By-law”), the subject lands are zoned as Agricultural (A), Hazard Land (HL) and Provincially Significant Wetland Zone (PSW). Zones. It is apparent that no modification of Hazard Lands (HL) and PSW will be required. Special provisions are proposed to permit certain non-agricultural and On-farm Diversified Uses.

Agricultural (A) Zone

Section 12.1 of the Zoning By-law outlines the zoning provisions for lands zoned ‘A’. The permitted uses within the ‘A’ zone include animal kennels, bed and breakfasts, cannabis production and processing, single-detached dwellings, farms and farm associated uses. Based on these permitted uses, the subject lands' current zoning does not permit the proposed resort oriented residential condominium and other on-farm diversified uses. As such, a zoning by-law amendment is required to permit the proposed development.

A Special Provision with the current ‘Agricultural’ zone is required to permit the following uses:

1. 23 Resort Farm Condominium Dwelling Units;
2. The conference centre with the riding arena (barn) and wedding function to a height of 20 metres. The size and parking numbers to be determined;
3. An Inn or Tourist Cabins with maximum 8 beds. The area and parking numbers to be determined;
4. A saloon with food and beverage services. The area and parking numbers to be determined;
5. Amendments of 12.3 related to on-farm diversified uses as appropriate.

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priorities "Foster Vibrant, Creative Communities" and "Create an Optimal Place for Business".

Explanation: The proposed development will facilitate and promote resource-based tourism with natural heritage and recreational facilities and contribute to alternative overnight accommodation, agri-tourism and agri-food network.

Conclusion: The purpose of this report is to summarize the planning application proposal, provide the comments received from applicable departments and agencies, summarize comments received from member of the public, and to provide general information in relation to the overall application. A staff report with related recommendations will be submitted to Council for consideration at a later date.

Recommendation(s):

That Report CD 21-30, Public Hearing report for OPNPL2020234 and ZNPL2020235 be received for information;

THAT any outstanding technical comments and requirements necessary prior to bringing forward a recommendation report be addressed;

AND THAT any comments received as part of the statutory public meeting be considered in a future recommendation staff report.

Attachment(s):

Maps 1 to 2

Appendix A Circulation Comments

Appendix B Concept Plan

Appendix C Planning Justification Report *dated November 24, 2020, prepared by G. Douglas Vallee Limited*

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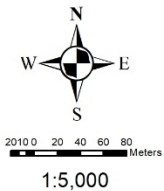
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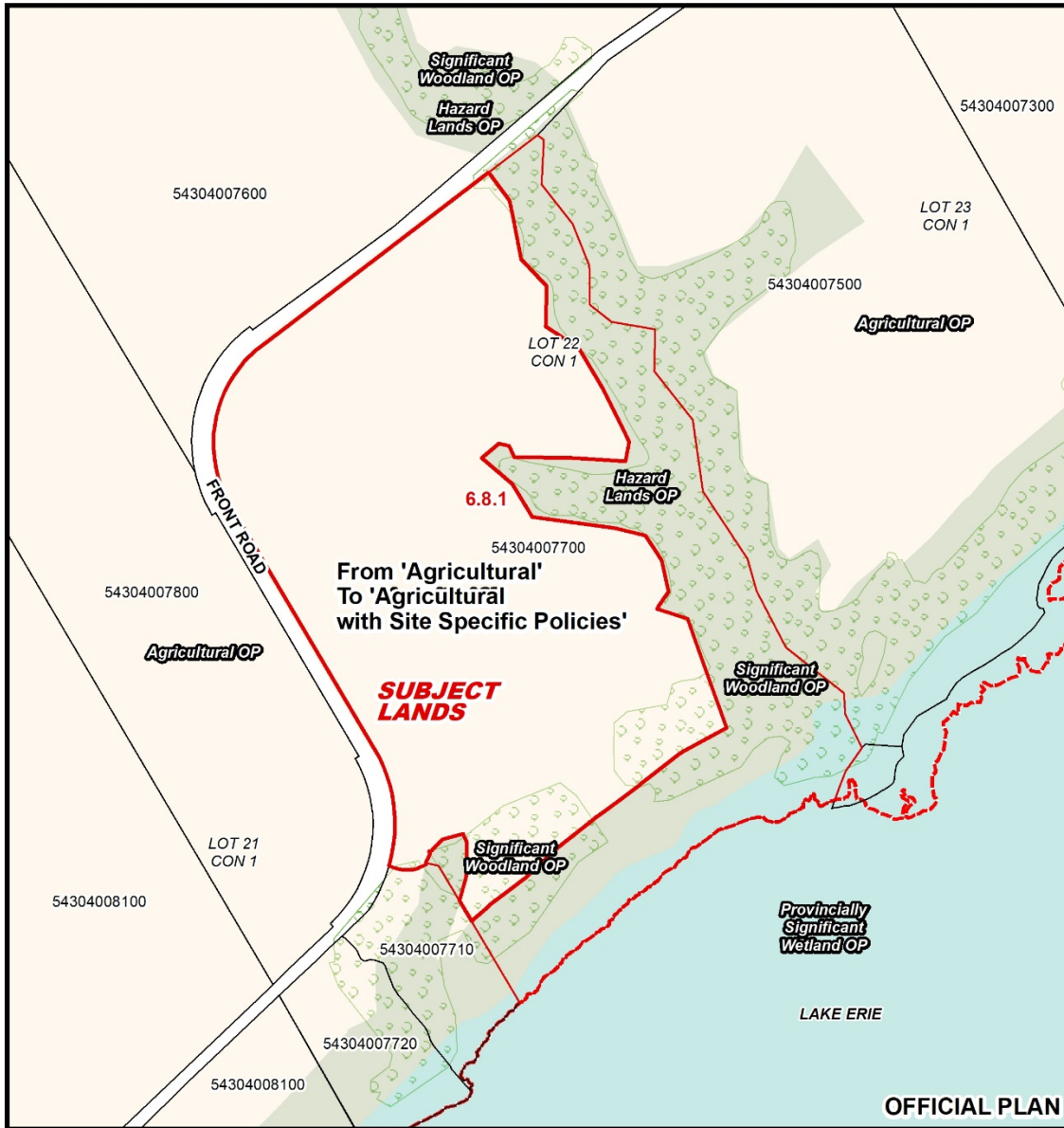
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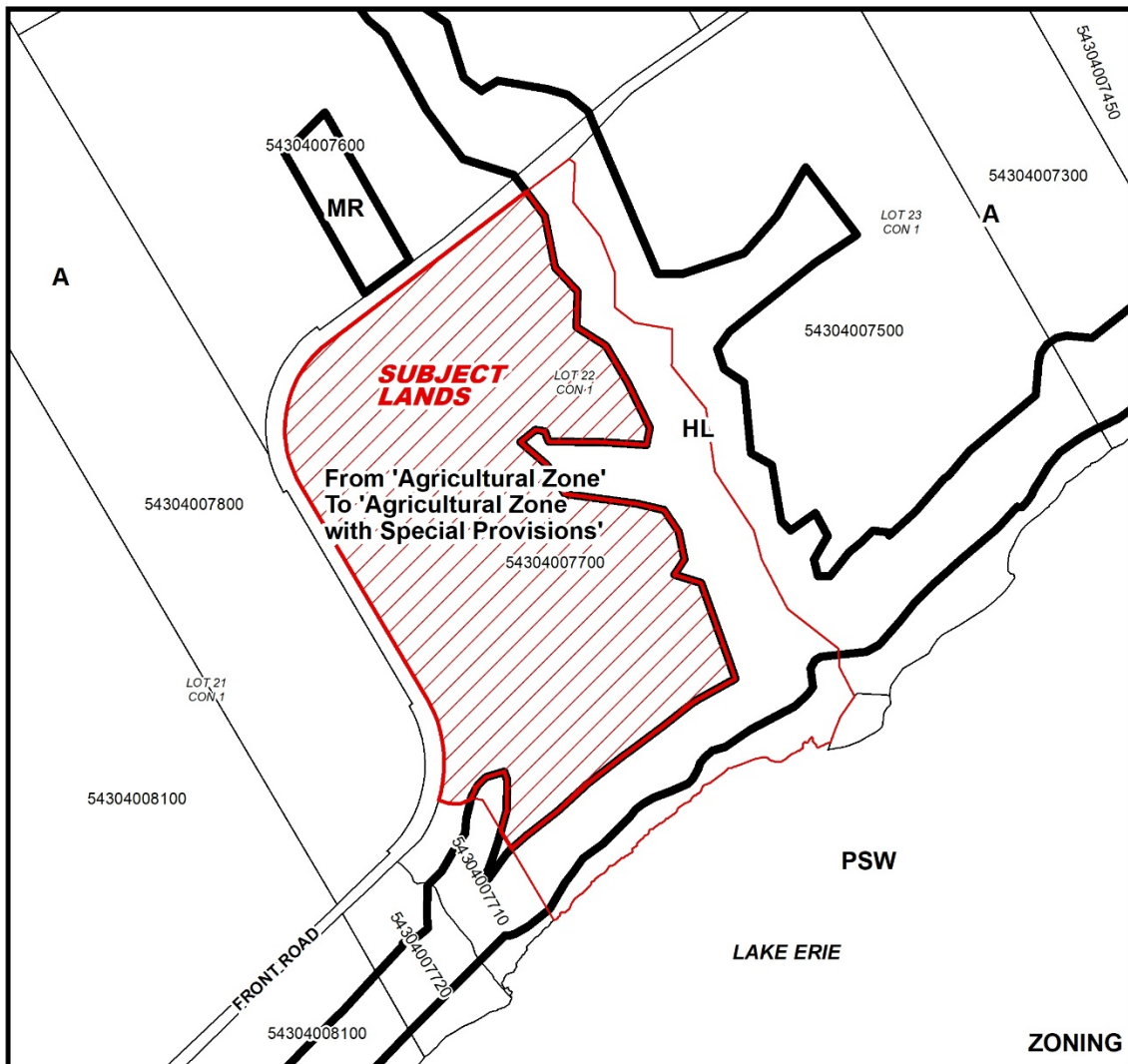
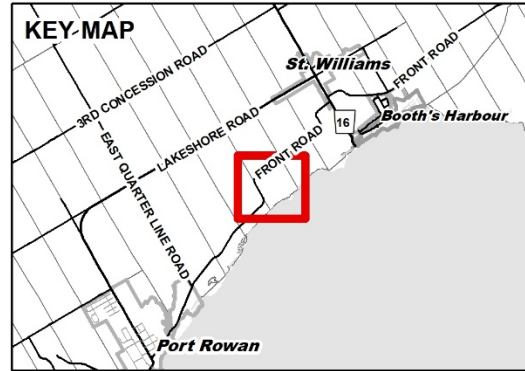
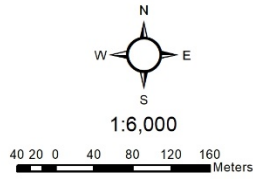
MAP 1
File Number: OPNPL2020234 & ZNPL2020235
Geographic Township of SOUTH WALSINGHAM



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MAP 2
File Number: OPNPL2020234 & ZNPL2020235
Geographic Township of
SOUTH WALSHINGHAM



Appendix A

Circulation Comments

Note: Staff may provide additional comments during the review process and as new information becomes available.

