



Planning Rationale

To: James Griffin, Planner

From: RFA Planning Consultant Inc.

Cc: Wild Lot Distillery

Date: January 8, 2022

Re: Zoning By-law Amendment Application – Wild Lot Distillery - Part of Lot 24, Concession 2, Southwest of Green Point; Township of Sophiasburgh, Now in the Municipality of the County of Prince Edward; 1990 Fry Road (Owner: 11982303 Canada Ltd.)

This memo is to summarize our planning opinion in support of the Rezoning Application for the Wild Lot Distillery located at 1990 Fry Road in Sophiasburgh 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 1 (RU1-265)' Zone of Zoning By-Law Number 1816-2006 are assessed. The rezoning application will permit an 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. On October 20, 2021, consent applications were approved to sever two parcels of land from the property. The retained lands are the subject of this rezoning application.

BACKGROUND

We were retained in April, 2021 by the owners, 11982303 Canada Ltd., to undertake a rezoning application for the subject property. The land is described as Part of Lot 24, Concession 2, Southwest of Green Point; Township of Sophiasburgh, Now in

211 Dundas Street East, Suite 202, Belleville, Ontario K8N 1E2

 613.966.9070  www.rfaplanningconsultant.ca

the Municipality of the County of Prince Edward. The subject property has an area of approximately 14.75 hectares (36.4 acres) with 246.5 metres (808 feet) of frontage on the east side of Fry Road and 343.5 m (1,127 ft.) on the south side of Fry Road. The land to be rezoned contains a 98.2m² (1,057 square foot) single detached unit, a 327.5 m² (3525 square foot) barn and a 139.4m² (1,500-square-foot) Quanset hut. All buildings are clustered adjacent to Fry Road. It is proposed that the Quanset hut, constructed approximately 30 years ago, will be adapted to re-use a farm distillery. The existing barn, constructed approximately 70 years ago, will be renovated to accommodate associated storage/ office space/tasting room/retail space. Approximately 15 seats will be provided within the tasting room. Within the existing barn, approximately 75m² (800 sq. ft.) will be utilized for the tasting room/retail space and 75m² for a tied house.

In the field areas surrounding the building cluster, there are approximately 13 hectares (32.4 acres) available for crop cultivation. The owners intend to cultivate corn, wheat and soy on-site to ensure soil quality and to supply the distillery with the main active ingredients for vodka and gin. Thus far, approximately 8 hectares have been planted with corn. A botanical and fruit orchard will be planted in the 3.2 ha south field and will also provide ingredients for distilled products. Plantings in this field are anticipated Fall, 2022 – Spring, 2023. A wildflower meadow and apiary consisting of 10 hives will be located in the 1.6 ha field in the north-west corner of the lot. A 0.29 ha botanical garden will separate the proposed parking area from the 8 ha cash crop fields located to the east. The site is surrounded by rural lands and agricultural uses. 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.

A Preliminary Site Plan has been prepared identifying the location of existing buildings and the proposed parking area/driveway in addition to the crop fields. It is noted that the single-access entrance design is in accordance with municipal standards as opposed to the existing multiple-access design.

The registered owners purchased the property in March, 2021. 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” in the County of Prince Edward Official Plan and is zoned “Rural 1 (RU1-265)” 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 55045-0237	
Legal Description	Part of Lot 24, Concession 2, Southwest of Green Point; Township of Sophiasburgh, Now in the Municipality of the County of Prince Edward
Civic Address	1990 Fry Road
Lot Area	14.7 hectares (36.3 acres)
Lot Frontage	246.7 m (809.3 ft.) on the east side of Fry Road; 343.5 m (1,127 ft.) on the south side of Fry Road
Access	Fry Road
Official Plan Designation	Agricultural Area (Schedule 'A-3' – Land Use Designations)
Zoning	Rural 1 (RU1-265) Zone; (Schedule 'A10-East'-Sophiasburgh)

