



## Planning Rationale

**To: Angela Buonamici, RPP, MCIP, Planning Coordinator**

**From: RFA Planning Consultant Inc.**

**Cc: Cherryvale Farm**

**Date: May 23, 2025**

**Re: Zoning By-law Amendment Application – Cherryvale Farm – 1927 County Road 10 – Part Lot 1 – 2, Concession 1 South Side of East Lake, Part 1 47R7446, Former Township of Athol, Now in the Municipality of the County of Prince Edward (David Raistrick)**

---

This memo is to summarize our planning opinion in support of the Zoning By-law Amendment Application for the Cherryvale Farm located at 1927 County Road 10 in Ward 5 – Athol.

This Zoning By-law Amendment Application has been reviewed for consistency with the Provincial Planning Statement (PPS, 2024), 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 “*Special Rural 2 (RU2-53) Zone*” of Zoning By-Law Number No. 1816-2006 are assessed. The current RU2-53 Zone allows for multiple agri-tourism uses (*on-farm diversified uses*) and the Zoning By-law Amendment Application seeks to expand a permitted use on the subject property. This Application will permit an active farm to continue to host events (such as weddings) on-site within a seasonal tent, which is considered outside of any “existing” buildings on-site, as an on-farm diversified use. The use of a “meeting/banquet” centre is a permitted use on the property but restricted to buildings which existed as of October of 2011. The primary use of the property will continue to be a farm and the increased event area will remain as a secondary use to the farm.

## BACKGROUND

RFA Planning Consultant was retained in May of 2024 by the Raistrick family, to undertake a Zoning By-law Amendment Application for the subject property. The subject lands were purchased by David Raistrick in 2016. The Raistrick Family currently farms the property and various other lands within the County. The Raistrick Family owns approximately 420 acres of lands within Prince Edward County and farms approximately 350 acres. The Raistrick farm operations are primarily involved with cash crops and offer custom farm services to adjacent farms as well.

The subjects land is legally described as Part of Lot 1 – 2, Concession 1 South Side of East Lake, Part 1 on 47R-7446; Township of Athol, Now in the Municipality of the County of Prince Edward. The subject property has an area of approximately 50.89 hectares with 594.53 metres of frontage on the east side of County Road 10.

The property has been developed with an existing single detached dwelling, a farm storage building, tourist accommodations with a commercial kitchen, landscaped area and a seasonal tent. The property is serviced by private individual water supply from a well on site and is serviced by private individual sewage disposal systems through septic systems. The site is serviced by two existing septic systems, the first for the existing dwelling and the second system for the tourist accommodations. Due to the size and previous intended use of the tourist accommodation building, an Environmental Compliance Approval (ECA) was issued through the Ministry of Environment (ECA #1567-8SCNV3) on April 3, 2012. In addition to the existing development and private services, the site has been generously landscaped surrounding the tourist accommodation building with a tiered retaining wall. The site is accessed from a main entrance on County Road 10 which leads to an internal driveway to the site, which then provides access to the dwelling, farm and on-farm diversified uses. The internal driveway provides a connection to the associated parking area of the on-farm diversified use and back to County Road 10, south of the main entrance.

**Figure 1** identifies the location of the property and surrounding area. **Figure 2** identifies the existing development of the subject lands from aerial imagery captured in 2023.

A Site Plan has been prepared identifying the location of existing buildings and the existing parking area/driveway in addition to the crop fields. The Site Plan has been attached to this report as **Appendix A**. There are currently 3 entrances to the site and those are illustrated on the site plan. There is a watercourse north of the dwelling which traverses the northern portion of the property and bisects the property. The existing entrances provide access to the fields on the property and also the on-farm diversified uses.

Prior to the Raistrick's ownership of the property, the previous Owner had intended

to develop the property with a limited seating restaurant, accommodations, retreat and meeting/conference facility, an educational facility and farm product processing facility to complement the existing farming operation. The former Owners intent was to focus on organic farming and the teaching of organic farming while offering agri-tourism uses. These uses were all to be centred on organic farming. The former owner had constructed all buildings on the property and installed all associated infrastructure (i.e. septic system, laneways, pond, etc.). We have confirmed that a Site Plan Agreement was never formally registered on title through a review of the property's Parcel Register Page. The previous approvals are discussed later in this Planning Rationale.

The Raistrick Family took ownership of the farm in 2016 and are actively farming cash crops on the property, while offering custom combining as a service to other farmers in the County. The Owners also have livestock on the property at a small scale. When the Owner's daughter Teila returned to the farm from school, she began operating the event/meeting venue and offering a location for weddings with ongoing restrictions from the coronavirus pandemic. The wedding venue began at a small scale on the terrace overlooking the pond. However, with the removal of gathering restrictions, the weddings grew in size and it was not feasible to use the existing building for weddings due to average wedding sizes. The Owners had then decided to erect a temporary event tent to host weddings and offer flexibility for wedding sizes. The tent is removed in the winter as it is not a permanent structure and not designed for snow loads. This involves the removal of the tent fabric and flooring. The Raistrick's were unaware that the current Zoning (RU2-53) Zone restricted the use of the event/meeting venue within buildings existing as of 2011, meaning no new buildings could be erected for the site specific uses (i.e. tourist accommodations, restaurant or event/meeting venue).

The subject property is designated "Agricultural Area", "Rural" and "Hamlet" in the County of Prince Edward Official Plan and is zoned "Special Rural 2 (RU2-53) 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 55082-0062	
<b>Legal Description</b>	Part Lot 1 – 2, Concession 1 South Side of East Lake, Part 1, 47R-7446, Township of Athol, Now in the Municipality of the County of Prince Edward.
<b>Civic Address</b>	1927 County Road 10
<b>Lot Area</b>	50.89 hectares (125.772 acres)
<b>Lot Frontage</b>	594.53 metres (1950.57 feet)
<b>Access</b>	County Road 10
<b>Official Plan Designation</b>	Agricultural Area, Rural and Hamlet (Schedule 'A-4': Land Use Designations)
<b>Zoning</b>	Special Rural 2 (RU2-53) Zone, Environmental Protection (EP) Zone (Schedule A5 - Athol Ward)



Figure 1: Location Map



**Figure 2: Existing Development on Subject Lands**

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



**Photo 1 – Main Entrance to property.**



**Photo 2** – Driveway from main entrance to existing OFDU.



**Photo 3** – Field and existing single detached dwelling from main entrance.



**Photo 4** – Existing solar panels, agricultural buildings and livestock area.



**Photo 5** – Existing on-farm diversified use building.



**Photo 6** – Front of existing on-farm diversified use building.



**Photo 7** – Existing Seasonal Tent and Washroom.



**Photo 8** – Area behind seasonal Tent.



**Photo 9** – Existing Parking Area

## SITE HISTORY/PREVIOUS PLANNING APPROVALS

Prior to the Raistrick's purchase of the property, the former property owner (Cherryvale Organic Farm, Regulus Investments) submitted *Planning Act* Applications for Official Plan Amendment (OPA 2-2011) and Zoning By-law Amendments (Z27-11). Both the Official Plan and Zoning By-law Amendments were granted approval by the County in October of 2011.

Official Plan Amendment (OPA 2-2011) was known as OPA 50 to the previous County of Prince Edward Official Plan (2006) which has been repealed with the current Official Plan (2021). OPA 50 was submitted in 2011 and approved by Council in October of 2011 (OPA 2-2011). The site specific OPA re-designated the majority of the subject lands that were formerly designated Rural and Prime Agriculture to a site specific 'Special Rural' designation to permit agri-tourism uses such as a restaurant, tourist inn and banquet/meeting facility in addition to the typical rural uses.

