



Planning Rationale

To: James Griffin, Planner

From: RFA Planning Consultant Inc.

Cc: Bare Bones Distillery

Date: October 6, 2021

Re: Application for an Amendment to the Zoning By-law – Part of Lots 7 & 8, Concession 3, Township of Hillier, County of Prince Edward (Owner: Jason and Nicole Clarke)

This memo is to summarize our planning opinion in support of the Rezoning Application for an Amendment to the Zoning By-law for the Bare Bones Distillery located at 705 Closson Road in Hillier Ward.

The subject rezoning has been reviewed for consistency with the Provincial Policy Statement (PPS), Provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas and conformity to the County of Prince Edward Official Plan 'Agricultural Area' designation general policies. In addition, the applicable Zoning By-law provisions for the 'Rural 2 (RU2)' Zone of Zoning By-Law Number 1816-2006 are assessed. The rezoning application will permit the active farm to utilize crops grown on-site and produce value-added products. The primary use of the property will continue to be a farm and the proposed farm distillery will be an accessory use.

BACKGROUND

We were retained in January, 2021 by the owners, Jason and Nicole Clarke, to undertake a rezoning application for the subject property. The land is described as Part of Lots 7 and 8, Concession 3, Township of Hillier, County of Prince Edward. The subject property has an area of approximately 31.6 hectares (78 acres) with 244.77 metres (803 feet) of frontage on the south side of Closson Road. The land to be rezoned contains a 140m² (1,500 square foot) single detached unit, a 33m² (355-square-foot) shed adjacent to the dwelling, a 425m² (4600 square foot) barn

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and a 106m² (1,141-square-foot) farm building adjacent to the main barn. All buildings are clustered adjacent to Closson Road. It is proposed that the 425m² barn, constructed in 1979, will be adapted to accommodate a farm distillery and associated tasting room/retail space. Approximately 15 seats will be provided within the tasting room. Within the existing barn approximately 315 m² (3400 sq. ft.) will be dedicated to the farm distillery and 110m² (1200 sq. ft.) will be utilized for the tasting room/retail space.

In the field areas south of the building cluster near Closson Road, there are approximately 23.7 hectares (58.6 acres) of field area available for crop cultivation. The owners intend to cultivate corn, wheat and rye on-site to supply the distillery with the main active ingredients for vodka and gin. Juniper and haskap bushes will be grown in the field immediately to the south of the barn and will also provide ingredients for distilled products. Thus far, 2 acres of haskap berry bushes (1204 bushes) have been planted and 40 acres of hay were harvested and sold this spring. Phase One of the apiary has been installed and will be expanded next year with a goal of producing over 1000 jars of honey. Organic garlic will be available for harvest in 2022. It is intended that all crops will be organic. The site is surrounded by rural lands and agricultural uses including vineyards and a lavender farm on the north side of the road. The subject property is serviced by private well and septic system. Hedgerows separate the property from adjacent lands. **Figure 1** identifies the location of the property and surrounding area.

The submitted Preliminary Site Plan identifies the location of existing buildings and the proposed parking area. It is noted that two existing driveway entrances will be removed. One entrance will remain to access the single detached unit and one entrance will be constructed to access the new parking area.

The registered owners purchased the property in October, 2020. They anticipate commencing renovations to the existing barn to accommodate the farm distillery once approvals are in place.

The subject property is designated “Agricultural Area” and “Environmental Protection” in the County of Prince Edward Official Plan and is zoned “Rural 2 (RU2)” Zone and “Environmental Protection (EP)” Zone in the County’s Comprehensive Zoning By-law Number 1816-2006, as amended.

A summary of the subject lands is provided in **Table 1**, below:

Table 1: Background Summary

PIN 55026-00097	
Legal Description	Part of Lots 7 & 8, Concession 3, Township of Hillier, now in the Municipality of the County of Prince Edward;
Civic Address	705 Closson Road
Lot Area	31.6 hectares (78 acres)
Lot Frontage	244.77 metres (803 feet) on Closson Road
Access	Closson Road
Official Plan Designation	Agricultural Area & Environmental Protection (Schedule 'A-3' – Land Use Designations)
Zoning	Rural 2 (RU2) Zone and Environmental Protection (EP) Zone; (Schedule 'A7'- Hillier)