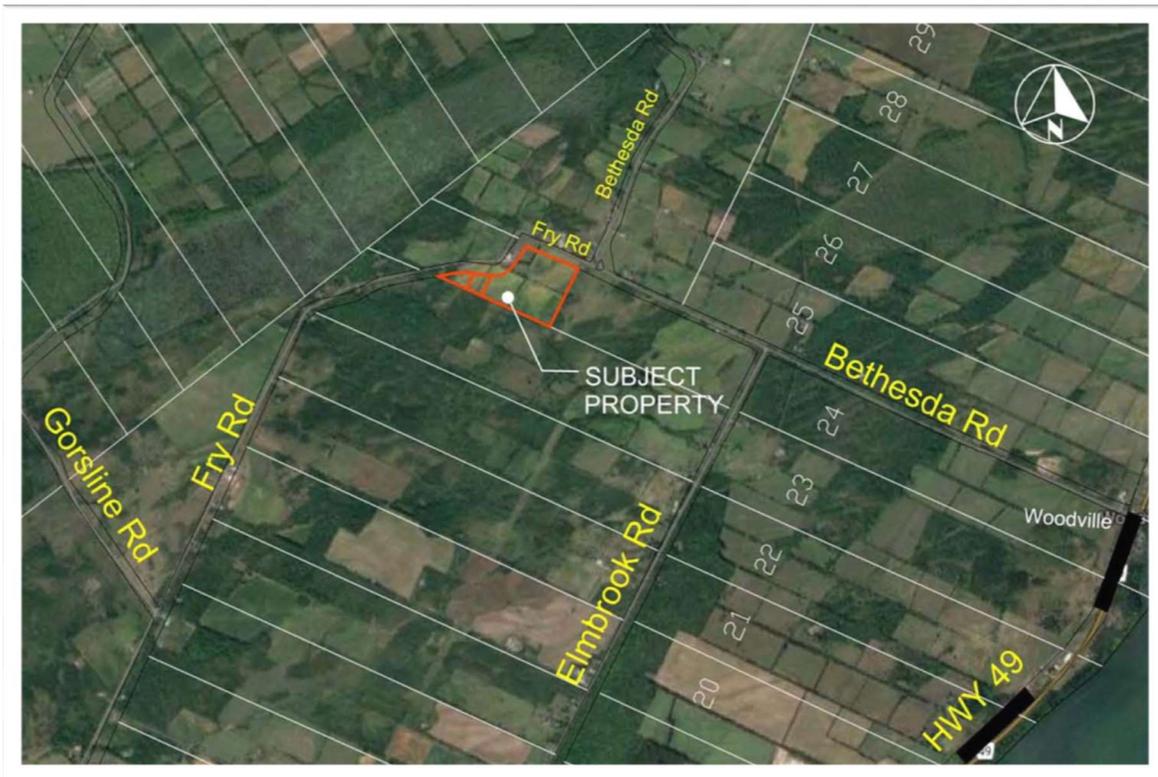


Figure 1: Location Map

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



Photo 1- View of farm building cluster and Fry Road entrance



Photo 2 – Existing Single-detached unit (1900 Fry Road)



Photo 3 - Existing Quanset hut for adaptive re-use to a farm distillery



Photo 4 - Rear of farm building cluster and proposed parking area



Photo 5 - View north on Fry Road south of proposed entrance



Photo 6 - View west on Fry Road near proposed entrance



Photo 7 - Future fruit and botanical orchards



Photo 8 - Existing cash crop field at north-east corner of property



Photo 9 - Single detached unit on west side of Fry Road opposite barn

APPLICATION FOR REZONING

The purpose of the rezoning application is to request the “Rural 1 (RU1-265)” Zone with special provisions be amended to include additional special provisions. The existing special provision addresses the location of the existing barn. The requested special provisions would permit a farm distillery in addition to the uses permitted in the “RU1-265” Zone. In addition, the Municipality had requested that similar provisions in the Zoning By-Law related to farm winery be applied to farm distillery. In this regard, it is requested that the on-site tasting room/retail space gross floor area shall not exceed 75m² and a Tied House shall be permitted and shall not occupy more than 75m² excluding any outdoor area. The special provisions related to floor area are appropriate given that the barn is already an existing structure and the area limit maintains the intent of the Zoning By-Law. The remainder of the barn would be used to accommodate storage, washrooms, an office and mechanical room. The justification of the farm distillery as a permitted use is analysed below.

All necessary reports, as requested by the Municipality, have been enclosed in support of the subject rezoning. These reports include:

- Commercial Entrance/Traffic Brief; prepared by Greer Galloway; September 6th, 2021;
- Servicing Study; prepared by Greer Galloway; December, 2021;
- Stormwater Brief; prepared by Greer Galloway; September 20th, 2021;

- Fire Protection Assessment Letter; prepared by Greer Galloway; December 9, 2021.