Through the "Special Rural" land use designation, the subject lands were permitted all uses of both the prime agricultural and rural land uses. Additionally, this "Special Rural" land use designation permitted:

*"The permitted uses may include agri-tourism uses including a restaurant, a tourist inn and a banquet/meeting facility."*

The OPA and implementing "Special Rural" land use designation allowed for the existing agri-tourism uses to occur on the subject property. A concurrent Zoning By-law Amendment was submitted with the previous Official Plan Amendment Application. The subject lands are currently zoned as Special Rural 2 (RU2-53) Zone. This site specific zone was introduced through Zoning By-law Amendment File No. Z27-11 and By-law No. 2954-2011.

The RU2-53 Zone specifically permitted a restaurant to a maximum of 30 seats, a tourist inn to a maximum of 12 bedrooms, a meeting/banquet facility for cultural, educational and entertainment events and private functions, and one accessory apartment unit for an on-site employee. The site specific by-law is outlined below:

*Notwithstanding any provision of By-law No. 1816-2006 as amended to the contrary, on the lands zoned RU2-53 the following special provisions shall apply:*

*a) In addition to those uses permitted in RU2 Zone the following uses shall also be permitted:*

- (i) a restaurant to a maximum of 30 seats, including any outdoor patio areas;*
- (ii) a tourist inn to a maximum of 12 bedrooms;*

- (iii) a meeting/banquet facility for cultural, educational and entertainment events and private functions;*
- (iv) one (1) accessory apartment unit for an on-site employee, and*
- (v) uses, buildings and structures accessory to the permitted uses, such as agricultural processing and administrative facilities;*
- b) The restaurant, tourist inn and banquet/meeting facility shall be located within the buildings as existed at the date of passing of this by-law.*
- c) The Requirements of Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended, relating to Site Plan Control shall apply to the lands zoned RU2-53.*

*All other provisions of the RU2 Zone and By-law No. 1816-2006, as amended, shall apply to the lands zoned RU2-53.*

This previous Zoning By-law Amendment required that the restaurant, tourist inn and banquet/meeting facility shall be located within the buildings as existed on the date of passing of the previous by-law (October 19, 2011). The RU2-53 Zone covers the entire property with the exception of the Environmental Protection (EP) Zone.

The previous Owner had intended to operate a limited seating restaurant, accommodation, retreat and meeting/conference facility, an educational facility and farm product processing to complement the existing farm operation. The former Owners intent was to focus on organic farming and the teaching of organic farming while offering agri-tourism uses. These uses were all to be centred on organic farming. The former owner had constructed all buildings on the property and installed all associated infrastructure (i.e. septic system, laneways, pond, etc.).

## **APPLICATION FOR ZONING BY-LAW AMENDMENT**

The purpose of the Zoning By-law Amendment Application is to request an amendment to the current “*Special Rural 2 (RU2-53) Zone*” to amend the existing provisions, to allow for the permitted use of a banquet/meeting facility to occur outside of existing buildings. This would allow for weddings and other cultural, educational and entertainment events/private functions occur within the seasonal tent. The proposed Zoning By-law Amendment would amend the provisions of the existing zone to allow for the banquet/meeting facility outside of those buildings which existed on the date of the passing of the RU2-53 Zone.

In advance of submitting the Zoning By-law Amendment Application, a pre-consultation application was submitted to the County of Prince Edward Planning Department. A pre-consultation summary for complete application requirements were provided by the County on August 13<sup>th</sup>, 2024. As identified in the County’s pre-consultation record, the following documents have been submitted in support of the Application:

- Completed Application Form and Associated Fees;
- Parcel Register Page;
- Preliminary Site Plan;
- Planning Report;
- Draft Zoning By-law and Schedule;
- Zoning Compliance Chart;
- Functional Servicing Report;
- Notice of Pre-Consultation from Prince Edward County Staff.

As the subject property is located in the Rural Area, municipal water and sewage services are not available. Therefore, in order to conduct the Functional Servicing Report which was requested by County Staff, a Hydrogeological Study was required to review the quantity of water supplied on-site and review the on-site sewage disposal system.

### **Servicing Study**

The Greer Galloway Group was retained to conduct a Servicing Study in support of the proposed Zoning By-law Amendment. The Servicing Study provided a background property description of the subject lands, review of geology and neighbouring wells, a wastewater disposal investigation and water supply assessment. The purpose of the servicing study was to confirm that there are sufficient private individual services (well and septic) to service the existing and proposed uses.

The wastewater disposal investigation identified four septic systems on the subject property. The first system is a class 4 subsurface distribution system (associated with the existing dwelling), an aqua wetland system (servicing main building event venue and accommodations), a class 2 greywater system (servicing main building event venue and accommodations), and a class 1 portable privy system (servicing tented event venue). The study reviewed each existing system, the sizing and reviewed subsurface conditions. The study identified each existing system to be functioning with no biomat.

The water supply assessment tested the existing well on site (Well A048820). This well has a diameter of 0.90 metres and a measured depth of 5.48 metres below ground surface. This well delivers water to the distribution building, where it is then directed through a distribution manifold to five separate outlets. A cistern also exists on site that services the event/accommodation building with a capacity of 99,200 litres. A six hour pump test was conducted on this well in November of 2024 and monitoring was conducted in adjacent wells (2089 & 1895 County Road 10). A total volume of 26,042 litres was pumped from this well over 6 hours and 25 minutes, with a drawdown of 36% of the total available drawdown. Recovery of this well was monitored over four days and no traceable interference was observed in the neighbouring wells during the pump testing.

The servicing study has concluded that there was no attributable interference observed in monitoring wells during the pumping test of the on-site well. It was also concluded that the main building is serviced by a functioning sanitary and greywater waste disposal systems meeting the capacity requirements of the Ontario Building Code and additional temporary seasonal capacity is provided by an OBC class 1 portable privies. The study has recommended the use of water treatment for the residence and main building (event venue + accommodations) as per the requirements of Regulation 319 of the Ontario Safe Drinking Water Act.

**CONSISTENCY WITH THE PROVINCIAL PLANNING STATEMENT (2024)**

The Provincial Planning Statement (PPS) applies to all planning applications effective October 20, 2024. 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 Planning Statement and Analysis**

PPS POLICY	PLANNING ANALYSIS
<b>CHAPTER 2: BUILDING HOMES, SUSTAINING STRONG AND COMPETITIVE COMMUNITIES</b>	
<b>2.5 Rural Areas in Municipalities</b>	
<p><i>1. Healthy, integrated and viable rural areas should be supported by:</i></p> <ul style="list-style-type: none"> <li><i>a) building upon rural character, and leveraging rural amenities and assets;</i></li> <li><i>d) using rural infrastructure and public service facilities efficiently;</i></li> <li><i>e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;</i></li> <li><i>f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural and natural assets;</i></li> <li><i>h) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.</i></li> </ul>	<ul style="list-style-type: none"> <li>a) The proposed expanded on-farm diversified use will maintain the rural character of the area and leverage existing rural amenities and assets. The rural character will be maintained as the expanded on-farm diversified use will be secondary to the principal agricultural use and located away from County Road 10.</li> <li>d) The existing and proposed on-farm diversified uses will be serviced by existing rural infrastructure, as confirmed through the Servicing Study.</li> <li>e) The proposed on-farm diversified use will contribute to the diversification of the economic base and employment</li> </ul>