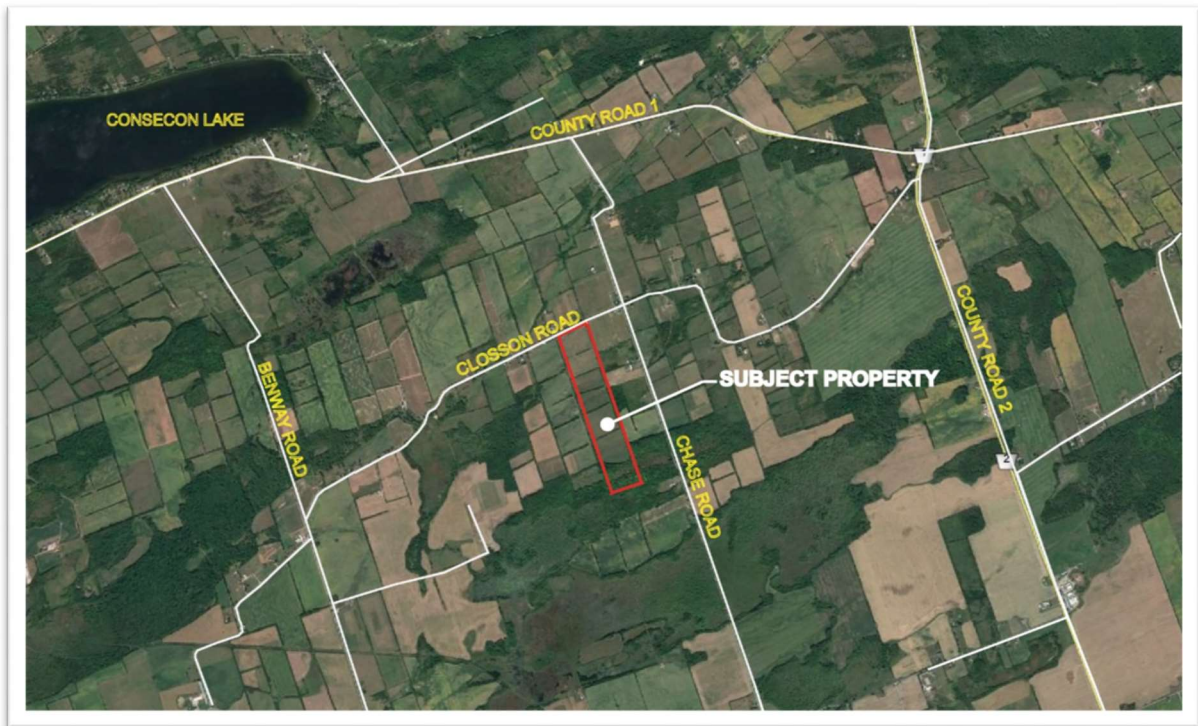


Figure 1: Location Map

The following photographs depict the existing conditions of the subject lands.



Existing barn to accommodate proposed farm distillery



Future parking area



Rear of existing barn and proposed farm distillery



Existing farm building



Single detached home on property



Field to be planted with juniper and haskap bushes



North field looking towards west property line



Field on north side of Closson Road across from property



Closson Road looking west



Closson Road looking east



Lavender Farm across from proposed parking area

APPLICATION FOR REZONING

The purpose of the rezoning application is to request a “Rural 2 (RU2)” Zone with special provisions. The special provisions would permit a farm distillery in addition to the uses permitted in the “RU2” zone. In addition, the special provisions will address the location of the existing barn structure and request that the front yard setback be reduced from 15m to the existing 9.7m. The special provision to address the front yard setback of the barn is technical in nature given that the barn has existed since 1979. The “Environmental Protection (EP)” Zone located at the south end of the property will remain.

All necessary reports, as requested by the Municipality, have been included with the submission. These reports include:

- Traffic Brief; prepared by Greer Galloway; May 19, 2021
- Water and Sewage Servicing Assessment; prepared by Greer Galloway; June, 2021
- Stormwater Brief; prepared by Greer Galloway; May 17, 2021
- Fire Protection Assessment Letter; prepared by Greer Galloway; September 3, 2021

A Report on Compliance for Change in Major Occupancy was initially requested by staff. However, the Chief Building Official has advised that the report can be submitted at the time of building permit application.

COSISTENCY WITH THE PROVINCIAL POLICY STATEMENT (2020)

The Provincial Policy Statement (PPS) applies to all planning applications effective May 1, 2020. It provides policy direction on matters of provincial interest related to land use planning and development. All decisions related to land use planning matters “shall be consistent with” the PPS. **Table 2** below provides an analysis of the PPS as it relates to the subject application. The application for the subject Zoning By-Law Amendment is consistent with the PPS.

Table 2: Provincial Policy Statement and Analysis

PPS POLICY	PLANNING ANALYSIS
1.1.4 Rural Lands in Municipalities	
<p><i>1.1.4.1 Healthy, integrated and viable rural areas should be supported by:</i></p> <ul style="list-style-type: none"> <i>a) building upon rural character, and leveraging rural amenities and assets;</i> <i>f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;</i> <i>g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural and natural assets;</i> <i>i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.</i> 	<p>The proposal will enable the assets and amenities of the subject lands, in particular the agricultural setting including the existing barn, to be leveraged for economic advantages related to tourism and employment opportunities. At the same time, the rural character will be protected given that the primary use will remain farming including but not limited to growing corn, wheat, rye, juniper and haskap bushes along with the adaptive re-use of the existing barn for the proposed farm distillery, tasting room/retail space.</p> <p>The farm distillery will use agricultural resources and process them into value-added goods.</p>
1.1.5 Rural Lands in Municipalities	
<p><i>1.1.5.2 On rural lands located in municipalities, permitted uses are:</i></p> <ul style="list-style-type: none"> <i>d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;</i> 	<p>The proposed use is located on rural lands and is considered an <i>on-farm diversified use</i> in accordance with Provincial Guidelines. Please refer to Table 2 of this report.</p>

PPS POLICY	PLANNING ANALYSIS
<p><i>1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.</i></p>	<p>The farm distillery would enhance the tourism and rural economic activity that already exists in the vicinity of the subject property along Closson Road, including vineyards, wineries and a lavender farm.</p>
<p><i>1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.</i></p>	<p>The proposed farm distillery/tasting room will be located within the existing barn, thereby maintaining the agricultural/rural character of the site. No removal of agricultural buildings, vegetation or farm fields is required to accommodate the use. Therefore, the rural character of the landscape will be maintained. The Preliminary Site Plan shows the existing buildings and proposed parking area. Private services can accommodate the proposed use as indicated in the Water and Sewage Servicing Report prepared by Greer Galloway.</p>
<p><i>1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.</i></p>	<p>Private water and sanitary sewer services will be provided on site and there will be no additional demand on the Municipality to increase services to the property. The private on-site infrastructure will be suitable to support the planned development as indicated in the Water and Sewage Servicing Study prepared by Greer Galloway.</p>
<p><i>1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.</i></p>	<p>The proposed development supports a diversified rural economy by providing an <i>on-farm diversified use</i> which will enhance the economic viability of the existing agricultural lands. The proposed use will not reduce the area available for farming and will utilize and restore an existing barn.</p>