Finance

Reviewed - This application would have a positive impact on assessment growth and tax revenues. The amount of growth is dependent on the assessment of the property by the Municipal Property Assessment Corporation (MPAC). Norfolk County would also receive Development Charges in accordance with the most recent Development Charges By-law. However it should be noted that the current By-Law provides an exemption for roofed accommodations. The cost of this exemption would be funded by the levy.

Development Agreement Administrator

Reviewed - Recommend that a Holding (H) Provision be added to the lands and remain in place until a development agreement has been executed and registered on title.

Building Department

Reviewed – No Comment.

Fire and Rescue Services

Reviewed - The Fire Department has no concerns with this rezoning proposal.

Geographic Information Systems Services

Reviewed - No Comment.

Development Engineering

Reviewed:

1. As per Development Engineering's Pre-Consultation Meeting Minutes, a Functional Servicing Report (FSR) as per Norfolk County Design Criteria is required at OPA/ZBA stage.
2. As per Development Engineering's Pre-Consultation Meeting Minutes, a Traffic Impact Study (TIS) completed to Norfolk County's ISMP – Appendix J: TIS Guidelines is required at OPA/ZBA stage.
3. If the applicant's intent is to connect to the municipal watermain, water modelling will be required.

Long Point Conservation Authority

Reviewed:

Comments for Council Report:

Long Point Region Conservation Authority staff have reviewed the above-noted application as part of the Official Plan and Zoning By-law amendment affecting 436 Front Road in St. Williams, Norfolk County.

The subject lands are prone to flooding and erosion from Lake Erie and flooding and erosion from a watercourse draining into Lake Erie. The lands also contain and are located adjacent to Provincially Significant Wetlands.

Delegated Responsibility from the Ministry of Natural Resources and Forestry, Section 3.1 of the Provincial Policy Statement, 2020

Conservation Authorities have been delegated responsibilities from the Minister of Natural Resources and Forestry to represent the provincial interests regarding natural hazards encompassed by Section 3.1 of the Provincial Policy Statement, 2020 (PPS). The overall intent of Section 3.0 - Protecting Public Health and Safety of the PPS is to reduce the potential public cost or risk to Ontario's residents from natural or human-made hazards.

Section 3.1.1 of the Provincial Policy Statement states that "Development shall be generally directed to areas outside of:

- a) Hazardous lands adjacent to the shorelines of the Great- Lakes – St. Lawrence Rive Systems and large inland lakes which are impacted by flooding hazards, erosion hazards, and/or dynamic beach hazards,
- b) Hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards."

The east side of the proposed development contains a watercourse and the associated ravine that is subject to flooding and erosion. The development lot lines should reflect a setback that accounts for toe erosion (typically 15 meters, unless further investigated) plus stable slope allowance (3 times the height of the slope measure land-ward from the toe erosion allowance, or determined through a valid study) plus a 6 meter erosion access allowance.

The south side of the proposed development contains a slope that is approximately 21 meters high. The development lot lines should reflect a setback that accounts for erosion of the shoreline, estimated to be approximately 0.3 metres/year plus a stable slope allowance (3 times the height of the slope measure land-ward from the toe) plus a 6 meter erosion access allowance.

If any geotechnical investigations are to be undertaken relating to the ravine or shoreline slopes, the proponents are encouraged to contact LPRCA to scope the level of review required.

Provided all development (dwelling, accessory buildings, septic systems, etc.) can be located outside of the erosion hazards as outlined above, LPRCA has no concerns as it relates to section 3.1 of the Provincial Policy Statement.

Stormwater Management

LPRCA technical staff will review the Functional Servicing Report and Stormwater Management Report when available.

Ontario Regulation 178/06

A portion of the subject lands area located within the Regulated Area as described in Ontario Regulation 178/06. Any development as defined in the Conservation Authority Act proposed within this area requires permission prior to development occurring.

Zoning Administrator

Reviewed:

1. Zoning table for each use on property needs to be provided
2. Parking needs to be provided on site (parking lot layout)
3. Attached MDS needs to be confirmed it is met by providing a site plan
4. Location of where horses are being housed needs to be indicated (i.e. riding arena, separate barn)
5. Setbacks to property lines need to be provided for proposed buildings
6. Building heights, elevations need to be provided
7. Tourist cabins need to meet building code standards or if modular home/ trailer being used need to meet CSA A277 or CSA Z240 structural
8. Suggest zone change to Open Space or Open Space Tent and Trailer instead of on-farm diversification. Riding arena could be classified as "place of sports and recreation".

Ministry of Municipal Affairs and Housing 'One Window Service'

Reviewed:

Thank you for circulating Official Plan and Zoning By-law Amendment Applications OPNPL2020234/ ZNPL202023 to the Ministry of Municipal Affairs and Housing. This matter was further circulated through the One Window Planning Service to the Ministry of Agriculture, Food, and Rural Affairs (OMAFRA), the Ministry of Natural Resources and Forestry (MNRF), and the Ministry of the Environment, Conservation and Parks (MECP). It is recognized that the official plan amendment (OPA) is exempt from the Minister's approval and the following One Window comments are provided to the County for its consideration in making decisions on these matters.

The subject lands are located at 436 Front Road in the Township of South Walsingham, Norfolk County. The subject lands are designated Agricultural in the Norfolk County Official Plan and are part of the Agricultural Area in the Lakeshore Special Policy Area. The OPA proposes a site-specific policy to permit the development of a multi-purpose resort facility including a wedding and conference centre, horse riding arena, saloon, inn and tourist cabins, and 27 single-detached residential condominium dwellings. It should be noted that condominium development constitutes lot creation for the purposes of the PPS. The subject site is prime agricultural land with a Canada Land Inventory (CLI) class 2 soil classification and is part of the prime agricultural area. Consideration has been given to this matter in terms of the criteria and policies of the Provincial Policy Statement, 2020 (PPS). The following comments identify matters that the County should consider in its review of the application including matters where additional information may be needed from the applicant to demonstrate consistency with provincial policy.

The PPS permits agricultural uses, agriculture-related uses and on-farm diversified uses in the prime agricultural area (2.3.3.1). Non-residential uses are permitted in limited instances subject to several criteria including evaluating alternative locations to avoid prime agricultural areas and mitigating the impacts of any new or expanding non-agricultural uses on surrounding agricultural operations (2.3.6). No information has been provided to demonstrate that mitigation was considered. The County should review the OPA to determine if the proposed uses are permitted in the prime agricultural area. The County is also encouraged to request an Agricultural Impact Assessment to ensure sufficient planning justification has been provided about mitigating the impacts of non-agricultural uses on agricultural operations.

The PPS does not allow the creation of new residential lots in prime agricultural areas, with the exception of a residence surplus to a farming operation (2.3.4.1, 2.3.4.3). The proposed OPA would allow for the development of a 27 lot residential condominium development, which constitutes lot creation for the purposes of the PPS. The County is encouraged to review whether the residential development that could result from this OPA is consistent with the PPS.

PPS policies 2.3.6.1 b) and 2.3.3.3 require compliance with Minimum Distance Separation (MDS) formulae when considering non-agricultural uses and lot creation in prime agricultural areas. Policy 2.3.6.2 identifies that impacts from new or expanding non-agricultural uses on surrounding agricultural operations and lands should be mitigated to the extent feasible, which is supported by compliance with the MDS formulae. While the MDS formulae is shown in the Planning Justification Report, limited information is provided to demonstrate that the MDS Implementation Guidelines were used to support this MDS evaluation. The County is encouraged to review the MDS calculations provided by the applicant to ensure compliance with the MDS formulae. The MDS Implementation Guidelines should be considered in this review including Guidelines 16 and 40.