CONSISTENCY 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> <p><i>a) building upon rural character, and leveraging rural amenities and assets;</i></p> <p><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></p> <p><i>g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural and natural assets;</i></p> <p><i>i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.</i></p>	<p>The proposal will enable the assets and amenities of the subject lands, in particular the agricultural setting, existing barn and Quanset hut, to be leveraged for economic advantages related to tourism and employment opportunities. Product packaging will also provide for potential tertiary economic opportunities within the municipality. Solar and rain water technologies will be implemented to provide further sustainability. Further, the rural character will be protected given that the primary use will remain farming, including but not limited to, growing corn, wheat, soy, fruit and botanical orchard and an apiary along with the adaptive re-use of the existing barn and Quanset hut for the proposed farm distillery, tasting room/retail space. The botanical garden and paths though the regenerative wildflower meadow will provide tourism and educational components that leverage the site’s natural assets.</p>

PPS POLICY	PLANNING ANALYSIS
	The farm distillery will use agricultural resources and process them into value-added goods.
1.1.5 Rural Lands in Municipalities	
<p><i>1.1.5.2 On rural lands located in municipalities, permitted uses are:</i> <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><i>1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.</i></p>	The farm distillery and associated retail space and tasting room would enhance the tourism and rural economic activity within the County.
<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>	The proposed farm distillery/tasting room will be located within the existing structures. The associated parking are will abut the farm building cluster outside the crop field areas, 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 crop fields, existing buildings, proposed driveway and parking area. Private services can accommodate the proposed use as indicated in the Servicing Study prepared by Greer Galloway.
<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>	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

PPS POLICY	PLANNING ANALYSIS
	support the planned development as indicated in the Servicing Study prepared by Greer Galloway.
<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 on-farm diversified use 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 the existing barn and Quanset hut.</p>
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. The farm distillery use will assist in making the existing farming business more sustainable.</p> <p>Employment opportunities will be created for technical professionals including jobs related to quality assurance and new graduate distillers.</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>

PPS POLICY	PLANNING ANALYSIS
<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 14.7 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 the proposed development will not significantly impact stormwater runoff conditions on the site. Further, there is no risk of damage to up or downstream property, the public road or the threat to safety or the natural environment.</p>
1.7 Long-Term Economic Prosperity	
<p><i>1.7.1 Long-term economic prosperity should be supported by:</i></p> <p><i>e) 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><i>h) providing opportunities for sustainable tourism development;</i></p>	<p>The adaptive re-use of the barn and Quanset hut will assist in maintaining the agricultural character of the landscape, by conserving the County's built heritage. The existing farm fields will continue to be farmed thereby further maintaining the cultural heritage landscape.</p> <p>The proposed farm distillery will contribute to the economic prosperity of the Municipality in a sustainable manner since the agricultural uses and rural culture will not be negatively impacted. Paths through the regenerative wildflower meadow and botanical garden will enhance the walkability experience and contribute towards sustainable tourism on the site.</p>
2.3 Agriculture	
<p>2.3.3 Permitted Uses</p> <p><i>2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.</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</i></p>

PPS POLICY	PLANNING ANALYSIS
<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><i>diversified uses</i> is provided in the following section on Table 3 below.</p> <p>The proposed use will occupy existing structures 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 and unimpeded. 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 soy crops. A botanical and fruit orchard will also be established and a portion of the site will include a regenerative wildflower meadow and apiary. In 2021, approximately 8 hectares were planted with corn.</p>
<p>2.3.6 Non-Agricultural Uses in Prime Agricultural Areas 2.3.6.1 <i>Planning authorities may only permit non-agricultural uses in prime agricultural areas for:</i></p> <p>b) <i>limited non-residential uses, provided that all of the following are demonstrated:</i></p> <ol style="list-style-type: none"> <i>1. the land does not comprise a specialty crop area;</i> <i>2. the proposed use complies with the minimum distance separation formulae;</i> <i>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</i> <i>4. alternative locations have been evaluated, and</i> <p><i>i. there are no reasonable alternative locations which avoid prime agricultural areas; and</i></p>	<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. The subject property does not comprise a specialty crop area.</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 will produce value-added products from crops grown on the property thereby requiring minimal transportation of ingredients. Existing</p>