PPS POLICY	PLANNING ANALYSIS
	<p>opportunities within the agricultural area. The uses will allow for diversified uses of an existing agricultural property to allow for additional sources of revenue for the farm property.</p> <p>f) The on-farm diversified uses will allow for opportunities for sustainable and diversified tourism, as this proposal will leverage cultural and agricultural assets.</p> <p>h) This application for Zoning By-law Amendment will allow for an expanded opportunity for economic activities within prime agricultural areas in accordance with Policy 4.3 of the PPS. The agricultural policies of the PPS policies have been reviewed, along with the Province’s on-farm diversified use policies.</p>
<b>2.8 EMPLOYMENT</b>	
<b>2.8.1 Supporting a Modern Economy</b>	
<p><i>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 subject lands are primarily used for agricultural purposes. The existing (permitted) and proposed expanded on-farm diversified use are secondary uses to the principal agricultural use of the property. The expanded on-farm diversified use will allow for the diversification of the economic base and will contribute to the future of this farm’s economic viability.</p>
<b>CHAPTER 3: INFRASTRUCTURE AND FACILITIES</b>	
<b>3.6 Sewage, water and Stormwater</b>	
<p><i>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,</i></p>	<p>The Servicing Study completed by Greer Galloway concluded that the subject lands can be serviced by private individual onsite sewage and water services. The Servicing Study</p>

PPS POLICY	PLANNING ANALYSIS
<p><i>individual onsite 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>also concluded that there will be little groundwater interference from the use of the well on-site based on monitoring during the pumping test, and that the onsite conditions are suitable for long-term provision of these services.</p>
<p><b>8. Planning for stormwater management shall:</b>  <b>b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;</b></p>	<p>The property has already been subject to development for the purposes of the OFDU. The seasonal tent will add a small portion of in impervious area but this will only exist seasonally. The site has a considerable area of permeable surfaces and the additional of the seasonal tent is not anticipated to create a significant increase in stormwater volumes or contaminant loads.</p>
<b>CHAPTER 4: WISE USE AND MANAGEMENT OF RESOURCES</b>	
<b>4.3 Agriculture</b>	
<b>4.3.2 Permitted Uses</b>	
<p><i>1. In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance.</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 provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.</i></p>	<p>The subject lands are designated in the County's Official Plan as "agricultural area" and therefore located within a <i>prime agricultural area</i> as per the PPS.</p> <p>The subject property is currently used for agricultural uses through crop production. There are also existing on-farm diversified uses and the proposed expansion of the meeting/banquet centre is an on-farm diversified use.</p>
<p><i>2. In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.</i></p>	<p>The subject property has an area of 50.9 hectares and there is active agricultural crop production occurring on the property. The proposed expanded on-farm diversified use will not detract from the existing</p>

PPS POLICY	PLANNING ANALYSIS
	agricultural use of the subject lands or adjacent properties.
<p><i>3. New land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.</i></p>	<p>The Minimum Distance Separation (MDS) Implementation Guideline No. 35 provides guidance related to on-farm diversified uses and provides Municipalities with the decision on whether or not to apply MDS I Setbacks to OFDU's. MDS I setbacks are not applied to on-farm diversified uses as per Section 5.1.18.3) of the County's Official Plan.</p>
4.3.5 Non-Agricultural Uses in Prime Agricultural Areas	
<p><i>1. Planning authorities may only permit non-agricultural uses in prime agricultural areas for:</i></p> <p><i>b) limited non-residential uses, provided that all of the following are demonstrated:</i></p> <ol style="list-style-type: none"> <li><i>1. the land does not comprise a specialty crop area;</i></li> <li><i>2. the proposed use complies with the minimum distance separation formulae;</i></li> <li><i>3. there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and</i></li> <li><i>4. alternative locations have been evaluated, and</i> <ol style="list-style-type: none"> <li><i>i. there are no reasonable alternative locations which avoid prime agricultural areas; and</i></li> <li><i>ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.</i></li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. The expanded on-farm diversified use is limited in area and will not occupy lands within active agricultural production. The subject lands do not comprise a specialty crop area.</li> <li>2. The use complies with the MDS requirements of the Official Plan.</li> <li>3. The Official Plan anticipates that growth opportunities in the County over the next 25 years will include among other uses, <i>on-farm diversified uses</i>, in Agricultural Area.</li> <li>4. The expanded meeting/banquet centre will contribute to agri-tourism within the County and will not occur on lands within active agricultural production. In conjunction with provincial guidelines, it is not warranted to evaluate alternative locations as on-farm diversified uses are</li> </ol>

PPS POLICY	PLANNING ANALYSIS
	permitted on prime agricultural lands.
<p><i>2. Impacts from any new or expanding non-agricultural uses on the agricultural system are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance.</i></p>	<p>There are existing on-farm diversified uses occurring on the subject lands and the proposed expanded use of the meeting/banquet centre within a seasonal tent will occur on lands that are not in active agricultural production. The expanded OFDU is not anticipated to have a negative impact on nearby agricultural uses or on the agricultural system due to its separation from adjacent uses.</p>

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

Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas (GPUOPAA) 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 Cherryvale Farm Zoning By-Law Amendment is consistent with the Guidelines.

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

GPUOPAA POLICY	PLANNING ANALYSIS
<b>2.3 On-Farm Diversified Uses</b>	
<p><i>Located on a farm</i></p>	<p>The subject lands are a farm property, which is in active agricultural use. The tillable lands of the property are used for cash crop production. The Raistrick Family also owns other lands within Prince Edward County and offers custom combining for other farmers. The Farm has an active Farm Business Registration Number through “Agricorp”.</p>

GPUOPAA POLICY	PLANNING ANALYSIS
<p><i>Secondary to the principal agricultural use of the property</i></p>	<p>The proposed OFDU will be secondary to the principal agricultural use of the property. Agricultural uses will remain the dominant use of the property. The proposed meeting/event centre use, within the temporary tent will be an intermittent use and seasonal. This use will be compatible with existing agricultural operations on the property and on adjacent lands.</p>
<p><i>Limited in area</i></p>	<p>The guidelines provide recommendations for calculating area for OFDU's. An OFDU may occupy no more than 2% of the property up to a maximum of 1 hectare. The gross floor area of buildings used for OFDU's is limited to 20% of the 2%. The guidelines allow for discounting for existing buildings and do not include existing laneways shared between agricultural uses and OFDUs.</p> <p>The property has an area of approximately 50.9 hectares. Based on the calculations, the existing and proposed OFDU would occupy an area of 5,815.8 sq. metres or 1.14% of the property. The existing and proposed OFDU is considered limited in area. Additionally, the gross floor areas of all buildings equals 1045.9 sq. metres and is 17.98% of the total area used for the OFDU (5,815.8 sq. metres).</p> <p>The OFDU complies with the criteria to be considered "limited in area".</p>
<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>	<p>The existing and proposed uses can be classified as agri-tourism uses. The County's Official Plan classifies a</p>

GPUOPAA POLICY	PLANNING ANALYSIS
	"wedding venue" as an Agri-Tourism Use under Section 4.2.3.19)c)i).
<i>Compatible with, and shall not hinder, surrounding agricultural operations</i>	<p>The existing and proposed uses are compatible with and will not hinder surrounding agricultural operations. There have been existing on-farm diversified uses occurring on the property for a number of years. The uses are appropriate to the available rural services, which has been confirmed through the Servicing Study by Greer Galloway. Additionally, the existing and proposed uses maintain the agricultural/rural character of the area as the buildings are setback +/- 192 metres from County Road 10.</p> <p>The existing and proposed uses have proven to be and will continue to be compatible with surrounding agricultural operations.</p>

The Guidelines for Permitted Uses in Ontario’s Prime Agricultural Areas provides direction for determining if a use is “limited in area”. The limited in area requirement is based on the total land area that is unavailable for agricultural production, as a result of the *on-farm diversified use*. The area calculation accounts for all aspects related to an on-farm diversified uses such as buildings, outdoor storage, landscaped areas, septic systems and parking. Limited in area is expressed as a lot coverage ratio based on the size of the individual parcel of land where the on-farm diversified use is located. The guidelines allow for a maximum of 2% of a lot to be used for on-farm diversified uses, up to a maximum of 1 hectare. The guidelines provided direction on calculating the area of an on-farm diversified use. The following recommendations in determining the criteria for “limited area” from the Guidelines are listed below.