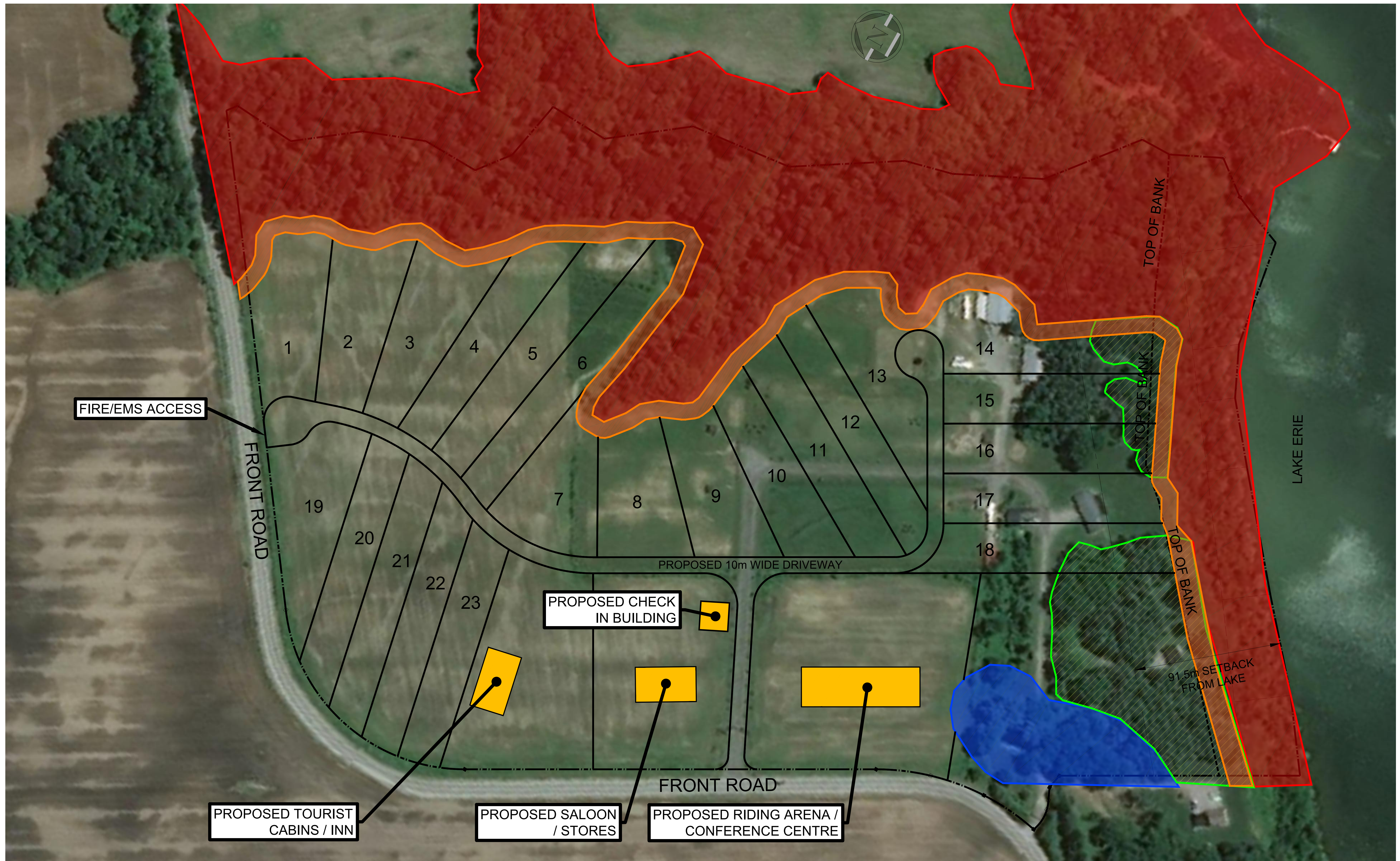
Section 1.6.6 of the PPS provides direction on servicing, including servicing requirements for the creation of new lots (1.6.6.6). No information has been provided to demonstrate how the proposed development would be serviced. In order to ensure that the proposal is consistent with the policies in section 1.6.6, the County should request a

servicing strategy from the applicant. MECP approval of the sanitary servicing will be required if any use exceeds 10,000 liters a day.


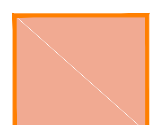





The subject site contains a significant woodland. The PPS does not allow development in significant woodlands or on adjacent lands unless it has been demonstrated there are no negative impacts on the natural features or their ecological function (2.1.5, 2.1.8). The County should request a scoped Environmental Impact Study identifying the potential impacts on the natural features to inform its review of the application.

The following background documents may assist the County's review of this application:

- OMAFRA's 'Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas' (<http://www.omafra.gov.on.ca/english/landuse/permitteduses.htm>)
- OMAFRA's draft 'Guidance Document for Agricultural Impact Assessments' (<http://www.omafra.gov.on.ca/english/landuse/aia.htm>).



APPENDIX A CONCEPT PLAN

SITE PLAN LEGEND			
	PROPOSED BUILDING		10m SETBACK FROM HIGH CONSTRAINT AREA
	HIGH CONSTRAINT AREA (SIGNIFICANT WOODLAND)		MEDIUM CONSTRAINT AREA
			30m AQUATIC SAR OCCURRENCE BUFFER
			PROPOSED LOT AND ROAD LINES
			PROPERTY LINE



vallee

*Consulting Engineers,
Architects & Planners*

November 24, 2020

County of Norfolk
Robinson Administration Building
185 Robinson Street, Suite 200
Simcoe, ON N3Y 5L6

Attention: Mohammad Alam, Senior Planner

**Reference: Planning Justification Report - BB Ranch
G. Douglas Vallee Limited on behalf of BB Investments Ltd.
436 Front Rd, South Walsingham, Norfolk County
Roll # 3310 543 040 07700
Our Project 10-094**

Introduction:

G. Douglas Vallee Limited has been retained by Jeff Bouck of BB Investments Ltd. to make application for an Official Plan and Zoning By-law Amendment to permit a multi-purpose Horse Riding Arena/Stable/Wedding and Conference Centre (Barn), Saloon, Resort Oriented Residential Condominium, and Inn/Tourist Cabins on the property located at 436 Front Road in St. Williams, Norfolk County.

It is proposed to add a special policy to the Agricultural Designation of the Official Plan and Lakeshore Special Policy Area Secondary Plan and a special exception to the Agricultural Zone of the Zoning By-law to permit the uses and modifications to zone provisions. If the land use concept is approved, subsequent development applications such as a site plan, removal of holding and condominium exemption along with supporting studies will be required to be submitted and subject to the review and approval by the County.

This application does:

- Establish a unique resort-oriented development based on the primary land use of horse ranching and horseback riding.
- Provide a unique tourist destination with overnight and roofed accommodation.
- Facilitate visitor attendance to local area marine and commercial businesses by providing accommodations within close proximity.
- Avoid consumption of production crop lands.
- Avoid impacts on surrounding lands.
- Comply with the general intent and purpose of the Norfolk County Official Plan.
- Comply with the general intent and purpose of the Lakeshore Special Policy Secondary Plan.
- Maintain consistency with the intent of the Provincial Policy Statement 2020.
- Add to the mix of housing types established in the County.
- Generate an acceptable level of traffic.
- Utilize private servicing infrastructure and do not create adverse effects on the County water and sanitary sewer systems.
- Protect existing significant woodlands.
- Avoid hazard lands.
- Represent good planning.

Purpose:

The purpose of this Planning Justification Report is to provide planning support and information to the County to consider when reviewing the proposed applications for an Official Plan and Zoning By-law amendment. Specifically, it is proposed to permit a horse ranch in the form of a resort with the following uses:

- a) Saloon (dining);
- b) A country style Inn/Tourist Cabins for short term accommodations;
- c) An indoor riding arena and outdoor riding area;
- d) A wedding and conference centre within the Riding Arena/stable; and
- e) Resort oriented residential condominium dwelling lots.

There is an existing residence on the subject property which is intended to be replaced with a new single detached dwelling and function as the owners primary dwelling.

Site Description:

The lands are approximately 23.6 hectares in area and are located at 436 Front Road, St. Williams, Norfolk County. The property is outside the urban settlement boundary and lies between Port Rowan and Booths Harbour. The topography of the development area has a gradual descending slope from Front Road toward Lake Erie and a greater slope within the Significant Woodland area to the east of the property boundary.

A portion of the lands is currently rented out for cash crops and the balance of the lands is used as a horse ranch and primary residence of the owner. The significant woodland feature remains intact with the exception of an overgrown spruce plantation where the trees are generally in poor health and would pose a hazard to any adjacent development and therefore should be removed.

The lands are nestled on the Lake Erie shoreline with direct access to the Big Creek Circle Cycling Route, Wine Tour Cycling Route and Waterfront Cycling Route.

Currently, a single driveway serves as the main access to the property and dwelling. An existing culvert exists on Front Road along the northerly property line which provides access to large farm vehicles currently cultivating and harvesting the lands. Figure 1 represents an aerial image of the subject lands and describes its configuration considering the current uses, woodland features and the Lake Erie shoreline.

Figure 2 represents a development concept plan showing the resort oriented condominium lots, driveway access, proposed saloon, riding arena/conference centre (barn) and Inn/Tourist Cabins. It also demonstrates the natural feature areas, protected lands, buffer areas, the lakeshore of Lake Erie and Front Road.

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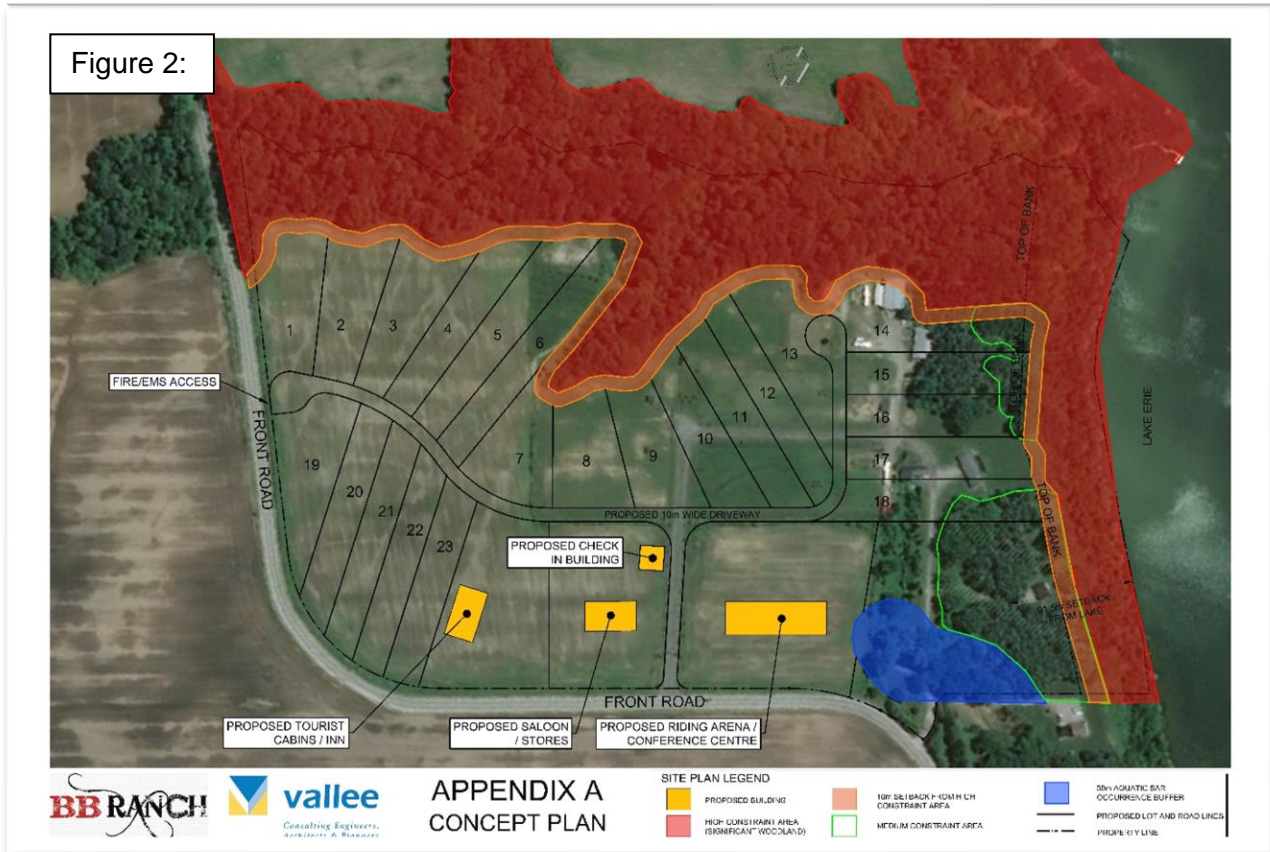
Background and surrounding uses:

The subject lands are approximately 23.6 hectares in area and have traditionally been used for a horse ranch and the growing and harvesting of cash crops. The proposed development lands appear to have been vacant with the exception for some open storage associated with farming activities according to 1964 Aerial photography. Surrounding land uses are agricultural with limited residential dwellings in closer proximity.