PPS POLICY	PLANNING ANALYSIS
1.3 Employment	
<p><i>1.3.1 Planning authorities shall promote economic development and competitiveness by:</i></p> <p><i>b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</i></p>	<p>The site is primarily used for agricultural purposes. Ancillary uses, including the proposed farm distillery/tasting room provide diversified rural economic activities and employment opportunities within the municipality. These unique uses contribute to the tourism sector of Prince Edward County.</p>
1.6 Infrastructure and Public Service Facilities	
<p><i>1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.</i></p>	<p>The submitted Water and Sewage Servicing Study indicates that private sewage and water services are appropriate and will have no negative impact on adjacent wells.</p>
<p><i>1.6.6.7 Planning for stormwater management shall:</i></p> <p><i>(e) maximize the extent and function of vegetative and pervious surfaces.</i></p>	<p>The property is 31.6 hectares and therefore there is sufficient area on the subject lands to provide for on-site storm water management and to maximize the use of existing vegetation and ground cover to promote infiltration. The Stormwater Brief indicates that given the proposed parking area and entrance, surface water runoff conditions pose no risk to adjacent properties or the surrounding environment.</p>
1.7 Long-term Economic Prosperity	
<p><i>1.7.1 Long-term economic prosperity should be supported by:</i></p>	<p>Use of the existing barn will maintain the agricultural character of the</p>

PPS POLICY	PLANNING ANALYSIS
<p>e) <i>encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;</i></p> <p>h) <i>providing opportunities for sustainable tourism development;</i></p>	<p>landscape, which is a significant part of the County's cultural heritage. Along with interior renovations, the owner intends to re-side the concrete structure with siding that is more in keeping with the rural heritage of the County.</p> <p>The proposed farm distillery will contribute to the economic prosperity of the municipality since it will enhance the tourist-oriented uses existing in the vicinity on Closson Road.</p>
2.3 Agriculture	
<p>2.3.3 Permitted Uses</p> <p>2.3.3.1 <i>In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.</i></p> <p><i>Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.</i></p>	<p>The growing of crops is a permitted agricultural use. In addition, the proposed farm distillery is a permitted use since it is considered an <i>on-farm diversified use</i>. Assessment of Provincial Guidelines for <i>on-farm diversified uses</i> is provided in the following section on Table 3.</p> <p>The proposed use will occupy an existing structure on an active farm and will be limited in area in accordance with provincial guidelines. Access to the agriculture fields on the property will be unaltered. Therefore, the farm distillery use will not negatively impact the surrounding agricultural operations.</p>
<p>2.3.3.2 <i>In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.</i></p>	<p>The primary and dominant use of the land will be for growing wheat, corn and rye crops. Juniper and haskap bushes will also be grown. Forty acres of hay were harvested and sold this year and 2 acres (1204 bushes) of haskap berry bushes were planted in the spring of 2021. Phase One of an</p>

PPS POLICY	PLANNING ANALYSIS
	apiary has been installed. All crops are and will be organic.
<p>2.3.6 Non-Agricultural Uses in Prime Agricultural Areas</p> <p>2.3.6.1 Planning authorities may only permit non-agricultural uses in prime agricultural areas for:</p> <p>b) limited non-residential uses, provided that all of the following are demonstrated:</p> <ol style="list-style-type: none"> 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 accommodate the proposed use; and 4. alternative locations have been evaluated, and <ol style="list-style-type: none"> 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. 	<p>The farm distillery is limited in area and will not occupy any of the existing crop fields, which will be primarily used for cash crops.</p> <p>The use complies with the MDS requirements of the Official Plan.</p> <p>The Official Plan indicates that it is anticipated that growth opportunities in the County over the next 25 years will include, among other uses, <i>on-farm diversified uses</i>, in the Agricultural areas.</p> <p>The farm distillery use will provide value-added products from the crops grown on the property and will efficiently adapt an existing structure located away from cropland that is currently cultivated.</p>
<p>2.3.6.2 Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.</p>	<p>The farm distillery will occupy the existing barn with no additional construction required. A gravel parking area and entrance will be provided. The Traffic Brief indicated that Closson Road has capacity to accommodate any anticipated traffic flows and access to the site can be safely provided. In addition, surface water runoff conditions from the gravel parking area pose no risk to adjacent properties or the surrounding environment. Access to the farm fields</p>

PPS POLICY	PLANNING ANALYSIS
	will remain unimpeded. Therefore, there will be no negative impact on surrounding agricultural operations. In addition, the proposed farm distillery use is currently fenced from the agricultural use. This will assist in differentiating the uses on the property and mitigate potential impact to farming operation on-site.

CONFORMITY TO THE GUIDELINES ON PERMITTED USES IN ONTARIO'S PRIME AGRICULTURAL AREAS

Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas was released in February, 2015 in reference to Section 2.3.3.1 of the PPS. The Guidelines provide criteria and best management practices to evaluate development proposals within Prime Agricultural Areas to ensure they are "consistent with" the intent of the PPS. **Table 3** provides an analysis of the proposal as it relates to the Guidelines for On-farm Diversified Uses. The application for the Bare Bones Distillery Zoning By-Law Amendment is consistent with the Guidelines.