- *Existing laneways shared between agricultural uses and on-farm diversified uses are not counted;*
- *Area of **existing** buildings or structures, built prior to April 30, 2014, occupied by on-farm diversified uses are discounted (e.g., 50%);*
- *Area of **new** buildings, structures, setbacks, outdoor storage, landscaped areas, berms, laneways, parking, etc. are counted at 100%;*

- *On-farm diversified uses may occupy no more than 2% of the property on which the uses are located, to a maximum of 1 hectare;*
- *The gross floor area of buildings used for on-farm diversified uses is limited (e.g. 20% of the 2%).*

In following the Guideline for Permitted Uses in Ontario’s Prime Agricultural Areas, we have determined that the proposed use will occupy **1.14% (5,815.8 sq. metres)** and the gross floor area of all buildings will be **17.98% (1045.9 sq. metres)**. The maximum permitted area for an OFDU is 2% of the lot area, to a maximum of 1 hectare (10,000 sq. metres) and a maximum of 20% of the 2% can be occupied by buildings for an OFDU. The proposed expanded OFDU will remain consist with the limited in area criteria of the Guidelines and the County’s Official Plan. Our calculations are included below in **Table 4**:

**Table 4: Limited in Area Calculation**

<b>ON-FARM DIVERSIFIED USE CALCULATION – LAND USE SUMMARY</b>				
<b>Land Use</b>	<b>Total (m<sup>2</sup>)</b>	<b>Total (%)</b>	<b>OFDU (m<sup>2</sup>)</b>	<b>OFDU (%)</b>
<b>Existing Gravel Driveway/Parking</b>				
Shared Use (50% Discounted)	3,494.8	0.686	1,748.3	0.343
OFDU Unshared Use (No Discount)*	3,334.1	0.654	1,667.0	0.327
Unshared Use (Full Discount)**	3,618.3	0.710	0.00	0.00
<b>Existing Accommodation Units &amp; Accessory Office + Storage</b>	413.0	0.081	413.0	0.040
<b>Washrooms</b>	20.8	0.006	20.8	0.006
<b>Existing Event Storage</b>	32.1	0.006	32.1	0.003
<b>Tent/Event Space</b>	580.0	0.113	580.0	0.113
<b>Existing Landscaping</b>	1,354.6	0.265	1,354.6	0.265
<b>OFDU Subtotal</b>	<b>12,847.7</b>	<b>2.5</b>	<b>5,815.8</b>	<b>1.14%</b>
<b>Agricultural Use Structures, Residential Dwelling &amp; Fields</b>	496,565.29	97.5%		
<b>Total Site Area</b>	509,412.99	100%		

\* Driveway for OFDU Only.

\* Driveway for Agricultural Use/Residential Use Only

**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 County Road 12 as a “County Road – Special Service Selector Road”. Schedule ‘F-1’: Recreation and Tourism identifies County Road 10 as “Tourism Corridor (Municipal)”.

Relevant Official Plan policies are assessed below in **Table 5**. The Zoning By-law Amendment Application conforms to the policies of the County’s Official Plan as assessed below.

**Table 5: Official Plan Policies and Analysis**

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<b>2.0 COUNTY CONTEXT AND FUTURE DIRECTION</b>	
<b>2.4 GROWTH MANAGEMENT</b>	
<b>2.4.1 Approach</b>	
<p><i>b) It is anticipated that growth opportunities in the County over the next 25 years will include:</i></p> <p style="padding-left: 40px;"><i>i. Expanded agricultural, agriculture-related and on-farm diversified uses, including agritourism, in the Agricultural areas and Rural Lands;</i></p>	<p>The expansion of on-farm diversified uses are anticipated in the growth of the County. The existing use is considered an on-farm diversified use and the proposed amendment will allow for an increase in the existing use. The Official Plan anticipates that this type of use is a growth opportunity over the next 25 years.</p>
<b>3.0 SHAPING THE COUNTY- GENERAL DEVELOPMENT POLICIES</b>	
<b>3.1 ENVIRONMENTAL PROTECTION AND ENHANCEMENT</b>	
<b>3.1.6 Constraint Area Policies</b>	
<p><b><i>Significant Groundwater Recharge Areas</i></b></p> <p><i>16) Significant Groundwater Recharge Areas are identified on Schedule ‘D’: Resource Areas. Groundwater needs to be protected to promote public health, and as an essential resource for urban and rural water supplies, agricultural production and the maintenance of the Natural Heritage System.</i></p>	<p>A portion of the subject property is identified as being within a Significant Groundwater Recharge Area. The area of the property which will contain on-farm diversified uses will be located outside of the significant groundwater recharge area, as per Schedule ‘D’ of the Official Plan.</p>
<p><i>17) The County recognizes a relationship</i></p>	