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<p><i>ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.</i></p>	<p>structures will be utilized to accommodate the distillery and accessory uses. On this basis and in conjunction with provincial guidelines, it is not warranted to evaluate alternative locations.</p>
<p>2.3.6.2 <i>Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.</i></p>	<p>The farm distillery and accessory uses will occupy the existing barn and Quanset hut and no enlargement of the farm buildings or cluster is required. A gravel parking area, driveway and improved entrance will be provided. The Traffic Brief indicated that the proposal will not significantly impact existing traffic activity on Fry Road and that the proposed entrance will be acceptable. In addition, surface water runoff conditions from the gravel parking area and driveway pose no risk to adjacent properties or the surrounding environment. Access to the farm fields will remain unimpeded. Therefore, there will be no negative impact on surrounding agricultural operations. In addition, the proposed farm distillery use is separated by hedgerows from the agricultural use. This will assist in differentiating the uses on the property and mitigate potential impact to farming operation on-site. Outdoor sitting areas can be accommodated away from active farm areas and can be compatibly located adjacent the passive wildflower meadow.</p>

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 Wild Lot 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. Approximately 13 hectares (32 acres) are available for crops. Eight hectares (20 acres) of corn were harvested in 2021. The east fields will be planted with corn, wheat and soy; the south field with botanicals and a fruit orchard and the north field with wild flowers and an apiary.
<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 and Quanset hut. The vast majority of the site will be used for agricultural uses and cash crops. The distillery and tasting room will not interfere with cropping cycles or harvesting given that the distillery will be located within existing structures and access to the fields will not be impeded. Associated patio and parking area will be separated from all active or planned field areas.

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 existing structures, the GFA of the structures is discounted 50% when calculating lot coverage of the on-farm diversified use. The 467m² existing structures (50% equates to 233.5m²) and the 926.4m² parking area/laneway represent 0.8% of the lot area. Therefore, the total area dedicated to the on-farm diversified use 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 and ready-to-drink cocktails. 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 0.8% 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 and Quanset hut which are located within a cluster of existing buildings near Fry Road. The Quanset hut will accommodate the distillery and the</p>

GUIDELINE POLICY	PLANNING ANALYSIS
	<p>barn will accommodate the tasting room, retail space, office, storage area and washrooms. The tasting room will be a minor component of the use given that only 15 seats will be provided. An outdoor patio will be located facing the wildflower meadow and away from the cash crop fields. In addition, hedgerows 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 remain unimpeded.</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 Fry 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 and driveway. 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 negligible given that there are no other reported on-farm diversified uses with a reasonable distance. Adjacent parcels of land are relatively large in area and have significant lot widths. Given the large</p>

GUIDELINE POLICY	PLANNING ANALYSIS
	lots, there is an abundance of area available to accommodate new or expanding livestock facilities. Therefore, there are no apparent compatibility concerns with respect to the proposed <i>on-farm diversified use</i> and surrounding agricultural operations.

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' on Schedule 'A-3' Land Use Designation of the County of Prince Edward Official Plan. Schedule 'E'-Transportation and Infrastructure identifies Fry Road as a 'Local Road'.