Table 3: Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas and Analysis

Guideline Policy	PLANNING ANALYSIS
2.3 On-Farm Diversified Uses	
<i>Located on a farm</i>	The farm distillery is located on an active farm that is to be planted with corn, wheat and rye. The rear 23 hectares (57 acres) are available for crops. Sixteen hectares (40 acres) of hay were harvested and sold this year and an apiary has been installed. The field area closest to the farm distillery building will be planted with juniper and haskap bushes. Two acres of haskap berry bushes have been planted this spring.
<i>Secondary to the principal agricultural use of the property</i>	The proposed farm distillery will be secondary to the principal farming use. The distillery will be limited in area and will occupy the existing barn. The vast majority of the site will be used for agricultural uses and cash crops. Together, the agricultural uses will account for over 99% of the lot area. The distillery will not interfere with cropping cycles or harvesting given that the distillery will be located within a existing structure and access to the fields will not be impeded.

Guideline Policy	PLANNING ANALYSIS
<i>Limited in area</i>	<p>Section 2.3.1.3 of the Guidelines indicates, where available the use should be located in an existing building. This will reduce the amount of farmland consumed; maintain the agricultural/rural character; and assist in ensuring existing buildings are kept in good repair.</p> <p>Since the farm distillery is to be located in an existing barn, the GFA of the barn is discounted 50% when calculating lot coverage of the on-farm diversified use. The 425m² existing structure and the 366m² parking area represent 0.25% of the lot area. Therefore, the total area that will be unavailable for agricultural purposes is significantly less than the maximum 2% identified in the Guidelines.</p>
<i>Includes but is not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products</i>	<p>It is intended that the farm distillery will produce vodka and gin. Both of these products use crops that are and will be grown on-site. Therefore, the farm distillery is considered to be a use that produces value-added agricultural products. The tasting room is a permitted agri-tourism use as identified in the Guidelines.</p>
<i>Compatible with, and shall not hinder, surrounding agricultural operations</i>	<p>The farm distillery plus the parking area represent 0.25% of the lot area. This is considered “limited in area” in accordance with the Guidelines. The use is to be located in a vacant barn which is located within a cluster of existing buildings near Closson Road. The tasting room will be a minor component of the use given that only 15 seats will be provided. The juniper and haskap bushes will be located closest to the distillery and will buffer</p>

Guideline Policy	PLANNING ANALYSIS
	<p>the distillery from the cash crops. In addition, an existing fence will delineate the farm fields from the farm distillery use. No outdoor patios will be provided that would interfere with harvesting of crops. The rural/agricultural character of the site will be maintained such that the predominant use of the land will be farming and access to the fields will not be altered.</p> <p>The Servicing Study completed by Greer Galloway indicated that that site can be appropriately serviced with private well and septic systems and will not negatively impact adjacent properties. The Traffic Assessment concluded that Closson Road can appropriately accommodate traffic generated from the site and safe ingress/egress can be provided. The Stormwater Brief indicated that there will be no negative impacts on the natural drainage with the addition of the gravel parking area. Therefore, it is not anticipated that the use will hinder surrounding agricultural operations.</p> <p>The cumulative impact of the <i>on-farm diversified use</i> is minimal given that the vast majority of the lands remain in agricultural use. Adjacent parcels of land are relatively large in area (average of approximately 21 ha) and have significant lot widths (approximately 250 m). Given the large lots, there is an abundance of area available to accommodate new or expanding livestock facilities without impacting the on-farm diversified use.</p>

CONFORMITY TO THE COUNTY OF PRINCE EDWARD OFFICIAL PLAN

The County of Prince Edward Official Plan was approved by the Ministry of Municipal Affairs and Housing on July 7, 2021. The subject property is designated 'Agricultural Area' and 'Environmental Protection Area' on Schedule 'A-3' Land Use Designation of the County of Prince Edward Official Plan. The rear of the property is identified on Schedule 'B' - Natural Features and Areas as part of a Provincially Significant Wetland and is within the Big Swamp/Little Swamp Core Area. Schedule 'E' - Transportation and Infrastructure identifies Closson Road as a 'Local Road'.

It is noted that the proposed farm distillery is located within the 'Agricultural Area' designation and is approximately 1000m away from the 'Environmental Protection Area'.