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>between groundwater and surface water in terms of recharge and discharge functions. The policies of this Plan are intended to address both groundwater and surface water protection. The County commits to pursuing the following directions to protect or enhance the function of Major Groundwater Recharge Areas:</i></p> <p><b>d)</b> <i>Ensure levels of wastewater treatment that are appropriate for the size, location and scale of development anticipated within, or in proximity to the identified Major Groundwater Recharge Areas;</i></p> <p><b>e)</b> <i>Ensure that development does not alter groundwater levels to the detriment of surrounding users and resources;</i></p>	<p>d) The Servicing Study has ensured that the existing private wastewater treatment is sufficient for the subject property and existing occupancy. Based on the Servicing Study, there is no anticipated expansion of the existing waste water treatment system.</p> <p>e) The Servicing Study also provided a review of the water quantity on-site and monitored adjacent wells. The study concluded that there is no anticipated groundwater interference with adjacent users.</p>
<p><b>3.2.3 Economic Development Policies Agricultural Assets</b></p>	
<p><b><i>Agricultural Assets</i></b></p> <p><b>1)</b> <i>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></p> <p><b>g)</b> <i>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 subject lands are actively used for agricultural crop production. The principal use of the property will continue to be used for agricultural purposes. The proposed amendments will help the Owner's contribute to the viability of their farming operation and contribute to the County's agri-tourism industry as well.</p> <p>The County's Official Plan supports economic development activities in agricultural areas to capture a share of tourism expenditures. The proposal has been reviewed within the context of the province's on-farm diversified use guidelines.</p>
<p><b>7)</b> <i>Developing new or expanding linkages between the County's cultural and</i></p>	<p>The subject property is located on County Road 10, which is identified on</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>agricultural assets, such as museums, special event venues, galleries, artist studios, vineyards, and agri-tourism related businesses will be encouraged and promoted in support of their potential for economic growth within the Municipality.</i></p>	<p>Schedule 'F': Recreation and Tourism as a Tourism Corridor. The proposed expansion of the existing on-farm diversified use will contribute to the linkage between the County's cultural and agricultural assets. Agri-tourism such as the proposed expanded use is encouraged and promoted within the County's Official Plan.</p>
<p><b>3.3.7 Design Policies</b></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 (Table 5).</p>
<p><b>3.4 INFRASTRUCTURE</b></p>	
<p><b>3.4.3.5 Servicing Policies for Rural Lands, Agricultural areas and Shore Lands</b></p>	
<p><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, as municipal services are not available to the property.</p>
<p><b>3.4.3.6 Individual on-site water services and on-site sewage services Policies</b></p>	
<p><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>A Servicing Study was conducted by Greer Galloway to review existing private on-site services. This study concluded that the site is suitable to accommodate private on-site sewage systems and that there is sufficient on-site water supply for the existing uses.</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<b>3.4.4 Stormwater Management Policies</b>	
<p>3) <i>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 property has an area of 50.9 hectares and the vast majority of the property will remain undisturbed. There are minimal anticipated impacts with stormwater management anticipated with this application due to the sheer size of the property and existing permeable area.</p>
<b>3.4.5 Transportation Policies County Roads</b>	
<p>15) <i>County Roads - Inter-Centre Collector designation applies to roads that connect Settlement Areas to each other or to the Provincial Highways and County Highways and carry medium to large volume traffic. The minimum road allowance width shall be 26 metres. The number of lanes, design details, traffic signage and entrance spacings for the Municipality Roads shall be determined by the Municipality. County Roads to which this classification applies are:</i></p> <p><i>a) All of County Roads 1, 2, 3, 4, 6, 8, 10, 14, 15, 17, 19, 22, 23, 28, 34 and 64;</i></p>	<p>Access to the property is from County Road 10, a designated County Road – Inter-Centre Collector on Schedule ‘E’: Transportation and Infrastructure. The road is intended to carry medium to large volumes of traffic and connect settlement areas to each other.</p> <p>The subject property has multiple existing entrances on County Road 10. The existing entrances are used to support agricultural activities and the existing on-farm diversified use.</p> <p>The subject property benefits from its frontage on County Road 10, as local road access is not required to access the property. Due to dispersed accommodations throughout Prince Edward County, many event venues use shuttle services (i.e. busses) to get guests to their accommodations. Cherryvale Farms have experienced that the majority of guests use shuttle services to get to and from the venue which reduces parking demand and overall trips on the County’s road network.</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<b>4.0 THE COUNTY LAND USE DESIGNATIONS</b>	
<b>4.2 AGRICULTURAL AREAS</b>	
<b>4.2.1 Intent</b>	
<p><i>Agricultural operations are an essential component of the County economy. These uses are a significant employment source, important to the County's historical, cultural and economic character and key to the ability of other sectors such as tourism to create jobs and sustain prosperity. This Plan recognizes that the Agricultural areas constitute a strong, prosperous and established component of the local economy. The policies for managing it are designed to protect and enhance the value of the resource.</i></p> <p><i>Prime agricultural areas are to be protected for long-term agricultural use. Prime agricultural areas are areas where prime agricultural lands predominate.</i></p> <p><i>It is the intent of this Plan to promote agricultural uses, agriculture-related uses and on-farm diversified uses. All other uses are prohibited within the Agricultural areas.</i></p>	<p>The County's Official Plan recognizes Agricultural Operations as an essential component of the County's economy. The policies of the Agricultural area designation have been designed to protect and enhance the value of the agricultural resource. The proposed amendment will not negatively impact the agricultural resource of the subject property or adjacent lands. The proposed amendment will contribute to the viability of the farm and diversify the farm operation through this agri-tourism venture.</p> <p>The subject property falls within the Agricultural area designation and these lands are to be protected long-term agricultural use. The expanded on-farm diversified use will occur on lands that are not actively used for agricultural purposes and will not result in the removal of additional agricultural lands.</p> <p>The Plan promotes agricultural uses and on-farm diversified uses. The existing and proposed on-farm diversified use is promoted on agricultural lands. The active agricultural uses of cash crops will continue on the property and the active agricultural areas of the property will not be reduced as a result of the amendment.</p>
<b>4.2.3 Policies</b>	
<p><i>2) The predominant use of land in this designation shall be all types, sizes and intensities of agricultural uses, including on-</i></p>	<p>The subject land is designated Agricultural Area on Schedule 'A3': Land Use Designations.</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>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><b>b) <i>On-farm diversified uses, provided they meet the following criteria:</i></b></p> <ul style="list-style-type: none"> <li><b><i>i. Are located on a farm property that is actively in agricultural use;</i></b></li> <li><b><i>ii. Are secondary to the principal agricultural use of the property;</i></b></li> <li><b><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</i></b></li> </ul>	<p>The primary use of the property will remain as agricultural. No removal of crop land is required to accommodate the expanded on-farm diversified use. The parking area has been used for years and offers hay production as it is not productive lands for crop production with the exception of hay. The expanded on-farm diversified use will not result in the loss of active agricultural lands from the subject property. <i>On-farm diversified uses</i> are permitted in the Agricultural Area designation. The proposed expanded on-farm diversified uses meets the Provincial Guideline policies with respect to <i>on-farm diversified uses</i> as analyzed in <b>Table 3</b> of this report. The County Official Plan provides additional policy direction.</p> <ul style="list-style-type: none"> <li><b>i.</b> The property is a farm property and is in active agricultural use. This can be confirmed through historic aerial imagery and the Owner’s have an active Farm Business Number through AgriCorp.</li> <li><b>ii.</b> The total of the existing and proposed expanded on-farm diversified use will be secondary (1.14% of lot area) to the principal agricultural use. The property will continue to be used for cash crop production.</li> <li><b>iii.</b> On-farm diversified uses are allowed to occupy an area of 2% of the property, to a maximum of 1 hectare. In following the province’s determination for on-</li> </ul>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>property, to a maximum of 1 hectare;</i></p> <p><i>iv. Are compatible with, and do not hinder, surrounding agricultural operations; Are appropriate to available rural services and infrastructure;</i></p>	<p>farm diversified use areas, the total OFDU of the property will occupy an area of 0.5815 hectares (1.14%) of the lot area. The existing and proposed expanded OFDU are limited in area relative to the property and will occupy less lands than permitted. These calculations and areas are detailed after this Table.</p> <p>iv. The existing on-farm diversified use has been a permitted use on the property since 2012 and has proven to be compatible with surrounding agricultural uses and agricultural uses on the property. The expanded on-farm diversified use will allow for the use of the “meeting/banquet” centre to occur in a seasonal tent. The events will occur seasonally within the event tent and the location of the tent is setback away from County Road 10. The adjacent agricultural uses are for crop production and the expanded on-farm diversified use is not anticipated to hinder crop production or normal farm activities.</p> <p>The proposed expanded on-farm diversified use is appropriate for the rural services available for the site. The Servicing Study has confirmed that there are sufficient private water services on site. The Servicing Study has confirmed that the uses are appropriate for available rural services.</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p>v. <i>Are at a scale and intensity of operation that are appropriate for the site and the surrounding area;</i></p> <p>vi. <i>Maintain the agricultural character of the area; and</i></p> <p>vii. <i>Meet all applicable air emission, noise, water and wastewater standards and receive all relevant environmental approvals.</i></p>	<p>The site will continue to be accessed via County Road 10. County Road 10 is considered a “County Road – Inter-Centre Collector” in the Official Plan which is an ideal road classification to provide access to the subject lands, as it is intended to move a large volume of vehicles throughout the County.</p> <p>v. The scale of the existing and proposed expanded on-farm diversified use is minimal given that the use will occupy approximately 1.14% of the property. The intensity of the operation is also appropriate given the expanded OFDU (within the seasonal tent) will be only for seasonal events.</p> <p>vi. The agricultural character of the area will be maintained. The location of the OFDU and separation from County Road 10 will contribute to the maintenance of the existing character. The expanded OFDU will not require any site upgrades as the property was developed substantially to its current form after the previous 2011 Planning Approvals.</p> <p>vii. Water and waste water requirements can be met as indicated in the Servicing Study by Greer Galloway. MECF approval for the septic system associated with the</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