Figure 1: Subject Lands

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Supporting Information:

Supporting information has been prepared and submitted with the applications including:

- Opportunities and Constraints Analysis (prepared by GeoProcess Research Associates, dated October 9, 2020)
 This analysis was completed to assess the opportunities and constraints of the subject lands to ensure protection of the woodland, natural heritage and living land and aquatic species in the area. The concept plan was developed to completely avoid development within these areas and their buffers. The anticipated site plan approval application will include a full Environmental Impact Study to examine these areas in detail and identify any areas that may contribute to the developable area without causing any impacts on these features.
- Agricultural Impact Assessment (AIA)
 A high-level agricultural impact assessment has been included in this Planning Justification Report to demonstrate efficient use of agricultural lands, preservation of crop lands and policy conformity. Pending approval of this application from the County, an AIA may be prepared by an expert as part of the site plan approval process, if necessary

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Environmental Opportunities and Constraints

GeoProcess Research Associates have prepared an Environmental Opportunities and Constraints Analysis to identify areas where development of the subject lands can occur, areas where development cannot occur and areas where further study would be required in order to enhance the developable area while continuing to protect natural heritage features ecological and hydrologic functions, species at risk and their associated habitats. Figure 2 shows the development concept, unconstrained by regulated areas. As stated in this report,

“The analysis considers federal, provincial, conservation authority and local municipal/county policies associated with natural heritage features and any additional requirements such as setbacks or permits.”

The analysis identifies that if development is to occur within any of the following setbacks, an Environmental Impact Study will be required:

- a) Any development proposed within the LPRCA regulated area;
- b) Any development proposing a reduction in the natural heritage setbacks as identified by the Norfolk County Official Plan;
- c) A LPRCA regulated watercourse subject to a non-developable setback of 15 m at the top of bank. (Top of bank staking will be established through a future EIS);
- d) Significant Woodland established at dripline plus 10 metres. (Dripline staking will be established through a future EIS);
- e) A 30 metre buffer to a small watercourse located towards the south-westly portion of the property; and
- f) A 120 metre setback to the LPRCA regulated wetland area.

The proposed development plan has been designed to avoid any of these area list above. This approach has placed the protection of the natural environment at the forefront of the development review process and demonstrates that the development outside of these setbacks will have no significant impact on the natural features and their ecological and hydrologic functions. Based on the analysis provided by GeoProcess, the overall net developable area of the Study Area is approximately 14.2 to 15.4 ha.

Further study in the form of an Environmental Impact Study will be required to be submitted with a future site plan application to:

- a) Establish driplines to the woodland feature;
- b) Establish top of bank for a stable slope adjacent to a watercourse (this can be refined through a Geotechnical Investigation, if necessary);
- c) Consider where potential reductions to the natural heritage setbacks may occur by addressing natural heritage features including Significant Woodlands, Significant Wetlands, Fish Habitat and Erosion Hazards; and
- d) Demonstrate that proposed development within setbacks or the LPRCA regulated area has no negative impacts on the natural features or on their ecological functions.

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The proposed concept plan for the development does not encroach into any environmental setbacks or the LPRCA regulated area. Accordingly, the proposed development is suitable for the subject lands from an environmental perspective considering the policies of the PPS, County Official Plan and LPRCA.

Future supporting studies will be prepared and submitted for County review pending a positive decision by Council for the proposed Official Plan, Secondary Plan and Zoning By-law amendments. As indicated in the County pre-consultation meeting comments, the following will be provided at the site plan application stage:

- | | |
|---|--|
| 1) Agricultural Impact Assessment, if necessary | 5) Geotechnical Report and Slope Stability analysis/erosion analysis |
| 2) Environmental Impact Study | 6) Functional Servicing Report |
| 3) Archaeological Assessment | 7) Stormwater Management Report |
| 4) Traffic Study | 8) Water modelling (if connection to municipal water is proposed) |

Appendices to this report include the following:

- Appendix A – Draft Concept Plan
- Appendix B – Provincial Policy Statement 2020 Policy Compliance
- Appendix C – Norfolk County Official Plan Policy Compliance
- Appendix D – Lakeshore Secondary Plan Area Policy Compliance
- Appendix E – Minimum Distance Separation Calculations
- Appendix F – Traffic Information (Photo's)

This application was submitted to include the information and material required under Section 22(4) and 34 (10.1) of the *Planning Act* as part of a complete application.

Planning Applications:

Official Plan Amendment

The lands are designated Agricultural, Significant Woodlands and Hazard Lands in accordance with the Official Plan. The proposed resort development generally complies with the County Official Plan; however, amendments are required as follows:

- 1) Modify the existing Agricultural designation to add a site-specific policy to permit:
 - a. Multiple resort oriented roofed and overnight accommodation in the form of a primary farm dwelling unit condominium;
 - b. On-farm diversified uses including:
 - i. A saloon with food and beverage services; and
 - ii. Small-scale roofed and overnight accommodation in the form of an Inn or Group Tourist Cabins; and
 - iii. A conference centre in the form of a multi-purpose riding arena/stable (barn), to host weddings, team building events and conferences.

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- 2) Modify the existing Hazard Land designation limits based on a future Environmental Impact Study and a future Geotechnical Study, if required;
- 3) Modify the existing Significant Woodlands designation based on a future Environmental Impact Study and a future Geotechnical Study, if required.
- 4) Site specifically amend Section 7.2.2 c) to allow resort oriented on-farm diversified uses and exemptions to size limitation policies.

Lakeshore Special Policy Area Secondary Plan Amendment

The lands are designated as a Natural Heritage Area in accordance with Schedule “F” of the Lakeshore Special Policy Area Secondary Plan (Lakeshore Secondary Plan). The schedule also identifies that the lands are adjacent to a conceptual Secondary Tourism Node. Schedule G-2 identifies the lands as Stopover Habitat Study area and Unevaluated Small Forest Patches Study area. The lands closest to the shoreline appear to be included in the Important Bird Study Area of the Long Point Peninsula and Marshes area; however, the area for development is generally located outside of the bird study area. An Environmental Impact Study will be prepared in consultation with the County and Long Point Region Conservation Authority to scope the study appropriately. Appendix B of the Lakeshore Secondary Plan identifies the lands primarily as medium priority soils. The proposed resort development generally complies with the Lakeshore Secondary Plan; however, amendments are required as follows:

- 1) Amend Section 11.4.4 a) ii. to increase the number of guest rooms in the proposed Inn or grouped Tourist Cabins to greater than 8 pending completion of supporting studies to confirm suitability for on-site water and waste water control;
- 2) Amend Section 11.4.4 c) v. and 11.6.1.3 a) v. to allow for development on medium priority soils; and,
- 3) Amend Section 11.4.4 c) x. and 11.6.1.3 a) xi. to permit the development on a local road rather than an arterial or collector road.

Zoning By-law Amendment

The lands are primarily zoned Agricultural Zone (A) in accordance with the County Zoning By-law. The lands are also subject to a Hazard Land Zone (HL) and Provincially Significant Wetland Zone (PSW). No modifications to the PSW lands are proposed. Modifications to the Hazard Land zone are proposed, subject to refinement through a future Environmental Impact Study, if required.

The proposed resort development generally complies with the Agricultural Zone; however, amendments are required as follows:

- 1) To amend Section 12.1.1 to permit the resort list of uses to include: Resort oriented primary farm dwellings (Single detached dwellings) in the form of a condominium; an Inn or Tourist Cabins, a wedding and conference centre use within the multi-purpose riding arena/stable, and a saloon.
- 2) To site specifically amend land use schedule A-11 to permit the development concept subject to the completion and approval of an EIS to refine natural and protected environmental features on the subject property.
- 3) To amend Section 12.3 on-farm diversified uses to remove 12.3 c) through f).

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- 4) To include a site-specific provision to recognize the lot area provisions as existing and to facilitate primary farm dwellings in the form of a condominium on lands 0.4 hectares or less subject to the review and approval of technical studies.
- 5) To permit buildings and structures to comply with Section 12.1.2 and be exempt from interior design provisions, setbacks and lot coverage (subject to site plan and future technical studies).
- 6) To modify the definition of "Farm Operation" to mean an agricultural activity carried on a farm by one (1) **owner and/or condominium corporation** in the expectation of gain and operating on one (1) or more properties, which shall be situated within the County.
- 7) To permit the conference centre use in the riding area (barn) to a height of 20 metres.

Site Plan Application

A site plan application will be required for this development prior to development of the lands. The application will be prepared and submitted following approvals of the proposed Official Plan and Zoning By-law Amendment applications.

Exemption from Vacant Land Condominium Exemption

Subsequent to the approval of a site plan application, a request for an exemption from draft plan of condominium to facilitate a vacant land condominium is anticipated to be submitted.

Planning Review:

The proposed Official Plan, Secondary Plan and Zoning By-law amendment application was prepared in light of several planning documents including the *Planning Act*, the Provincial Policy Statement, the County Official Plan, the County Lakeshore Special Policy Area Secondary Plan and Zoning By-law.

Planning Act

Section 2 of the *Planning Act* outlines matters of provincial interest.

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, planning authorities "shall be consistent with the policy statements" issued under the Act and "shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be".