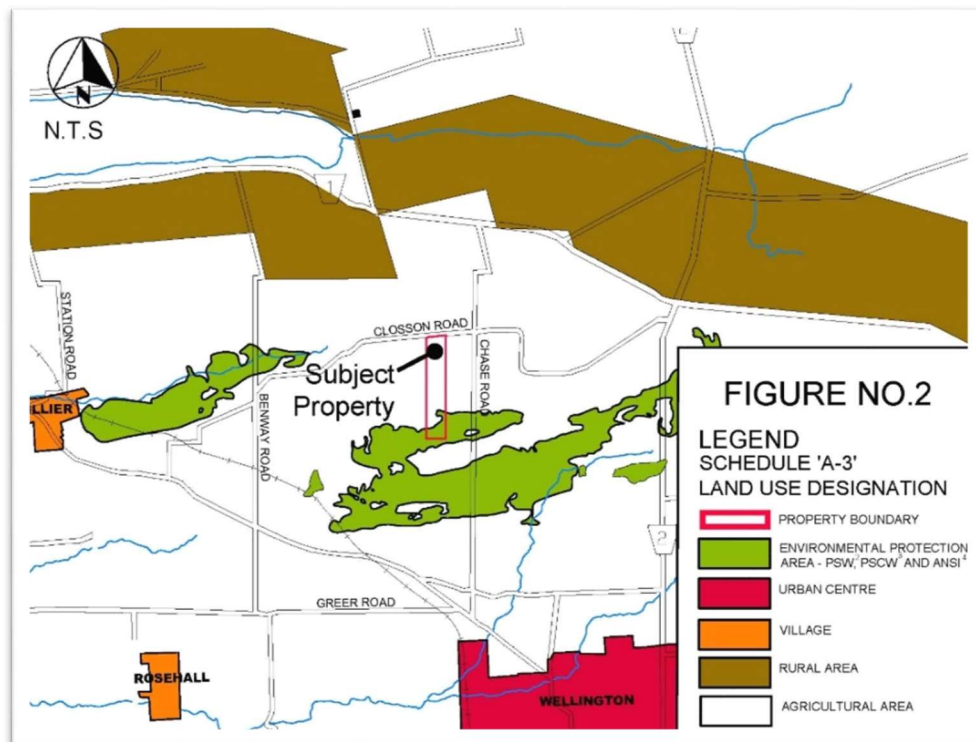


Figure 2: Prince Edward County Official Plan Schedule 'A-3' – Land Use Designation

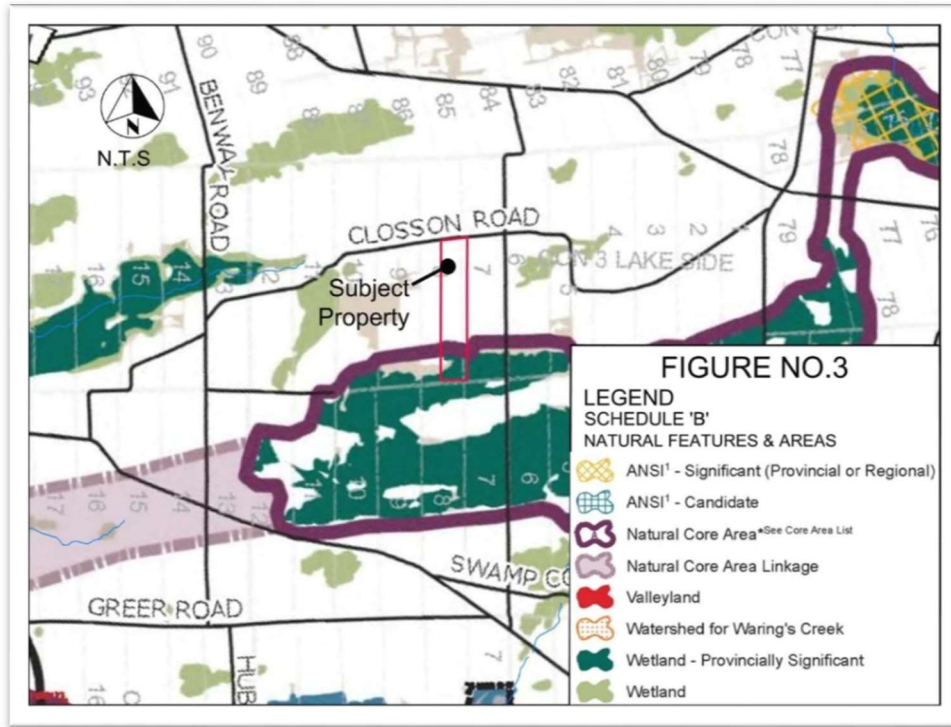


Figure 3 - Prince Edward County Official Plan Schedule 'B' – Natural Features and Areas

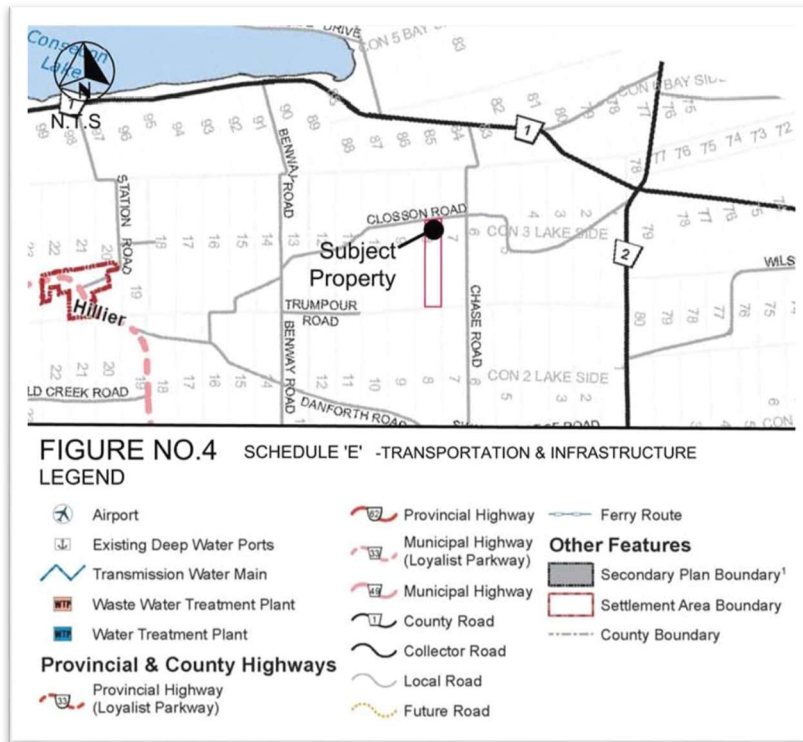


Figure 4 - Prince Edward County Official Plan Schedule 'E' – Transportation and Infrastructure

Relevant Official Plan policies are assessed below in Table 4.