	<p>accommodations/event venue was previously granted for the subject lands.</p>
<p>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 the Plan, MDS setbacks are not required.</p>
<p>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 in this Table below.</p>
<p>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 expanded “meeting/banquet facility” 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 <b>Table 3</b> of this report.</p>
<p>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>c) <i>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</i></p>	<p>On-Farm diversified uses include agri-tourism ventures and agri-tourism uses as defined in the County’s Plan include a retreat, vacation suite, wedding venues and seasonal events.</p> <p>The existing uses are considered on-farm diversified uses within the County’s Official Plan and the proposed expanded “meeting/event centre” will be used primarily for hosting weddings within a seasonal tent. The existing and proposed expanded use are on-farm diversified uses.</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>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>	
<b>4.5 OVERLAY DESIGNATIONS AND SYMBOLS</b>	
<b>4.5.2 Tourism Corridors</b>	
<p>1) <i>The County is renowned as a scenic destination with a unique combination of water views, rural landscapes and heritage architecture. Linking picturesque towns, villages and hamlets through an ever-changing countryside are roads and trails that give access to businesses as well as cultural and recreational attractions of particular interest to tourists. These Tourism Corridors, the most significant being the Loyalist Parkway, are identified on Schedule 'F': Tourism &amp; Recreation.</i></p>	<p>The subject property is located on County Road 10, a designated Tourism Corridor (Municipal) on Schedule 'F': Recreation and Tourism. Tourism Corridors provide access to business and activities of particular interest to tourists. The</p> <p>The farm brewery is a business that will contribute to the tourism economy of the County and is appropriately located on a Tourism Corridor.</p>
<p>4) <i>Where permitted by the underlying designation along the Tourism Corridors, appropriate tourist-related developments are encouraged in suitable locations. They form the basis for building a critical mass in tourism activities and for making associated municipal decisions related to providing programs and services in support of the tourism industry.</i></p>	<p>The existing and proposed expanded use is permitted within the Agricultural designation and is located along a Tourism Corridor. The property is a suitable location along a County Road and located near the Hamlet of Cherry Valley.</p>
<p>7) <i>New high-quality attractions, facilities, services, and events are encouraged along the Tourism Corridors where they are permitted by the underlying designation. They must be compatible with the countryside character</i></p>	<p>The existing OFDU is considered a high-quality attraction and the site landscaping contributes to the character of the venue, while highlighting the agricultural uses of the property.</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>and charm of the County and are encouraged to be year-round to promote economic development throughout the year.</i></p>	<p>The expanded use will occur in a seasonal tent but is still considered a high quality facility as it will have a hard surfaced floor and provides a number of amenities for guests within the existing buildings.</p>
<b>APPENDIX C – DESIGN POLICIES</b>	
<b>C.2 Design Policies for Rural Lands and the Agricultural Area</b>	
<p>a) <i>Development on Rural Lands or within the Agriculture Areas will be in patterns and at densities that do not create negative impacts on the Natural Heritage System and do not compromise the pastoral qualities traditionally associated with the County’s countryside.</i></p>	<p>The proposed on-farm diversified uses will occur away from Environmental Protection Lands and this application is not anticipated to create a negative impact on the Natural Heritage System.</p> <p>The location of the existing on-farm diversified uses are located away from County Road 10 and will not detract from the pastoral qualities traditionally associated with the County’s countryside.</p>
<p>b) <i>Limited opportunities for new development on Rural Lands and in Agricultural Areas will include consents, the development of second dwelling units, extensions to existing buildings, and other development that promotes the ongoing agricultural economy and resource-based tourism, while preserving the natural resources and the rural character of the County.</i></p>	<p>The proposed expanded on-farm diversified use is intended to promote the agricultural economy and agri-tourism uses within Prince Edward County. The location of the existing uses will preserve natural resources and maintain the rural character of the area.</p>
<p>d) <i>Rural commercial uses will be encouraged to locate in compact nodes, at centralized areas such as major road intersections, and grouped in such a manner that the surrounding rural landscape and scenic views are retained. Ribbon or strip commercial development, especially along the fringe areas close to the Urban Centres,</i></p>	<p>There is an existing on-farm diversified use on the subject property and the proposed expanded use will maintain the existing character of the rural area. This application will not contribute to ribbon or strip development along County Road 10.</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>and Villages shall not be permitted.</i></p>	
<p>e) <i>New development on Rural Lands and within the Agricultural Areas shall consider the built form character of its rural location. Multiple building proposals will be developed in clusters, creating groups of buildings similar to historic Ontario farm developments. Tree planting will be encouraged to line driveways, and to shelter and buffer the building clusters.</i></p>	<p>The proposed expansion would cluster the expanded use with existing on-farm diversified use buildings. Trees have been planted along the main entrance of the property which line this driveway. The main entrance to the property is defined with signage and stone columns.</p>
<p>g) <i>Council shall encourage the protection of public views and sightlines to significant cultural heritage resources.</i></p>	<p>The proposed amendment will not impact public views or sightlines to significant cultural heritage resources.</p>
<p>i. <i>Design for new commercial buildings within Rural Lands and Agricultural Areas designations shall have regard for the following objectives:</i></p> <ul style="list-style-type: none"> <li><i>i. New commercial buildings are compatible with the scale and form of buildings in their immediate vicinity, including those on adjacent properties and others within view;</i></li> <li><i>ii. Buildings are clustered in an established building envelope, and not spread along the roads, with varying setbacks, well-landscaped areas between the structures and the roadways, preserving other portions of the property as open space;</i></li> <li><i>iii. Parking is located to the rear or side in order to screen the parking lot from the roadway and to encourage attractive landscaping along the roadway frontage;</i></li> <li><i>iv. Where possible, access to</i></li> </ul>	<ul style="list-style-type: none"> <li>i. The seasonal tent will be compatible with adjacent buildings on the property and the existing buildings used for on-farm diversified uses. There are no nearby buildings on adjacent lands to the seasonal tent.</li> <li>ii. The existing buildings associated with the on-farm diversified uses are located at the rear of the property, away from County Road 10. The seasonal tent is located near the existing on-farm diversified use buildings which concentrates the agri-tourism uses in a single area of the property. The site has been generously landscaped.</li> <li>iii. Parking areas are located away from County Road 10 and accessed from the interior of the site.</li> <li>iv. Access to the on-farm diversified uses are from the main driveway</li> </ul>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>commercial clusters is from internal secondary roads or side-streets or limited to a single access point, to avoid traffic congestion and hazards; and</i></p> <p><i>v. Signage and lighting do not overwhelm motorists or the surrounding rural context in terms of its size, quantity, and/or brightness.</i></p>	<p>which is also used for agricultural uses. The main driveway is essentially a large horseshoe and connects back to County Road 10.</p> <p>v. There is minimal lighting on the stone entrance pillars to identify the main entrance. The signage and lighting is minimal, which limits the impact on motorists and the surrounding rural context.</p>
<b>C.4 Design Policies for Tourism Corridors</b>	
<p>a) <i>The visual impact of development is an important consideration in maintaining the character of Tourism Corridors. Disturbance on lots will be limited and minimized and the maximum amount of vegetation is to be retained on a lot. Vegetation will be maintained within a viewscape and along ridgelines. Additional natural buffering or screening may be, as required, provided to supplement existing vegetation along the corridor. Design for new development in Tourism Corridors shall have regard for the following objectives:</i></p> <p><i>i. The built form is blended into the natural landscape, with buildings and structures that maintain a low profile;</i></p> <p><i>ii. Prominent buildings may be considered for resort commercial development if they are designed as landmarks and are in keeping with the building style and environment of the surrounding area;</i></p> <p><i>vi. Building mass and coverage are limited in relation to the size and frontage of the property and are in keeping with the character of the</i></p>	<p>The property was substantially developed in 2011 after receiving Planning Approvals. There are minimal alterations required to the site to accommodate the expanded on-farm diversified use.</p> <p>There is existing vegetation occurring along the County Road 10 “viewscape” along the property line and fence rows. Removal of vegetation or alterations along County Road 10 are not proposed as a result of the amendments.</p> <p>i. The existing OFDU’s are located approximately +/- 209m from County Road 10 and buffered with existing agricultural buildings and vegetation along County Road 10. The existing OFDU buildings are well screened from County Road 10.</p> <p>ii. The existing OFDU and expanded use is not a resort commercial use.</p> <p>vi. Building massing are compatible with surrounding agricultural buildings. The coverage of the resulting on-farm diversified uses are within the permitted limits for on-</p>