Section 21(1) of the *Planning Act* allows for the consideration of amendments to the Official Plan.

Section 34 of the *Planning Act* allows for the consideration of amendments to the zoning by-law.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) was recently updated and took effect on May 1, 2020. The PPS provides policy direction for appropriate land use planning and development patterns to achieve healthy, liveable, and resilient communities that will protect resources of provincial interest, public health and safety, the quality of the natural and built environment, and will facilitate economic growth.

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The Provincial Policy Statement recognizes the diversity of Ontario and that local context is important. Under the 'Geographic Scale of Policies' the PPS states,

"Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal."

The subject land is identified as being within the Rural Area according to the Provincial Policy Statement, 2020 (PPS). It is recognized that rural areas are important to the economic success of the Province and that it is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Appendix B represents a policy analysis of the PPS and demonstrates that the proposed development:

- a) Helps contribute to a healthy, liveable, and safe community;
- b) Is supported by the rural character, leverages rural activities and nearby aquatic and agricultural businesses;
- c) Provides sustainable and diversified tourism opportunities including enjoying ecological benefits of the protected natural features on the property;
- d) Provides supporting residential accommodations through condominium that is locally appropriate;
- e) Provides a tourist component to the development in the form of guest horse ranching, horse back riding, short term accommodations, food, beverage and convention services;
- f) Is compatible with the natural features of the area and adjacent land uses;
- g) Provides protection of natural features on the property;
- h) Provides a unique form of housing;
- i) Protects agricultural lands from being taken out of agricultural production by concentrating several owners and guests of the resort having access to common horse ranching facilities;
- j) Has been designed to avoid impacts on natural features and the Lake Erie shoreline and is a suitable location to avoid the use of lands with greater viability for production lands.

The lands are not within a rural settlement area. However, this unique development proposal includes the primary use of horse ranching which has minimum distance separation requirements and is not suitable for settlement areas. The development concept complies with the MDS formulae.

The PPS defines on-farm diversified uses to mean uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. The primary use of the property is agricultural in nature in the form of horse ranching and

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horseback riding. In light of the proposed conference centre (barn) use, saloon and Inn or Tourist Cabins, it appears that these uses are more appropriately considered on-farm diversified uses. On-farm diversified uses permit agri-tourism uses. Should these agri-tourism uses be considered non-agricultural in nature, they continue to meet the intent of the tests of Section 2.3.6 of the PPS.

Section 2.3.6 is described in Appendix B of this report. Specifically, limited non-residential uses are permitted provided the land does not comprise a specialty crop area. Regardless of the lands being potentially assessed as a specialty crop area, the lands are used and proposed to be used for horse ranching which does not require a specific soil classification. An Agricultural Impact Assessment will be provided at the site plan application stage, if required.

The PPS defines Agri-tourism uses to mean those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation. The primary farm operation is and will continue to be horse ranching and horseback riding. A small Inn or Tourist Cabins, several primary farm dwellings in the form of a resort-oriented condominium, a conference centre within a multi-purpose riding arena/stable (barn) and saloon are proposed. These uses are incorporated into the resort concept which will promote the enjoyment, education and activities related to the agricultural area and to enhance the horse ranching and riding uses on site.

Agri-tourism benefits will also be achieved based on the unique location of the proposed development. The residents and the guests of the resort are within 10 minutes of several marinas, zip lining, aquatic activities, cycling routes and other local businesses that provide food and beverage / winery services.

There is a lack of overnight roofed accommodations which are desperately considered necessary to support the Lakeshore Secondary Plan area. The overall development concept proposes to include on-farm diversified uses including agri-tourism uses. The developable portion of the site is limited to lands 15.4 hectares in area. It is intended to acquire products supplied by area farmers for beverage and food services. The surrounding area is comprised of large agricultural tracks of land where most lands are unassembled and less than 40 hectares in area. See Figure 3. This image shows lands within approximately 4 kilometers of the subject lands and those property and serves to demonstrate the size of the proposed development

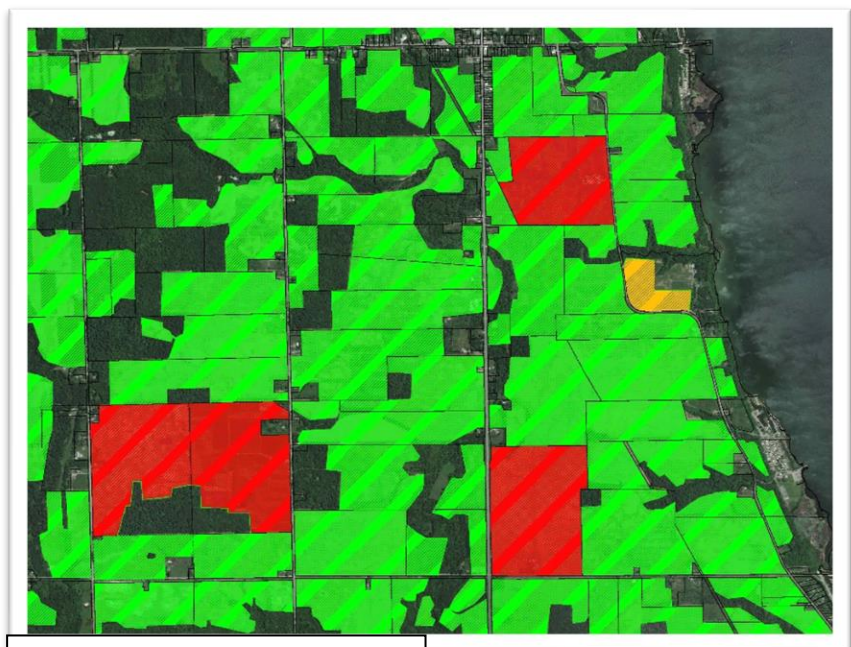


Figure 3: Agricultural Lands

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lands in comparison to production lands. Lands in red are greater than 40 hectares (green less than 40 hectares). The subject lands are shown on the right side of the figure and are shaded orange.

Within 500 metres of the subject property approximately 207 hectares of land are actively farmed for production crops. The subject lands are replacing 10.4 hectares of production crop lands with the permitted use of horse ranching and supporting uses. In total, a limited area of approximately 15.4 hectares of land are proposed for the resort development and represents 7% of the total production crop lands within the immediate area. See figure 4.



Figure 4: Agricultural Lands Immediate Vicinity

The size of the subject lands are generally small in nature, are intended to continue the agricultural use of horse ranching and add tourism uses such as overnight accommodation, food, beverage and conference services to provide a desirable destination to the Lakeshore. According to Norfolk County’s Census of Agriculture 2016, there are:

- 1,860 farm operators working 1,307 farms in Norfolk County,
- 196,403 acres (79,481 hectares) land in crops
- In addition to crop lands there are
 - 1,138 acres of summer fallow lands,
 - 3,019 of seed pasture lands and
 - 3,210 acres of natural pasture lands.
- In total, there are 203,770 acres of agricultural lands in Norfolk County (82,462 hectares).

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The subject property developable lands for agri-tourism represents 0.018% of the total farmable lands in all of Norfolk County.

Rural lands and natural heritage features are generally protected and allow for various types of development to occur that do not have a negative impact. The PPS encourages new forms of housing, agriculturally related and on-farm diversified uses while ensuring public health and safety. The proposed development includes all of these features.

Proposed uses, lot creation and compliance with the PPS

It must be understood that the proposed resort development works together as a whole and provides both local and tourism benefits to the Lakeshore area and Norfolk County. The residential component that is proposed is not uncommon for a resort type development. The PPS supports residential development, including lot creation, that is locally appropriate (Section 1.1.5.2 c)).

As demonstrated throughout this report and appendices, Norfolk County is made up mostly of prime agricultural areas. The lands intended for the resort represent 0.018% of the farm lands in the County. The protection of agricultural and natural feature lands are two main objectives of the PPS. Therefore, for those people who wish to own, ride and care for horses, or for those who wish to experience horseback riding, either have to board their horses on another horse ranch, or invest finances into establishing this agricultural use on their own property. In consideration of Figure 3, for those who wish to own horse ranch lands, an entire farm parcel would need to be purchased to establish a horse ranch thereby removing a portion of production lands. Accordingly, it seems more appropriate to concentrate horse ranching activities into one area rather than removing valuable production lands from the County's agricultural land base.

The PPS identifies a dwelling as an agricultural use, in the form of a primary farm residential dwelling or on-farm building. The proposed resort concept includes a small concentrated group of resort oriented primary farm residential dwellings to access lands and facilities that cater to horse ranching with access to local crops to support the ranching activities. This facilitates a needed local development without taking more lands out of agricultural crop production. It is noted that the proposed riding arena is considered a permitted use.

It has been demonstrated that the lands are not large in area. Therefore, maximization of the agricultural lands in the form of horse ranching, resort-oriented farm dwellings and supporting facilities are proposed.

The lands have been included in the Lakeshore Secondary Plan which was created in consideration of the agricultural areas, balanced with the unique need to permit shoreline development. Agricultural lands make up a significant portion of the entire land base. The subject lands are proposed to keep the agricultural use of horse ranching and horseback riding as a major theme and use of the development and enhance the destination through the provision of on-farm diversified uses including a saloon, conference centre use within the multi-purpose riding arena/stable and roofed accommodation in the form of an Inn or Tourist Cabins and resort-oriented farm dwellings. Since the PPS is clear on protecting 'All types, sizes and intensities of agricultural uses,' it seems fitting to concentrate the agricultural use on the subject property and encourage the protection of production lands.

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Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas

In accordance with the Ministry 'Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas' On-farm diversified uses should be related to agriculture, supportive of agriculture or able to co-exist with agriculture without conflict. On-farm diversified uses are intended to enable farm operators to diversify and supplement their farm income, as well as to accommodate value-added and agri-tourism uses in prime agricultural areas. The development achieves the guidelines commentary regarding on-farm diversified uses.

A decision by Council to approve the Official Plan, Secondary Plan and Zoning By-law amendment will be consistent with PPS, 2020.

In addition to the justification in this report, details describing the applicable Provincial policies and how the application is consistent with the PPS are included in Appendix B.

Norfolk County Official Plan

The lands are designated Agricultural, Significant Woodlands and Hazard Lands in accordance with the Official Plan. The policies of the Official Plan protect Natural Heritage, maintain the pre-eminence of agriculture as the principal economic activity in the rural components of the County, ensure economic vitality including the support of tourism uses, promote recreation and manage growth.