Table 4: Official Plan Policies and Analysis

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
2.4 Growth Management	
<p>2.4.1 Approach <i>b) It is anticipated that growth opportunities in the County over the next 25 years will include:</i> <i>iii. Expanded agricultural, agriculture-related and on-farm diversified uses, including agritourism, in the Agricultural areas and Rural Lands;</i></p>	<p>The proposed farm distillery is an <i>on-farm diversified use</i> in the Agricultural area. The Official Plan anticipates that this type of use will be a growth opportunity over the next 25 years.</p>
3.0 Shaping the County- General Development Policies	
<p>3.2.3 Economic Development Policies Agricultural Assets <i>1) Agriculture has long been the principal land use within the County and is an integral part of protecting the County's quality of place acting as a social, environmental, and economic driver. The County supports economic development initiatives in the agricultural sector to attract new farmers, and to keep as many farms in business as long as possible. These initiatives include:</i> <i>a) Promotion and encouragement of associated food processing and value-added technology facilities integrated on farm properties, or elsewhere within the County;</i> <i>g) Encouragement of economic development activities on-site that are intended to capture an increased share of tourism expenditures through developments that contribute to farm incomes, and do not conflict with agricultural operations or with applicable Provincial safety and health legislation;</i></p>	<p>The farm distillery will utilize crops grown on the farm and will produce value-added products.</p> <p>The farm distillery and tasting room are intended to be year-round establishments and will therefore assist the County in providing year-round tourist attractions. Agriculture is part of the rural culture and heritage of Prince Edward County. Tourism in the County has expanded with the introduction of wineries, cideries, distilleries and breweries. The proposed distillery will enhance the existing agricultural use of the property since farming of the land will be more economically sustainable. The limited size of the distillery and its utilization of an existing building will protect the agricultural use of the property.</p>
<p>3.3.7 Design Policies</p>	<p>Appendix 'C' of the Official Plan provides Design Policies for Rural and</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>3) The principle of compatible development will be applied to all applications for development to ensure the sensitive integration of new development with existing built forms and landscapes in a way that contributes to the character of the local area and enhances the image and character of the County.</i></p>	<p>Agricultural Areas and is reviewed at the end of this Table 4.</p>
<p>3.4 Infrastructure 3.4.3 Water and Sanitary Sewer Services Policies <i>3) In general, new development will focus growth first within the Urban Centres, and, as a second priority, within the Villages. New development within the Hamlets, Rural Lands, and Shore Lands will also be permitted as a third priority. New development within the Agricultural areas may also be permitted, subject to applicability of PPS policies 2.3.5 and 2.3.6.</i></p>	<p>The proposal complies with Section 2.3.6 of the PPS as assessed in Table 2.</p>
<p>3.4.3.5 Servicing Policies for Rural Lands, Agricultural areas and Shore Lands <i>1) On Rural Lands, the Agricultural areas, and Shore Lands, the Municipality may permit individual on-site sewage services and individual on-site water services, only where municipal sewage services and/or municipal water services are not provided.</i></p>	<p>Individual on-site water and sewage services are permitted since municipal services are not available to the property.</p>
<p>3.4.3.6 Individual on-site water services and on-site sewage services Policies <i>1) Individual on-site sewage services and individual on-site water services may only be permitted where site conditions are suitable for the long-term provision of such services with no negative impacts. In addition, these services may only be used for infilling and minor rounding out of existing development.</i></p>	<p>The Water and Sewage Servicing Study completed by Greer Galloway indicated that a private groundwater well and septic system are appropriate given no municipal services are present or likely in the foreseeable future. Testing indicated that an adequate amount of water is available to meet the requirements of the farm distillery operation and water quality is acceptable for the intended tasting bar. Based on the assessment, the well is not anticipated to negatively impact</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
	<p>nearby wells. Further, the property is large enough to accommodate the appropriate septic system and can maintain regulatory setbacks from structures and property lines.</p> <p>The Fire Protection Assessment recommended that a fire protection water volume of 94,635 L should be made available on-site to meet the requirements of the Ontario Building Code.</p>
<p>3.4.4 Stormwater Management Policies <i>3) In the Rural Lands, Agricultural areas and Shore Lands, best practices including Low Impact Development (LID) for stormwater management will be encouraged, including the use of tree cover and natural vegetation and other permeable surfacing that reduces run off and facilitates groundwater recharge. Grading and drainage shall also mitigate to erosion and siltation that occurs with stormwater management.</i></p>	<p>The Stormwater Brief prepared by Greer Galloway indicated that the vast majority of the site will continue to drain via sheet flow from the sides of the barn, to the south, to existing grassed or otherwise vegetated surfaces. It was concluded that the proposed gravel entrance and parking area can be constructed without significantly affecting surface water runoff conditions and poses no risk to adjacent properties or the surrounding environment.</p>
<p>3.4.5 Transportation Policies Local Roads <i>20) This classification applies to all other roads serving the traffic movement needs in the Municipality. All major non-farming type of rural development such as resort recreational areas, non-farm residential, rural industrial and other similar uses shall be encouraged to obtain access from these low volume traffic roads and not collector roads. Access for these roads to abutting properties shall be provided subject to the review of municipality for geometrics and safety. The minimum road allowance width for these roads shall be 18 metres. Different road</i></p>	<p>Access to the property is from Closson Road. Closson Road is a 'Local Road' as shown on Figure 4. All non-farming types of rural uses shall be encouraged to obtain access from these low volumes roads.</p> <p>The Commercial Entrance/Traffic Brief indicates that there are no safety issues related to site lines and the entrance to the property. Closson Road has adequate capacity to accommodate anticipated traffic associated with the distillery and tasting room. In accordance with municipal staff requests, one entrance to the single detached home is provided and only</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>allowance widths may be considered, subject to the satisfaction of the Municipality.</i></p>	<p>one entrance to the farm distillery parking area will be provided. Two existing entrances will be closed.</p>
<p>4.0 The County Land Use Designations</p>	
<p>4.2 Agricultural areas 4.2.3 Policies 2) <i>The predominant use of land in this designation shall be all types, sizes and intensities of agricultural uses, including on-farm buildings and structures that are integral to the farm operation. The County may require appropriate studies, at its discretion, to support any potential farm related commercial or industrial development. In addition, the following uses may be permitted:</i></p> <ul style="list-style-type: none"> <i>b) On-farm diversified uses, provided they meet the following criteria:</i> <ul style="list-style-type: none"> <i>i. Are located on a farm property that is actively in agricultural use;</i> <i>ii. Are secondary to the principal agricultural use of the property;</i> <i>iii. Are limited in area relative to the size of the property on which the use, or a combination of uses, is located, up to a total of 2% of the property, to a maximum of 1 hectare;</i> <i>iv. Are compatible with, and do not hinder, surrounding agricultural operations; Are appropriate to available rural services and infrastructure;</i> <i>v. Are at a scale and intensity of operation that are appropriate for the site and the surrounding area;</i> <i>vi. Maintain the agricultural character of the area; and</i> <i>vii. Meet all applicable air emission, noise, water and wastewater standards and receive all relevant environmental approvals.</i> 	<p>The subject land is designated ‘Agricultural Area’ and ‘Environmental Protection’ on Schedule ‘A3’ – Land Use Designations as shown on Figure 2. The proposed farm distillery is to be located in the ‘Agricultural Area’. The primary use of the property will remain farming. No removal of farmed area is required to accommodate the distillery or associated parking. <i>On-farm diversified uses</i> are also permitted in the ‘Agricultural Area’ designation. The proposed farm distillery meets the Provincial Guideline policies with respect to <i>on-farm diversified uses</i> as indicated in Table 3 of this report. The County Official Plan provides additional policy direction.</p> <p>Forty acres of the property are actively being farmed with hay and haskap bushes. Wheat, rye and corn will be added in the future.</p> <p>The proposed farm distillery will be secondary to the principal farming use. The distillery will be limited in area and will occupy the existing barn. The vast majority of the site will be used for agricultural uses. The lands available to be farmed will account for over 99.7% of the lot area.</p> <p>Since the farm distillery is to be located in an existing barn, the GFA of the barn is discounted 50% when calculating lot coverage of the on-farm diversified use.</p>