OFFICIAL PLAN POLICY	PLANNING ANALYSIS
<p><i>surrounding area;</i>                      vii. <i>Setbacks from roads are sufficient to provide and maintain a natural buffer between the development and the road, in order to maintain a vegetative character along the roads; however, the appropriate waterfront setback takes precedence when a lot has insufficient depth to provide a buffer at both the shoreline and the road</i></p>	<p>farm diversified uses as established in the provincial guidelines and County's Official Plan. The property will be in keeping with character of the surrounding area.                      vii. There are existing agricultural buildings that have been constructed near County Road 10. The existing dwelling and OFDU have been setback away from County Road 10 which contributes to this buffer form the road, along with maintaining the agricultural character of the property.</p>
<p>c) <i>Primary access for new residential and commercial development in the Tourism Corridors designation shall only be from a public road.</i></p>	<p>There is existing access from County Road 10 to the subject property. In reviewing aerial imagery from Google Earth there were 7 existing entrances onto County Road 10 from the subject lands. Today there are four (4) existing entrances onto County Road 10 which provide access for both the on-farm diversified use and agricultural uses.</p>

## COUNTY OF PRINCE EDWARD COMPREHENSIVE ZONING BY-LAW 1816-2006

The subject lands are currently zoned as “Special Rural 2 (RU2-53) Zone” and “Environmental Protection (EP) Zone”. **Figure 3** illustrates the Zoning on the subject lands and highlights the approximate property boundary with a red line, the location of the on-farm diversified uses is shown as the red dot. All on-farm diversified uses will occur outside of the Environmental Protection (EP) Zone.



**Figure 3: Zoning Map of Subject Lands (County of Prince Edward GIS)**

The RU2-53 Zone allows for all of the uses associated with the Rural 2 (RU2) Zone and additionally, allows for the use of a restaurant (maximum of 30 seats), a Tourist Inn (maximum of 12 bedrooms), a meeting/banquet facility for cultural, education and entertainment events/private functions. The RU2-53 Zone requires that the restaurant, tourist inn and banquet/meeting facility shall occur within the existing buildings that existed as of October 19, 2011. An excerpt of the RU2-53 Zone is included below to highlight the exact wording:

*Notwithstanding any provision of By-law No. 1816-2006 as amended to the contrary, on the lands zoned RU2-53 the following special provisions shall apply:*

*a) In addition to those uses permitted in RU2 Zone the following uses shall also be permitted:*

- (i) a restaurant to a maximum of 30 seats, including any outdoor patio areas;*
  - (ii) a tourist inn to a maximum of 12 bedrooms;*
  - (iii) a **meeting/banquet facility for cultural, educational and entertainment events and private functions;***
  - (iv) one (1) accessory apartment unit for an on-site employee, and*
  - (v) uses, buildings and structures accessory to the permitted uses, such as agricultural processing and administrative facilities;*
- b) The restaurant, tourist inn and **banquet/meeting facility shall be located within the buildings as existed at the date of passing of this by-law.***
- c) The Requirements of Section 41 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, relating to Site Plan Control shall apply to the lands zoned RU2-53.*

*All other provisions of the RU2 Zone and By-law No. 1816-2006, as amended, shall apply to the lands zoned RU2-53.*

The Zoning By-law Amendment Application seeks to revise the wording of the site specific RU2-53 Zone to allow for the use of a seasonal tent for the purposes of the banquet/meeting facility, with the intent of hosting weddings within the seasonal tent. There are no additional changes proposed to the permitted uses of the RU2-53 Zone to accommodate the expanded on-farm diversified use. **Appendix B** provides the proposed text change in the draft Zoning By-law Amendment.

## **PLANNING OPINION AND CONCLUSION**

The subject lands are located within the Agricultural Area, Rural and Hamlet designation of the County of Prince Edward Official Plan. The proposed on-farm diversified uses will only be occurring on the lands designated as Agricultural Area. The subject property has been used for existing on-farm diversified uses and active agricultural crop production. The proposed expanded event venue is intended primarily for weddings which would occur in a seasonal tent. The proposed expanded use is 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/production;
- ✓ 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; and
- ✓ Maintains the agricultural character of the area.

This proposed expansion of the existing on-farm diversified use maintains the intent of the Official Plan and conforms to the policies of the Official Plan. The Zoning By-law Amendment Application will allow for the permitted use of the meeting/event centre to occur within a seasonal tent. The amendment to the RU2-53 Zone is only to revise the existing wording to allow for the use of a “meeting/banquet facility” to occur within a seasonal tent, existing after October 19, 2011. All other provisions of the RU2 Zone will be complied with, which includes lot area, frontage and building setbacks.

The Zoning By-law Amendment Application for Cherryvale Farms is consistent with the policies of the Provincial Planning Statement, the Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas, and conforms to the policies of the County of Prince Edward Official Plan. The proposed development complies with the provisions of the RU2 Zone and RU2-53 Zone within the County of Prince Edward Comprehensive Zoning By-law 1816-2006, with special provisions to allow for the use of a “meeting/banquet facility” to occur within a seasonal tent (outside of existing buildings). This Zoning By-law Amendment is consistent with the relevant policies and will contribute to agri-tourism within Prince Edward County. It is our opinion that the proposed rezoning represents good land use planning.