Norfolk County has a rich agricultural land base with approximately 85 per cent considered to be prime agricultural lands consisting of Class 1, 2 and 3 soil capability for agriculture. Proposed development on crop production lands **is permitted** subject to various policies. Notwithstanding the classification of soils, the subject property proposes development on lands used for horse ranching and horseback riding which do not consider soil classification. The resort concept includes horse ranching and horseback riding as the primary use of the property and proposes to concentrate the agricultural use on site by making available common facilities for the raising and riding of horses. An agri-tourism component in the form of on-farm diversified uses are proposed. On-farm diversified uses are subject to the criteria of Section 7.2.2 c) of the Official Plan. These policies appear to be designed primarily for production lands as the goal of the policies seek to preserve as much production lands as possible while allowing additional small-scale uses limited in area.

The subject property is 23.6 hectares in area of which only 15.4 hectares are unencumbered by natural and protected features and hazard lands (subject to verification through future EIS). The proposed resort concept includes a concentrated group of resort oriented primary farm residential dwellings (single detached dwellings) to access lands and facilities that cater to horse ranching supported by local crops for ranching activities. This helps to support development without taking more lands out of agricultural crop production.

The agricultural designation permits a number of uses including but not limited to farm and on-farm diversified uses. On-farm diversified uses permit agri-tourism uses that are secondary to the principal agricultural use of the property including overnight tourist accommodations. However, due to the unique small size of the available lands of the property, their intended agricultural function and the provision of

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agri-tourism uses, the criteria of Section 7.2.2 c) On-Farm diversified uses, must be amended to facilitate the development. Justification details of the exemption from parts of this section are detailed in Appendix C and are summarized as follows:

The Official Plan policies include a limitation of the area occupied by an all on-farm diversified uses of 2% of which only 20% of this area is permitted for buildings (20% of 2% is 0.4% of the total land holding). The limitation of 2% also includes parking and associated outdoor storage. Incremental increases to on-farm diversified uses are not expected. Severances to separate on-farm diversified uses from the farm property will not be permitted.

Based on the concept plan the proposed on-farm diversified uses are approximately 1,672m² or 0.7% (compared to 2%) of the lot area, not including the farm residential component. Assuming an average dwelling footprint of 185m², the farm residential component could be 4,255m² (23 x 185). Therefore, conceptually all buildings could occupy 5,927m² or 2.50% of total lot area. It is specifically noted that the plan is conceptual in nature and the number of resort oriented condominium lots and other buildings may change based on future technical studies submitted with a future site plan application. This example serves to demonstrate that amendments to remove the percentage limitations are necessary to facilitate the proposed development and are discussed further in detail.

Other buildings such as the horse barn are not included in these calculations because they are permitted uses as part of the horse-riding farm operation.

The resort concept proposes permitted uses of horse ranching and horseback riding including the establishment of a riding arena. The property will include an on-site trail and paddocks, all which are the primary function of the property. Therefore, since the primary function of the lands is not negatively impacted and will be enhanced, required for on-farm diversified uses including the Inn or Tourist Cabins, conference centre/barn and saloon along with on-site parking are necessary functions of the development concept and need not be limited in area. It is our opinion that an amendment to the provisions for on-farm diversified uses is acceptable to facilitate this unique development concept. Details are described in Appendix C.

At this time, it cannot be determined if future severances of on-farm diversified uses are necessary for operational or legal purposes (condominium). Accordingly, it is proposed that an amendment to subsection c) vii. to permit severances be granted subject to further information becoming available at the site plan and condominium exemption stage.

An amendment to Section 7.2.3 and 7.2.4 is required to allow for the establishment of a resort-oriented farm dwelling condominium. Furthermore, as the owner lives on the lands and will ensure the protection of the significant woodlands and shoreline, a severance may be necessary to facilitate this protection and keep these environmental areas in single ownership. As discussed in this report, the condominium serves the purpose of providing a concentrated group of people and guests in a small area who specifically participate in horse ranching and horseback riding. Several resort oriented dwellings are proposed; however, the proposed condominium changes the tenure of the use and allows for multiple owners of property, subject to the rules and regulations of the condominium corporation. The condominium component avoids the fragmentation of other lands and particularly avoids the

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consumption of production lands for crops for the non-production related and permitted use of horse ranching. The condominium is part of the farm operation as such the Minimum Distance Separation (MDS) formulae does not apply to this function of the property. The development and property comply with the MDS formulae in respect to adjacent and nearby uses. In this instance, it is our opinion that lot creation in the form of a resort-oriented farm dwelling condominium is appropriate for the development of the agricultural resort.

All natural features and hazard lands are protected from development. Any encroachments into the significant woodlands will require the submission of an Environmental Impact Study to assess the limits of ecologically protected lands and appropriate buffers, and possibly a geotechnical report to address slope stability.

Several sections of the Official Plan apply when considering zoning by-law amendments. On a high level, details of the Official Plan policies are captured by the overarching Goals and Objectives. Section 2.2 of the Official Plan set out six "Goals and Objectives" to which the following five are applicable to the proposed residential development:

- Strong and Diversified Economy
- Protecting and Enhancing the Natural Environment;
- Maintaining and Enhancing the Rural and Small-Town Character;
- Maintaining a High Quality of Life; and
- A Well Governed, Well Planned and Sustainable County.

The proposed official plan and zoning by-law amendment are supported by the 'Goals and Objectives' of the Official Plan.

2.2.1 - Strong and Diversified Economy

A strong and diversified economy is better realized through the approval of the proposed amendments since the proposed development:

- a) Is in an area of economic activity including several marina and agricultural uses within 10 kilometers of the subject property;
- b) Creates economic activities that are not currently available in the County and will provide employment opportunities;
- c) Supports existing Norfolk County small businesses (breweries, wineries, recreational opportunities);
- d) Fosters tourism along the lakeshore and enhances the County's unique characteristics and the development of a wide range of visitor accommodations;
- e) Protects the natural features of the site while protecting the lakeshore;
- f) Preserves the rural context and agricultural heritage contributing to the County's economy; and
- g) Ensures the continued economic strength of agriculture and the viability of farm operations by protecting agricultural activities and the agricultural land base from the intrusion of incompatible uses and providing opportunities for small-scale business opportunities that are secondary to farm operations.

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2.2.2 - Protecting and Enhancing the Natural Environment

The proposed amendments protect the natural environment by:

- a) Avoiding all natural features and their buffer areas;
- b) Development will be supported through further studies including an Environmental Impact Study and Geotechnical Study; and
- c) Avoiding Provincial Significant Wetlands.

2.2.3 – Maintaining and Enhancing the Rural and Small Town Character

The proposed amendments maintain and enhance the rural character of the area by:

- a) Proposing an aesthetically pleasing resort area in the County along the lakeshore;
- b) Enhances the agricultural use of horse ranching and horseback riding;
- c) Protects and conserves the natural features of the site that contribute to the County's unique character.

2.2.4 Maintaining a High Quality of Life

The proposed amendments contribute to the high quality of life objective of the official plan by:

- a) Providing a housing option in the form of a resort oriented farm dwelling condominium;
- b) Providing leisure and recreation opportunities on-site and off-site within 10 kilometers of the property;
- c) Being subject to Site Plan Control which will ensure the development is designed in a manner that provides a safe, aesthetically appropriate, and stimulating environment;
- d) Providing for a wide variety of recreation opportunities, including active, passive, indoor, outdoor and targeted leisure activities;
- e) Improving accessibility to the lakeshore area;
- f) Enhancing opportunities for residents and guests to access healthy food options sourced locally.

2.2.6 - A Well Governed, Well Planned and Sustainable County

The proposed amendments will facilitate a development that is supported by these policies through:

- a) Participation in a public planning process;
- b) Representation of a private sector initiative that has County benefits;
- c) Reduction of potential conflicts by buffering and landscaping of the property through the site plan process, if necessary; and
- d) Provision of a development that will be a long-term financial benefit to the County.

A decision by Council to approve the proposed Official Plan and Zoning By-law amendment will be consistent with County Official Plan.

Details describing the applicable Official Plan policies and justification for compliance and the proposed amendment are further detailed in Appendix C.

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Lakeshore Secondary Plan

Lakeshore Special Policy Area Secondary Plan (Secondary Plan) supports sustainable tourism and recreational opportunities within the Plan area to accommodate both tourists and County residents. More specifically, Section 11.4.4 of the Secondary Plan **promotes unique agri-tourism and recreational opportunities** associated with the Lakeshore while enhancing and supporting the viability and sustainability of farming operations and maintaining and preserving prime agricultural land.

Section 11.6.1.3 of the Secondary Plan provides a framework to evaluate and review **unique tourism development proposals that are not contemplated by this Plan** within the LSPA Agricultural Area that are associated with a natural heritage or recreational feature. Such unique tourism development proposals can not be anticipated by this Plan given their unique market and locational characteristics.

Section 11.6.3 of the Secondary Plan discusses the importance of **providing overnight and roofed accommodations as a key component to the success of meeting the tourism development objectives** of the Secondary Plan. Appendix D captures the applicable policy of the Secondary Plan and provides commentary related to the proposed development.

The proposed development is a **unique farm living and tourist resort** composed of resort oriented primary farm dwellings (single detached dwellings), a conference centre use within the riding arena/stable (barn), Inn or Tourist Cabins and saloon. As detailed in Appendix D, the policies of Section 11.4.4 and 11.6.1.3 of the Secondary Plan support the proposed resort concept with the exception of the following sections:

- 1) Section 11.4.4 a) ii. to increase the number of guest rooms in the proposed Inn or Tourist Cabin units to greater than 8 pending completion of supporting studies to confirm suitability for on-site water and waste water control;
- 2) Section 11.4.4 c) v. to 11.6.1.3 a) v. allow for development on medium priority soils; and
- 3) Section 11.4.4 c) x. and 11.6.1.3 a) xi. to permit the development on a local road rather than an arterial or collector road.

An amendment to Section 11.4.4 a) ii. is requested in order to permit additional roofed accommodations to the on-site activities as is encouraged by the County. As discussed in this report, there are no roof accommodation facilities in the area. Norfolk County and the former Regional Municipality of Haldimand-Norfolk have completed numerous studies that clearly identify the desperate need for roofed accommodation to support Norfolk's tourism industry. This need has been recognized and documented for decades and this proposal is a step in the direction of addressing that need.