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	<p>The 425m² existing structure and the 366m² parking area represent 0.25% of the lot area. Therefore, the total area that will be used to accommodate the <i>on-farm diversified use</i> is significantly less than the maximum 2% of lot area and maximum of 1 ha as outlined in the Official Plan.</p> <p>The farm distillery will not interfere with cropping cycles or harvesting given that the distillery will be located within existing facilities and access to the fields will not be altered. In addition, no outdoor uses associated with the farm distillery are proposed. The juniper and haskap bushes will be located closest to the distillery and will buffer the distillery from the cash crops. An existing fence delineates the distillery area from the farm fields. Given the large lots in the vicinity of the subject land, there is an abundance of area available to accommodate new or expanding livestock facilities without impacting the on-farm diversified use or agricultural operations. Therefore, the use will be compatible with and will not hinder surrounding agricultural operations. The Water and Sewage Servicing Study completed by Greer Galloway indicates that site can be appropriately serviced with private well and septic systems and will not negatively impact adjacent properties. The Commercial Entrance/Traffic Brief concluded that Closson Road can appropriately accommodate traffic generated from the site and safe ingress/egress can be provided. The Stormwater Brief indicated that there will be no negative impacts on the natural drainage with the addition of the</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
	<p>gravel parking area. Therefore, the use is appropriate given available rural services and infrastructure.</p> <p>The scale of the ‘on-farm diversified use’ is minimal given that the use will occupy approximately 0.25% of the lot area. The tasting room will be a minor component of the use given that only 15 seats will be provided. The vast majority of the land will remain in agricultural use.</p> <p>The agricultural character of the area will be maintained given that no new structures are proposed and only a new gravel parking area will be constructed. The number of entrances to the site will be reduced from the current three to only two. Further, the owner intends to re-side the barn with reclaimed barn board or a similar material.</p> <p>Water and waste water requirements can be met as indicated in the Water and Sewage Servicing Study.</p>
<p>4.3.2.5 <i>All development in the Agricultural area designation will comply with the Minimum Distance Separation (MDS) Formulae established by the Province, as amended from time to time</i></p>	<p>In accordance with Section 5.1.18 (3) of this Plan, MDS setbacks are not required.</p>
<p>4.3.2.6 <i>All new development shall be compatible with its surrounding context and shall reflect as appropriate the Design Policies for Rural Lands and Agricultural areas in Appendix C of this Plan.</i></p>	<p>Design Polices are reviewed below.</p>