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

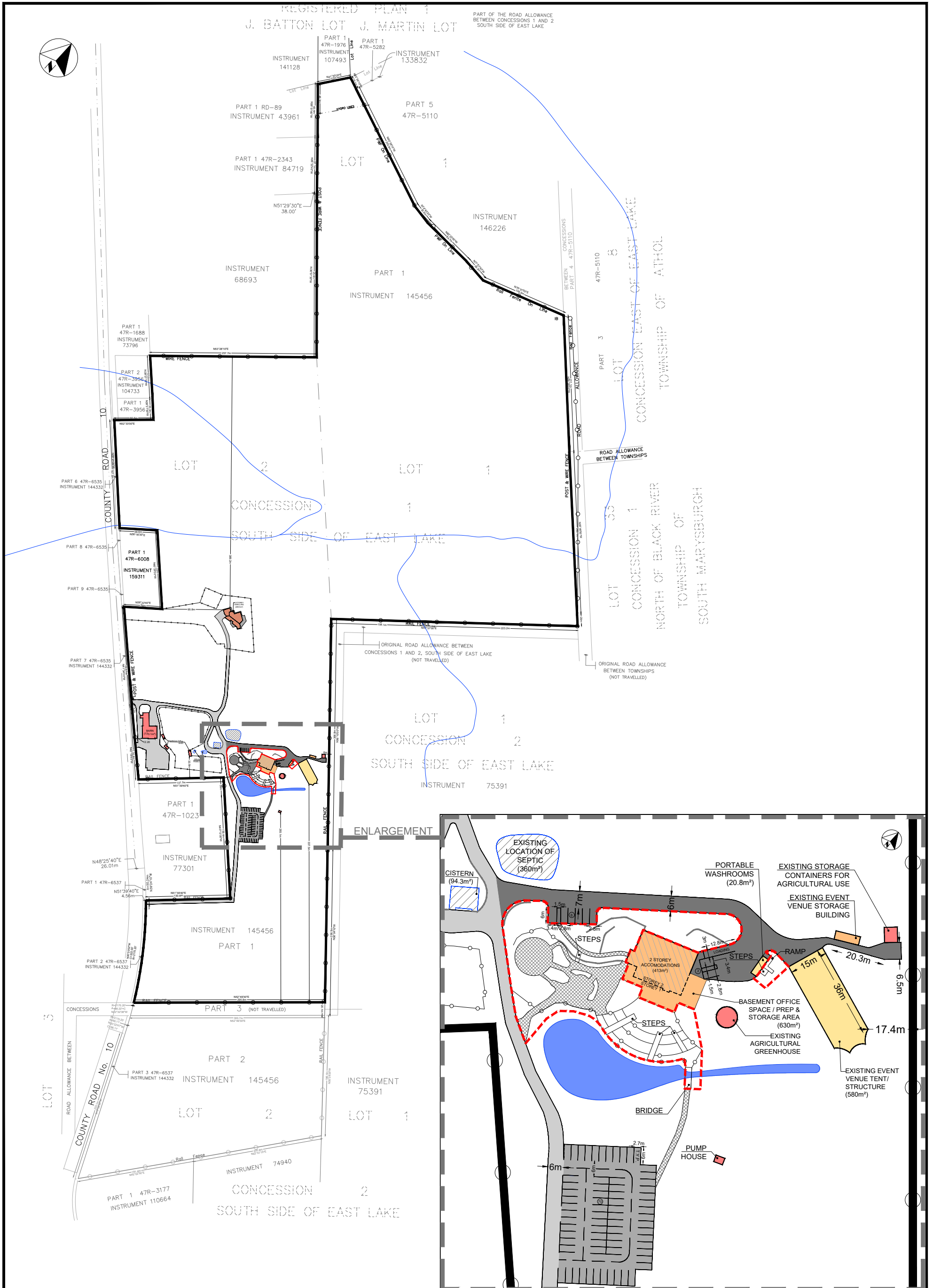
Yours truly,



Dale Egan, RPP, MCIP  
Senior Planner/Project Manager  
RFA Planning Consultant Inc.



# Appendix A: Site Plan

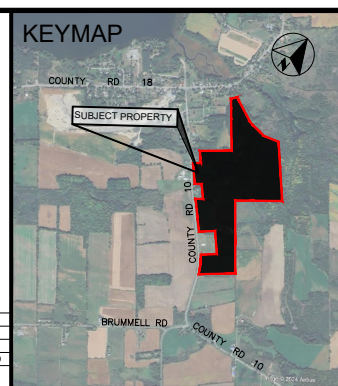


### SITE PLAN

PART OF LOTS 1 AND 2  
 CONCESSION 1, SOUTH SIDE OF EAST LAKE  
 PART OF LOT 2  
 CONCESSION 2, SOUTH SIDE OF EAST LAKE  
 PART 1, PLAN 47R-7446  
 TOWNSHIP OF ATHOL  
 NOW IN THE MUNICIPALITY OF THE  
 COUNTY OF PRINCE EDWARD

SCALE = 1:5,500 METRIC

REVISION: \_\_\_\_\_ DATE: \_\_\_\_\_ APPRD: \_\_\_\_\_  
 DRAWN BY: F.M. CHECKED BY: D.E. DATE: May 20th, 2025 SCALE: 1:5,500



### ZONING SUMMARY - RU2-53

ZONING BY-LAW NO #1816-2006

PROVISION	REQD	PROPOSED
LOT AREA (min)	20 ha	50.9 ha
LOT FRONTAGE (min)	75m	595m
FRONT YARD (min)	15m	12.2m
EXTERIOR SIDE YARD (min)	15m	N/A
INTERIOR SIDE YARD (min)	7.5m	33.8m
REAR YARD (min)	15m	17.4m
LOT COVERAGE (max)	10%	0.5%
LANDSCAPED OPEN SPACE (min)	30%	97%
BUILDING HEIGHT (max)	10m	10m
NUMBER OF DWELLING UNITS PER LOT (min)	2	1
NUMBER OF ACCESSORY FARM ACCOMMODATION UNITS (min)	2	0
OFDU PARKING AND LOADING (min)	77	79
PROPOSED SPECIAL PROVISIONS		

### LEGEND

- SUBJECT PROPERTY BOUNDARY
- EXISTING FENCE
- EXISTING STONE RETAINING WALL
- OFDU LANDSCAPED AREA
- AGRICULTURAL BUILDINGS/STRUCTURES
- EXISTING OFDU BUILDINGS/STRUCTURES
- EXISTING RESIDENTIAL DWELLING
- EXISTING 2ND FLOOR ACCOMMODATION
- NEW OFDU BUILDINGS
- EXISTING OFDU AGRICULTURAL & RESIDENTIAL DRIVEWAY
- EXISTING OFDU ONLY DRIVEWAY
- EXISTING PARKING AREA
- EXISTING POND
- EXISTING WALKWAYS
- EXISTING SEPTIC & CISTERN
- EXISTING OPEN SPACE & FIELDS
- EXISTING WELL LOCATION

### NOTES

- \* DRIVEWAY IS FOR OFDU USE ONLY
- \*\* DRIVEWAY FOR AGRICULTURAL/RESIDENTIAL USE ONLY

### LAND USE SUMMARY - OFDU

LANDUSE	TOTAL (m <sup>2</sup> )	TOTAL (%)	OFDU (m <sup>2</sup> )	OFDU (%)
EXISTING GRAVEL DRIVEWAY/PARKING	3,494.8	0.686	1,748.3	0.343
SHARED USE (50% DISCOUNTED)	3,334.1	0.664	1,667.0	0.327
OFDU UNSHARED USE (NO DISCOUNT)**	3,618.3	0.710	0.00	0.00
UNSHARED USE (FULL DISCOUNT)**	413.0	0.081	413.0	0.040
EXISTING ACCOMMODATION UNITS & ACCESSORY OFFICE + STORAGE	20.8	0.006	20.8	0.006
WASHROOMS	32.1	0.006	32.1	0.003
EXISTING EVENT STORAGE	580.0	0.113	580.0	0.113
TENT / EVENT SPACE	1,354.6	0.265	1,354.6	0.265
EXISTING LANDSCAPING	12,847.7	2.5	5,815.8	1.14%
OFDU SUBTOTAL	496,565.29	97.5		
AGRICULTURAL USE STRUCTURES, RESIDENTIAL DWELLING & FIELDS*				
TOTAL SITE AREA	509,412.99	100.0%		

May 20, 2025

JOB No. 1011

RPA PLANNING CONSULTANTS INC.

211 Dundas Street East, Suite 202, Richmond Hill, Ontario, L4B 1E7

# **Appendix B: Draft Zoning By-law Amendment**

**THE CORPORATION OF THE COUNTY OF PRINCE EDWARD  
BY-LAW NO. xx-2025**

---

**A BY-LAW TO AMEND COUNTY COMPREHENSIVE ZONING BY-LAW  
NO. 1816-2006, AS AMENDED**

---

**WHEREAS** By-law No. 1816-2006, as amended, is the Comprehensive Zoning By-law governing the lands located within the County of Prince Edward in the Ward of Athol

**AND WHEREAS** the Council of The Corporation of the County of Prince Edward, having received and reviewed an application to amend By-law No. 1816-2006 for the lands known municipally as 1927 County Road 10, in the County of Prince Edward, is in agreement with the proposed changes;

**AND WHEREAS** authority is granted under Section 34 of the *Planning Act, R.S.O. 1990, c.P.13*, as amended;

**NOW THEREFORE** the Council of The Corporation of the County of Prince Edward enacts as follows:

1. **THAT** By-Law Number 1816-2006, as amended, shall apply to the lands described as Part of Lot 1 – 2, Concession South Side of East Lake Athol, Part 1 47R-7446; Prince Edward.
2. **THAT** By-law No. 1816-2006, as amended is hereby amended with Section 8.5.53.b) be deleted and the following substituted therefore:
  - b) The restaurant and tourist inn shall be located within the buildings as existed at the date of passing of this by-law.
3. **THAT** this by-law shall come into force and take effect pursuant to the provisions and regulations made under the *Planning Act, R.S.O., 1990, c.P.13*, as amended.

Read a first, second and third time and finally passed this \_\_\_\_ day of \_\_\_\_\_, 2025.

---

Victoria Leskie, **Clerk**

---

Steve Ferguson, **Mayor**