Roof accommodation is desperately needed to support 8 marina's within 10 minutes of the property and other sports such as canoe rentals & guided kayak trips down Big Creek provided by Cronmillers at the Bridge & Long Point Eco Adventures.

LP Eco Adventures also has the zip line to enjoy as well as many more walking & cycling trails, 7 km from the subject property.

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It is proposed that the number of guest rooms of the Inn or Tourist Cabin units be limited to the recommendations of a future geotechnical investigation which will be required in order to address the development concept in light of providing appropriate and safe sanitary management systems. The number of units and size of the Inn or Tourist Cabin units does not impact the useability of the property for horse ranching and horseback riding and does not have an impact on surrounding properties. As such it is our opinion that supporting an amendment to Section 11.4.4 a) ii. is appropriate and shall be limited by the results of technical studies to ensure that no impacts are generated from the use of sanitary systems required to service the on-site facilities.

An amendment to Section 11.4.4 c) v. and Section 11.6.1.3 a) v. is required to allow for development on medium priority soils. The County is made up primarily of good quality soils or prime agricultural lands. Locating development on lower priority soils in consideration of land use compatibility, suitability of the location with the Lakeshore Secondary Plan area, proximity to surrounding business and activities and the lack of roofed accommodations have been considered. In this instance, locating the proposed development on lower priority soils is not feasible.

As demonstrated throughout this report and appendices, Norfolk County is made up mostly of prime agricultural areas. The lands intended for the resort represent 0.018% of the farm lands in the County and represents a fraction of the overall farm land inventory. The proposed development was designed to avoid all natural features including buffer areas. The lands are used for agricultural purposes in the form of horse ranching and horseback riding. The proposed development increases the efficiency of the use and prevents production lands from being consumed for similar agricultural activities. The location of the lands makes the project ideal for the resort and agri-tourism proposal. Accordingly, it is our opinion that an amendment to Section 11.4.4 c) v. and Section 11.6.1.3 a) v. is appropriate and represents good planning principles.

An amendment to Section 11.4.4 c) x. and Section 11.6.1.3 a) xi. is required to allow for development on a local road. Front Road at this location is a local road, however, it continues to Port Rowan where it becomes a collector road named Wolven Street. Front Road also connects to an arterial road in Port Rowan and another arterial road (Highway 16) between Booth's Harbour and St. Williams. Both are within 2 kilometres from the subject property and will provide good connectivity to each area and beyond.

The day-to-day use of the subject property when developed is not anticipated to generate significant amounts of traffic. Traffic counts were collected in the month of October 2020. In recognition of the fact that this is "off-season" for tourism, these counts were multiplied by a factor of 3 to better capture summer vehicle travel. In addition to tripling the vehicle counts, additional trips were added to anticipate day-to-day traffic generated by the resort.

Including the proposed development, a worst case scenario indicates that traffic rates on Front Road will be approximately 3 cars every 5 minutes (1 car every 96 seconds). The number of trips generated from occasional conferences and weddings has not been estimated as they do not impact the day-to-day use of the local road.

It is recognized that unique tourist uses are encouraged to locate on arterial and collector roads as high volumes of traffic are more appropriately located on these classes of roads. However, in this instance,

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there simply is not a large volume of traffic that travel Front Road and the proposed development is not anticipated to generate any substantial volumes that cannot be handled on a local road. Considering the current and predicted volume of traffic, the location of the proposed development within 2 kilometres from both arterial and collector roads, the intent of the policy is maintained. As such, it is our opinion that an amendment to Section 11.4.4 c) x. and Section 11.6.1.3 a) xi. are appropriate and represent good planning principles.

Section 11.6.3 of the Secondary Plan discusses the **importance of providing overnight and roofed accommodations as a key component to the success of meeting the tourism development objectives of the plan** which includes the provision of, but not limited to **bed and breakfast establishments, small inns, hotels and motels, guest houses, resort-oriented condominiums or similar accommodations**. The proposed development contains uses encouraged by the Secondary Plan including small-scale Inn's and resort-oriented condominium.

The provision of both ownership, rental and short-term accommodations not only supports the agricultural and agri-tourism objectives of the proposed development, they also support surrounding local and tourist type business along the lakeshore. The primary function of the agricultural area is being maintained, a more efficient use of lands is proposed for the agricultural use of horse ranching, all facilities are limited in size and there are no perceived impacts anticipated by any component of the proposed development concept. It is our opinion that the proposed development meets the intent and objectives of the Secondary Plan and represent good planning principles.

Norfolk County Comprehensive Zoning By-law 1-Z-2018

The lands are primarily zoned Agricultural Zone (A) in accordance with the County Zoning By-law. The lands are also subject to a Hazard Land Zone (HL) and Provincially Significant Wetland Zone (PSW). No modifications to the PSW lands are proposed. Modifications to the Hazard Land zone are proposed, subject to refinement through a future Environmental Impact Study, if required.

In addition to the permitted uses of the Agricultural Zone, it is proposed to:

- 1) Amend the Schedule A-11 to include a Holding (H) provision to ensure that necessary technical studies demonstrate the suitability of the subject property for the development. This will assure the County that the development meets the intent of the Official Plan and Secondary Plan policies. As such, the following studies will be submitted to the County for review and approval, if required:
 - a) Agricultural Impact Assessment
 - b) Environmental Impact Study
 - c) Archaeological Assessment
 - d) Traffic Study
 - e) Geotechnical Report and Slope Stability analysis/erosion analysis
 - f) Functional Servicing Report
 - g) Stormwater Management Report
 - h) Water modelling (if connection to municipal water is proposed)

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- 2) Amend Section 12.1.1 to permit the resort list of uses to include: Resort oriented primary farm dwellings (single detached dwellings) in the form of a condominium; an Inn or Tourist Cabins, a wedding and conference centre use within the riding arena and a saloon. This amendment is required to capture all the permitted uses of the resort concept and has been justified throughout this report.
- 3) To site specifically amend land use schedule A-11 to permit lands to permit the development concept subject to the completion and approval of an EIS to refine natural and protected environmental features on the subject property. Since an EIS must be completed, it is requested that wording be flexible to allow for a refinement of zone boundary lines based on a future application to remove a holding provision and refine the boundaries based on the future provision and consideration of technical studies.
- 4) Amend Section 12.3 on-farm diversified uses to remove 12.3 c) through f). See chart. This amendment is required for the reasons demonstrated in this report. Limitations to areas used for on-farm diversified uses are not necessary. See Appendix C and the Official Plan discussion in this report.
- 5) To include a site specific provision to recognize the lot area provisions as existing and to facilitate resort oriented primary farm dwellings (single detached dwellings) in the form of a condominium on lands not less than 0.4 hectares, unless otherwise supported by technical studies. The lot area provision is proposed and subject to technical studies to ensure sanitary controls can be achieved.
- 6) To permit buildings and structures to comply with Section 12.1.2 and farm dwelling lots be exempt from setbacks. A building envelope for each property will be proposed through the site plan control process and allow for consideration of future technical studies.
- 7) To modify the definition of "Farm Operation" to mean an agricultural activity carried on a farm by one (1) **owner and/or condominium corporation** in the expectation of gain and operating on one (1) or more properties, which shall be situated within the County. The uniqueness of the resort concept is best controlled through a condominium corporation. However, legalities have not been determined at this stage. Therefore, the proposed modification to the definition of Farm Operation is proposed and considered reasonable in light of the nature of the proposed resort development.
- 8) To permit the multi-purpose riding arena/stable/conference centre (barn) to a height of 20 metres. A design of the barn has not been prepared. Considering the riding arena may be constructed with multiple levels and high ceilings, it is proposed to increase the height to 20 metres to allow for flexibility in design. Through the site plan control process, the most suitable location for the barn will be considered. Based Figure 2, the proposed riding arena is located approximately 200 metres away from surrounding residential development. Impacts are not anticipated based on the increase in height.

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The following is a zoning compliance chart demonstrate compliance and required amendments.

Zoning Table for Section 12.1.1	Agricultural Zone (A)	Notes:
12.1.1 PERMITTED USES		
	<ul style="list-style-type: none"> e) Dwelling, single detached; f) Farm; i) Farm experience activity, subject to Subsection 12.2.2; p) On-farm diversified use, subject to Subsection 12.3; 	<p>Proposed amendment to add:</p> <ul style="list-style-type: none"> a) Resort oriented primary farm dwellings in the form of a condominium; b) Inn; c) Tourist cabins, d) Wedding and conference centre (barn), e) Saloon (restaurant)
12.1.2 ZONE PROVISIONS AGRICULTURAL USES		
a) Minimum Lot Area i) lot	40 hectares	<p>Proposed to recognize existing lot area of approximately 23.6 hectares.</p> <p>Proposed – 0.4 ha per farm dwelling lot, or smaller based on results of technical study.</p>
b) Minimum Lot Frontage i) Interior ii) Corner	30m 30m	<p>No change</p> <p>Proposed – no minimum lot frontage for interior lots</p>
c) Front Yard Setback	13m	No change
d) Exterior Side Setback	13m	No change
f) Interior Side Yard Setback	3m	No change
g) Rear Yard Setback	9m	No change
h) Min separation between a farm processing facility and a dwelling on an adjacent lot	30m	N/A
h) Maximum Building Height	11m	<p>No change</p> <p>Proposed height of 20 metres for riding arena/stable/conference centre/barn</p>

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12.3 On-Farm Diversified Use		
12.3.1 Any on-farm diversified use shall be subject to the following provisions:		
a) an on-farm diversified use shall only be permitted on an existing farm operation;		A horse ranch is the primary use of the subject lands.
b) no on-farm diversified use shall exceed a combined total of one (1) hectare;		1 hectare is 10,000m ² . No change.
c) the gross floor area of all buildings used for an on-farm diversified use shall not exceed 20 percent of the acceptable land area, as calculated in 12.3.1 b);		20% x 10,000 = 2000m² Proposed to site specifically remove this provision
d) the land area and the area of existing buildings used for an on-farm diversified use may be discounted at the rate of 50 percent. Where an on-farm diversified use uses the same footprint as a demolished building, the land area for the use may be similarly discounted by 50 percent;		Proposed to site specifically remove this provision
e) 100 percent of the area needed for a parking space and outdoor storage for the on-farm diversified use will be included in the area calculation.		Proposed to site specifically remove this provision
f) where an on-farm diversified use uses an existing farm laneway, or parking area, the area of the laneway or parking area will not be included in the area calculations.		Proposed to site specifically remove this provision
3.26 Number of Dwellings Per Lot	1	Proposed number of farm dwellings on a lot to be determined based on technical studies – Legally conveyable parcel of land.
4.9 Parking Space Requirements		
Farm dwelling	2 spaces per unit	No change
Banquet Hall (Conference centre/barn)	1 space for every 10 square metres of usable floor area	No change
Restaurant (Saloon)	1 space for every 10 square metres of usable floor area	No change
Hotel (Inn)	1 space for each hotel room	No change
Tourist Cabin (dwelling unit in a non-residential building)	1 parking space for each dwelling unit	No change

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[Summary of Zoning By-law review](#)

Single detached dwellings required 2 parking spaces. Similarly, resort oriented farm dwellings are proposed and will continue to provide 2 parking spaces per lot. An amendment to the number of dwelling units is proposed to facilitate the resort-oriented farm dwellings (single detached dwellings).