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<p>4.3.2.15 <i>Development of agriculture, agriculture-related, and on-farm diversified uses shall be consistent with the Guidelines on Permitted Uses in Ontario's Prime Agricultural areas established by the Province, as amended from time to time. Developments shall also be directed to areas of lower-class soils located on the property, wherever possible.</i></p>	<p>The proposed farm distillery is an <i>on-farm diversified use</i> that is consistent with the provincial <i>Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas</i> as assessed in Table 3 of this report.</p>
<p>4.3.2.16 <i>Wineries, cideries, nano- or micro-breweries, and small distilleries may be permitted as agriculture-related uses and/or on-farm diversified uses provided:</i></p> <p><i>a) Such uses incorporate crops grown on-site and/or in the area to the greatest extent possible;</i></p> <p><i>b) The criteria for the applicable use category, as set out in Section 4.2.3 policies 19) b) and c) of this Plan, are met;</i></p> <p><i>c) The property will continue to be zoned for agricultural use and will be subject to appropriate standards for specific types of beverage alcohol uses in the implementing Zoning By-law; and</i></p> <p><i>d) All provincial regulations, including licensing requirements of the Alcohol and Gaming Commission of Ontario, are met.</i></p>	<p>The farm distillery will use the haskap and juniper bushes already planted on the site and will use corn, wheat and rye in the production of gin and vodka. The cash crops will be planted in the near future.</p> <p>A farm distillery and tasting room are permitted <i>on-farm diversified uses</i> as identified in Section 4.2.3.19 of the Official Plan.</p> <p>The property will continue to be zone 'RU2-Rural' zone which permits agricultural uses. Special provisions will be required to permit the farm distillery use along with recognizing the existing front yard setback of the barn.</p> <p>The owner will be required to acquire the appropriate licensing.</p>
<p>4.2.3.19 <i>The following are permitted use examples of agriculture, agriculture-related, and on-farm diversified uses within the Agricultural area designation:</i></p> <p><i>c) On-Farm diversified uses include, but are not limited to: home occupations, home industries, agri-tourism ventures, and uses that produce</i></p>	<p>A distillery is similar to a brewery, cidery and winery such that the agricultural crop is used to make the value-added product. Therefore, the farm distillery is considered to be an <i>on-farm diversified use</i>.</p> <p>Further a tasting room is listed as a permitted 'agri-tourism' use and this therefore permitted.</p>

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<p><i>value-added agricultural products, such as an abattoir, a processor, packager, bakery, cheese factory, micro-brewery, cidery, and winery.</i></p> <p><i>i. Agri-tourism uses are on-farm diversified uses and include, but are not limited to; a retreat, vacation suite, bed and breakfast, alcoholic beverage tasting room, café, wedding venues, farm-themed playground, horse trail ride, equine event and seasonal event.</i></p>	

The C2 Design Policies for Rural lands and Agricultural Areas are reviewed below.

- The pastoral qualities associated with the County’s country side will be maintained given that no new structures are proposed, the barn will be re-clad and open spaces will be maintained. Further, no crop areas will be removed.
- The farm distillery will contribute to the sustainability of the farm since value-added products will be produced and will contribute to the agi-tourism of the area with the inclusion of the tasting room and retail space. Farm lands will be preserved since development will occur within existing buildings. The existing barn will be restored and re-sided with barn board or a similar material to enhance and maintain the barn as a rural feature.
- The barn will be restored in a manner that is complimentary to the rural area. The farm distillery will not negatively impact the agricultural use of the property given the distillery’s limited area and access to the farm fields will not be altered. Furthermore, no outdoor uses are proposed.
- The farm distillery use is located within a cluster of existing buildings on the property. The distillery is located across the road from Prince Edward County Lavender farm and has the potential to share resources.
- The built form of the existing barn will be improved with new siding to better compliment the rural heritage identify of the area.

Although no new commercial buildings are proposed, it should be noted that:

- The existing barn will be improved with new siding to be more compatible with the rural area.
- The existing buildings are clustered and no new buildings are proposed. The open space farm land will be preserved.
- A gravel parking area will be provided at the west side of the farm distillery and will not be located closer to the road that the existing barn.

- There are currently three entrances to the property including one to the single detached unit. Two underutilized entrances near the barn will be closed and a new entrance will be provided to the new gravel parking area.
- Any signage or lighting will be in accordance with municipal standards.

PLANNING OPINION AND CONCLUSION

The subject lands are located within the 'Agricultural Area' and 'Environmental Protection' designation of the County of Prince Edward Official Plan. The property currently accommodates a single detached unit, barn and agricultural uses. The proposed farm distillery is considered to be an *on-farm diversified use* and is therefore permitted in the 'Agricultural Area' designation. The proposal meets the following *on-farm diversified use* criteria:

- Is located on a farm property that is actively in agricultural use;
- Is secondary to the principal agricultural use of the property;
- Is limited in area relative to the size of the property on which the use, or a combination of uses, is located, up to a total of 2% of the property, to a maximum of 1 hectare;
- Is compatible with, and does not hinder, surrounding agricultural operations;
- Is appropriate for the available rural services and infrastructure;
- Is at a scale and intensity of operation that is appropriate for the site and the surrounding area;
- Maintains the agricultural character of the area; and
- Meets all applicable air emission, noise, water and wastewater standards

The proposal maintains the intent of the Official Plan. The application for rezoning will add a farm distillery as a permitted use in addition to the existing permitted uses within the 'RU2' zone and will recognize the front yard setback of the existing barn. All other provisions of the Zoning-By-law can be met.

The rezoning application for Bare Bones Distillery Inc. in Hillier Ward is consistent with the policies of the Provincial Policy Statement, the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, and the County of Prince Edward Official Plan. The proposed development complies with the provisions of the 'RU2' Zone in Zoning By-law No. 1816-2006 with special provisions to permit a farm distillery and to address the front yard setback of the barn, and represents good planning.

In closing, if you have any questions about this information, please do not hesitate to contact our office.

Yours truly,



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Encl.

c.c. Jason and Nicole Clarke