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</p> <p><i>b) It is anticipated that growth opportunities in the County over the next 25 years will include:</i></p> <p><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 is a growth opportunity over the next 25 years.</p>
3.0 Shaping the County- General Development Policies	
<p>3.2.3 Economic Development Policies</p> <p>Agricultural Assets</p> <p><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</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 a</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>new farmers, and to keep as many farms in business as long as possible. These initiatives include:</i></p> <p><i>a) Promotion and encouragement of associated food processing and value-added technology facilities integrated on farm properties, or elsewhere within the County;</i></p> <p><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>significant component of the rural culture and heritage of Prince Edward County. Tourism in the County has expanded with the introduction of value-added production facilities such as 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 existing buildings will protect the agricultural use of the property.</p>
<p>3.3.7 Design Policies</p> <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>Appendix 'C' of the Official Plan provides Design Polices for Rural and Agricultural Areas and is reviewed at the end of this Table 4.</p>
<p>3.4 Infrastructure</p> <p>3.4.3 Water and Sanitary Sewer Services Policies</p> <p><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</p> <p><i>1) On Rural Lands, the Agricultural areas, and Shore Lands, the Municipality may permit</i></p>	<p>Individual on-site water and sewage services are permitted since municipal services are not available to the property.</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>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>3.4.3.6 Individual on -site water services and on-site sewage services Policies</p> <p>1) <i>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 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.</p> <p>Water quality results indicated water treatment will be needed to deal with bacteriological parameters and elevated nitrate levels. Based on the groundwater quality, treatment may include reverse osmosis for any potable water supplies. A UV system will also be evaluated. The report recommended that manure piles should be removed from the barn yard and barn, and the well resampled until it can be demonstrated that the nitrate levels in the groundwater are clearly declining. Corrective actions has been taken and the manure piles have been removed from the barn area. Recent lab results have indicated a substantial decrease in bacteria and nitrate levels.</p> <p>Based on the assessment, the well is not anticipated to negatively impact 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>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
	<p>The Fire Protection Assessment indicated that the minimum prescribed water supply is 81,000L to protect the Quonset hut and barn. The installation of a dry hydrant at the intersection of Fry and Bethesda Roads will provide access to a source of water meeting or exceeding that volume. It is recommended the distillery owner engage with Prince Edward County Fire & Rescue and municipal departments to create the agreements relating to the installation, access and maintenance of the dry hydrant.</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 existing conditions combined with any constructed vegetated ditches, swales and sheet flow will be adequate to address any stormwater concerns that may result from the proposed development. Further, there is no risk of damage to up or downstream property, the public road system will not be impacted and there is no threat to safety or the natural environment that warrants a more detailed analysis at this time.</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</i></p>	<p>Access to the property is from Fry Road. Fry Road is a 'Local Road'. 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. In addition, no road capacity issues were identified. The</p>

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<p><i>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 allowance widths may be considered, subject to the satisfaction of the Municipality.</i></p>	<p>current entrance to the site is not well defined. The entrance will be reconfigured to provide for only one road entrance and will be located in accordance with the Traffic Brief.</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> <p style="margin-left: 40px;"><i>b) On-farm diversified uses, provided they meet the following criteria:</i></p> <p style="margin-left: 80px;"><i>i. Are located on a farm property that is actively in agricultural use;</i></p> <p style="margin-left: 80px;"><i>ii. Are secondary to the principal agricultural use of the property;</i></p> <p style="margin-left: 80px;"><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></p> <p style="margin-left: 80px;"><i>iv. Are compatible with, and do not hinder, surrounding agricultural operations; Are appropriate to available rural services and infrastructure;</i></p> <p style="margin-left: 80px;"><i>v. Are at a scale and intensity of operation that are appropriate for the site and the surrounding area;</i></p> <p style="margin-left: 80px;"><i>vi. Maintain the agricultural character of the area; and</i></p>	<p>The subject land is designated ‘Agricultural Area’ on Schedule ‘A3’ – Land Use Designations. 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 analyzed in Table 3 of this report. The County Official Plan provides additional policy direction.</p> <p>Eight hectares of the property were planted with corn in 2021. Wheat and corn and soy will be grown to ensure soil quality and to provide the base ingredients for vodka and gin. Botanicals and a fruit orchard will be grown in the southerly fields.</p> <p>The proposed farm distillery will be secondary (0.8% of lot area) to the principal farming use. The distillery will be limited in area and will occupy the existing structures. The vast majority of the site will continue to be used for agricultural uses.</p> <p>Since the farm distillery is to be located in an existing barn, the GFA of the barn</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>vii. Meet all applicable air emission, noise, water and wastewater standards and receive all relevant environmental approvals.</i></p>	<p>is discounted 50% when calculating lot coverage of the on-farm diversified use. The 233.5m² existing structures and the 926.4m² parking area represent 0.8% 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. Farm equipment can readily access the property along the northern section of Fry Road and will not require shared access with the distillery use.</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 hindered. In addition, the covered patio will face towards the passive wildflower meadow and apiary and will be over 100m from the nearest active field. Hedgerows and a botanical garden will buffer the distillery from the cash crops. The public botanical garden will act as a transition area separating the distillery use from the primary agricultural uses. Given the large lots in the vicinity of the subject land, there is an abundance of area available to accommodate potential new or expanding livestock facilities and the proposed <i>on-farm diversified use</i> without impacting the agricultural operations on or off-site. 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</p>