Setbacks for resort oriented farm dwelling lots are not proposed as the location of each dwelling will be subject to technical studies, the layout of the internal driveway and proximity to other uses on the subject property. It is proposed that building envelopes be established during the site plan control process to ensure each dwelling is positioned in an appropriate location.

The number of primary farm dwellings are proposed to be based on future submission of technical studies to address septic and water services.

There are no impacts anticipated through the increase in height for the multi-purpose riding arena/stable /conference centre/barn.

In our opinion, the proposed Holding provision and modifications to the zoning by-law are reasonable to facilitate the proposed resort concept, resort-oriented farm dwelling lots and on-farm diversified uses and represents good planning.

Land Use Compatibility:

The property is strategically located in an area where agricultural activities are the dominant land use. The closest dwelling to the subject property is the owner's son and is in support of the proposed development. There are two other dwellings within 200 metres of the subject property. The proposed multi-purpose riding arena/conference centre, saloon and Inn or Tourist Cabin units will be subject to site plan control. The indoor area of the riding arena will be designed appropriately and reduce noise sources from events to these nearby residences.

The physical tilling of agricultural soils in the area are seasonal, thereby limiting impacts of noise and dust from agricultural vehicles.

Horses are kept and accommodated on site today as is appropriate in the agricultural zone. The development concept does not anticipate adding more physical space in order to increase permanent stable capacity for the horses. This is supported by the calculations found in Appendix F – Minimum Distance Separation formulae and the following discussion.

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Minimum Distance Formulae

The subject property currently has approximately 262 square metres of stable area. The proposed development intends to remove these horse stable facilities and replace them in other areas of the property within newer structures. When the facilities are replaced, they must be constructed in accordance with the MDS formulae. There are no current or proposed manure storage facilities for the property as manure is and will continue to be removed from the lands. Considering this information, the following setbacks are required and are further demonstrated in Appendix F.

Description	Minimum Livestock Barn Setback Distance
Type A Land Uses (i.e. dwellings on nearby lots)	42 metres
Type B Land Uses (i.e. Settlement Area)	83 metres
Nearest lot line (side or rear)	4 metres
Nearest road allowance	8 metres

The proposed development will exceed the minimum setback distances required by the MDS formulae. Through a site plan application, facilities will continue to meet and exceed minimum separation distances.

Traffic

In consultation with the County, a high-level traffic analysis has been completed to demonstrate existing and proposed volumes of traffic based on the development concept. The owner has completed a count of the traffic on Front Road to produce the following information:

Traffic Counts October 2020			
Date:	Weekday AM Period	Weekday PM Period	Notes:
October 29 (Thursday)	18 cars over 2 hours		1 car every 7 minutes
October 30 (Friday)		30 cars over 2 hours	1 car every 4 minutes
October 31 (Saturday Peak Hours 11:15-2:00)	37 cars over 3 hours		1 car every 5 minutes

It is noted that this traffic count information was collected in the fall. Therefore, for the purposes of anticipating higher volumes of traffic during summer months, the data collected has been tripled as follows:

Traffic Counts October 2020 - Tripled			
Date:	Weekday AM Period	Weekday PM Period	Notes:
Thursday	54 cars over 2 hours		3 cars every 7 minutes
Friday		90 cars over 2 hours	3 cars every 5 minutes
Saturday Peak Hours 11:15- 2:00	111 cars over 3 hours		3 cars every 5 minutes

The development concept shows 23 primary farm dwellings. If each residence generates 2 trips per day, an additional 46 trips will be added to Front Road. Assuming 1 trip per unit in the morning peak and 1 trip per unit in the afternoon peak, the following trips are estimated.

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Traffic Counts October 2020 – Tripled – Plus Anticipated Traffic from Development			
Date:	Weekday AM Period	Weekday PM Period	Notes:
Thursday	77 cars over 2 hours		3 cars every 5 minutes
Friday		113 cars over 2 hours	1 car every 1 minute
Saturday Peak Hours 11:15- 2:00	157 cars over 3 hours		1 car every 1 minute

The tourist commercial uses (on-farm diversified) such as the conference centre are event driven and will add to the traffic on Front Road occasionally.

The posted speed limit on Front Road is 80km/h. The property is nestled within 2 significant bends in the road having a straight away between bends of 250 metres and forms the shape of an ‘S’. The posted speed limit at the approach of each bend is 30km/h. Site lines are unobstructed. The proposed access to the development will have a long driveway which will allow traffic to come into the property without cueing onto Front Road. The same driveway access will allow vehicles to cue when leaving the property and keep the roadway clear from stacking. The reduced speed between the ‘S’ bends slow traffic down, naturally increasing safety for making ingress and egress maneuvers.

The volume of current and projected traffic is low, does not seem to warrant the need for any road improvements and Front Rd appears suitable to accommodate future projected volumes. As noted previously, the owner has collected the traffic count data. G. Douglas Vallee Limited provides this basic review and general comments on a high-level basis. Therefore, it is recommended that a full traffic impact study be submitted by a qualified professional with a future site plan application.

Servicing

Private water and sanitary services are proposed for each individual farm dwelling, Inn or Tourist Cabins, saloon and riding arena/stable/conference centre/barn. Until such time that a hydro-geological and geotechnical study is completed, it cannot be determined if private cisterns, potable water wells or a combination of both are best suited for the overall development. Private septic and tile bed systems are envisioned for each use; however, technical studies will reveal how large and the type of system is best suited for each use in a particular location on the subject property. The number of guest rooms, the size of the saloon and multi-purpose riding arena/stable/conference centre and the number resort oriented farm dwellings are all conditional upon technical studies.

A Norfolk County watermain is located within the Front Road road allowance. Connection to this water line may be considered at the site plan application stage. Water service may only be an option for drinking water as it is not anticipated that the water main is sized to provide fire protection water.

Stormwater will be managed on-site and designed to meet quality and quantity control standards of the County and Conservation Authority. Details will be addressed through the submission of additional studies at the site plan stage.

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Conclusion:

The Provincial Policy Statement 2020 recognizes the diversity of Ontario and that local context is important and that not all policies will be applicable to every site, feature or area. The Provincial Policy Statement applies at a range of geographic scales.

The PPS supports residential development, including lot creation that is locally appropriate (Section 1.1.5.2 c) and Section 2.3.4 a). It is noted that lot creation is generally discouraged and is based upon the principle to avoid fragmentation of production lands; however, in this instance, the development of multiple primary farm dwellings in the form of a resort-oriented condominium, concentrate farm dwellings on a farm property specific to the use of horse ranching which helps avoid fragmentation of lands. Accordingly, the proposed development continues to meet the intent of the PPS.

The PPS defines on-farm diversified uses to mean uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include Agri-tourism uses to mean those farm-related tourism uses, including limited accommodations that promote the enjoyment, education or activities related to the farm operation.

Similarly, on-farm diversified uses are subject to the criteria of Section 7.2.2 c) of the Official Plan. On-farm diversified uses permit agri-tourism uses that are secondary to the principal agricultural use of the property including overnight tourist accommodations. However, due to the unique small size of the available lands of the property, their intended agricultural function and the provision of agri-tourism uses, the criteria of Section 7.2.2 c) on-Farm diversified uses, must be amended to facilitate the development.

The Lakeshore Special Policy Area Secondary Plan supports sustainable tourism and recreational opportunities within the Plan area to accommodate both tourists and County residents. More specifically, Section 11.4.4 of the Secondary Plan promotes unique agri-tourism and recreational opportunities associated with the Lakeshore while enhancing and supporting the viability and sustainability of farming operations and maintaining and preserving prime agricultural land.

Section 11.6.3 of the Secondary Plan discusses the importance of providing overnight and roofed accommodations as a key component to the success of meeting the tourism development objectives of the plan which includes the provision of, but not limited to bed and breakfast establishments, small inns, hotels and motels, guest houses, resort-oriented condominiums or similar accommodations..

The lands are small in scale, the proposed on-site uses are small in scale and the development does not have impacts on agricultural lands, natural features, the road network, or adjacent land uses. The concept is unique in nature, is a desired local and tourist destination located on the lakeshore and provides for needed overnight and roofed accommodations.

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Additional supporting studies are required to be completed at the site plan application stage and for the future removal of a holding provision which guarantees a level of control and safety to both the County and Long Point Region Conservation Authority.

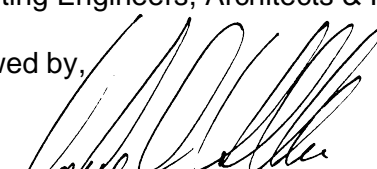
The proposed Official Plan amendment, Secondary Plan amendment and Zoning By-law Amendment implement the policies of the PPS and the Norfolk County Official Plan and Secondary Plan. It is our opinion that the applications represent a good development, are unique in nature, support Tourism and the Goals of the Norfolk County Official Plan and Secondary Plan. Despite these points of support, this form of development would be difficult to anticipate by the authors of either the Official Plan or the Zoning By-Law. However, policies were created to permit alternative forms of development, subject to good planning principles. This report demonstrates that good planning principles are maintained and that those criteria for reviewing unique developments has been satisfied. Accordingly, it is our opinion that the applications model good planning and facilitate a unique development in a strategic location along the lakeshore of Norfolk County.

Prepared and submitted by,



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