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	<p>and septic systems and will not negatively impact adjacent properties.</p> <p>The Commercial Entrance/Traffic Brief concluded that Fry Road can appropriately accommodate traffic generated from the site and safe ingress/egress can be provided.</p> <p>The Stormwater Brief indicated that there will be no negative impacts on the natural drainage with the addition of the gravel parking area and modified driveway. 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 0.8% 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 or expanding structures are proposed and only a new gravel parking area and modified driveway will be constructed. The existing farm building cluster is being conserved. The entrance to the site will be improved with one well defined entrance.</p> <p>Water and waste water requirements can be met as indicated in the Water and Sewage Servicing Study.</p>
<p>4.2.3.5 <i>All development in the Agricultural area</i></p>	<p>In accordance with Section 5.1.18 (3) of this Plan, MDS setbacks are not required.</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>designation will comply with the Minimum Distance Separation (MDS) Formulae established by the Province, as amended from time to time</i></p>	
<p>4.2.3.6 <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>
<p>4.2.3.15 <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>4.2.3.16 <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 crops grown on-site, including corn, wheat, fruit orchard and botanicals in the production of gin, vodka and ready-to-drink cocktails.</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 zoned 'RU1-265-Rural 1' Zone which permits agricultural uses. A special provision is required to add the proposed farm distillery use as a permitted use and address the gross floor area of the tasting room and tied house as accessory uses.</p>

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<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 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>	<p>The owner will be required to acquire the appropriate provincial licensing.</p> <p>A distillery is similar to a brewery, cidery and winery such that the on-site agricultural crops are used to make value-added products. Therefore, the proposed 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 is therefore permitted.</p>

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

- The pastoral qualities associated with the County’s countryside will be maintained given that no new structures are proposed, the barn will be restored and the Quanset hut will be improved internally and externally. Open spaces will be maintained and no crop areas will be removed. An additional area not currently utilized will accommodate a botanical garden. This garden will function as an area of transition between the distillery and agricultural uses and will provide an educational opportunity for guests to learn about the various botanicals and crops incorporated into the distillery products. Paths within the botanical garden and wildflower meadow will enhance the walkability of the site.
- 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, silos and Quanset hut will be restored and will maintain the rural character of the property.
- The barn will be restored and re-boarded as needed in a manner that is complimentary to the County's vernacular. Complimentary landscaping adjacent the roadside and around the perimeter of the barn will enhance the existing rural aesthetic. 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. The crop areas are separated from the cluster of farm buildings by hedgerows and the botanical garden.
 - The farm distillery use is located within a cluster of existing buildings on the property.
 - The grouping of the existing farm structures will not be altered. This will maintain the rural heritage identity of the area and the historic Ontario farm built form.
 - Landscaping will improve the entrance to the property since trees will line the driveway and the entrance will be reconfigured to provide safer entry and exit and to allow for more green space area.

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

- The existing barn will be restored to maintain compatibility with the rural area. The Quanset hut will be painted black on the exterior to compliment the barn and will be improved with a large glass garage door.
- The existing buildings are clustered and no new or expanded buildings are proposed. The open space farm land will be preserved. Additional green space will be added adjacent the roadway and between the existing single detached-unit and the farm buildings.
- A gravel parking area will be provided at the rear of the farm distillery and will not be located closer to the road than the existing structures.
- Entrance to the site is currently not well defined. A new single entrance will be provided and will be constructed in accordance with municipal requirements.
- Any signage or lighting will be in accordance with municipal standards.

PLANNING OPINION AND CONCLUSION

The subject lands are located within the 'Agricultural Area' designation of the County of Prince Edward Official Plan. The property currently accommodates a single-detached unit, barn, silos, Quanset hut 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:

Wild Lot Distillery, Prince Edward County

- 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 uses within the 'RU1-265' zone. Special provisions will also address the gross floor area of the tasting room/retail space and tied house. All other provisions of the Zoning-By-law can be met.

The rezoning application for the Wild Lot Distillery in Sophiasburgh 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 'RU1-265' Zone in Zoning By-law No. 1816-2006 with special provisions to permit a farm distillery and limits the floor area of the tasting room and tied house, and represents good planning.

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

Yours truly,



Shawn Legere MCIP, RPP
Senior Planner
RFA Planning Consultant Inc.



Carolyn Ross. B.Sc. (Hons.)
Senior Planner

Encl.