

**AMENDMENT NUMBER 55  
TO THE  
OFFICIAL PLAN  
OF THE  
TOWNSHIP OF WEST LINCOLN**

DRAFT

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**AS AMENDED**

**PART 1 – THE PREAMBLE**

**1.1    TITLE**

This Amendment when adopted by Council shall be known as Amendment Number 55 to the Official Plan of the Township of West Lincoln.

**1.2    COMPONENTS**

This Amendment consists of the explanatory text and the attached Schedule 'A'. The preamble does not constitute part of the actual amendment, but is included as background information.

**1.3    PURPOSE**

The purpose of this Amendment is to establish policies that permit wineries, breweries, distilleries and special occasion events in the agricultural area of the Township of West Lincoln.

**1.4    BASIS OF THE AMENDMENT**

The Township of West Lincoln is proposing to amend the Official Plan to delete and replace the Agricultural Value Added and on farm diversified uses in the agricultural designation with a new policy set that also permits wineries, breweries, distilleries and special occasion events in the agricultural designations of the Township of West Lincoln.

## **PART 2 – THE AMENDMENT**

### **2.1 PREAMBLE**

All of this part of the document entitled PART 2 – THE AMENDMENT, consisting of the following text changes constitutes Amendment No. 55 to the Official Plan of the Township of West Lincoln.

### **2.2 DETAILS OF THE AMENDMENT**

**2.2.1** The text of the Township of West Lincoln Official Plan is hereby amended by deleting section 4.6 from the consolidated Township of West Lincoln Official Plan and replacing with the following:

#### **4.6 Agriculture-Related Uses and On-farm Diversified Uses**

Allowing a range of appropriate on-farm agriculture-related uses and on-farm diversified uses contributes to economically sustainable agriculture in the Township, strengthens the *agricultural system*, facilitates broader access to local food and beverages, agricultural products and VQA wines, preserves the agricultural land base, and maintains the scenic quality of the agricultural landscape.

*Agriculture-related uses* and *On-farm diversified uses* may be permitted in accordance with the policies in this Plan and specifically in accordance with the following:

- a) The location of the facility or use imposes no operating constraints and results in no reduction of the efficiency of any existing farm.
- a) An adequate and potable water supply is available.
- c) Soils are suitable or made suitable to support an individual waste disposal system subject to the approval of the authority having jurisdiction.
- d) Adequate drainage and outlets are available for stormwater run-off. Approval of drainage provisions may be required from the appropriate agency.
- e) Adequate entrances and exits to roads are located to minimize travel hazards. Ribbon development along roadways is discouraged.
- f) Adequate off-street loading, parking spaces and access points will be provided.

- g) Access points will be clearly defined by pavement breaks, landscaping, curbing or other acceptable means.
- h) Outside storage may be limited.
- i) The municipality may impose appropriate controls through available legislation to ensure that the hours of operation of a use do not conflict with adjacent land uses.
- j) The lands will be appropriately zoned and, where necessary, a development agreement will be required.
- k) *Development* on treed areas, steep slopes, ravines, watercourses and any other natural or cultural heritage resource will be avoided.
- l) *Development* may be subject to site plan control.

*Agriculture-related uses* and *on-farm diversified uses* involving development over 500 square metres shall be subject to a zoning by-law amendment. In reviewing a zoning by-law amendment application, the following additional considerations shall be addressed:

- a) Whether the use is more appropriately located in a nearby settlement area;
- b) Whether the use is required on or in close proximity to the agricultural operation to support and complement the agricultural activity;
- c) Whether the use is compatible with the existing farming operation and/or surrounding farming operations; and
- d) Whether the use complies with all other applicable provisions of this Plan and the Regional Official Plan.

Lot creation to accommodate agriculture-related or on-farm diversified uses is not permitted.

#### **4.6.1. Agriculture-related uses**

*Agriculture-related uses* must be small scale, relate directly to and be required in close proximity to the farm operation.

To sustain a market and allow for efficient operation of *agriculture-related uses*, products processed and/or sold by these businesses

may be obtained from surrounding local farm operations or from further away provided the majority of product is from farm operations in the area. To assess whether a proposed agriculture- related use meets the test of providing direct products and/or services to farm operations as a primary activity, the Township may require evidence demonstrating that the use will service the local agricultural industry as the sole or main business activity.

Roadside stands and “pick your own” facilities are limited to distribution of product produced from the farm operation, with parking areas and structures limited in area.

#### **4.6.2. On-farm Diversified Uses**

*On-farm diversified* uses which include *agri-tourism uses*, home industries and home occupations, must be secondary to the principal agricultural use on a property, limited in area and complement and contribute to the sustainability and viability of the farming operation.

#### **4.6.3. Agri-tourism uses**

*Agri-tourism uses* are *on-farm tourism uses* that promote the enjoyment, education or activities related to the farm operation and are permitted subject to the following:

- a) Small scale *agri-tourism uses* that are directly related to agriculture will be permitted as-of-right in the implementing zoning by-law.
- b) *Agri-tourism uses* indirectly related to agriculture that benefit from a farm location may be permitted but will require an amendment to the zoning by-law. These types of *agri-tourism uses* will be considered based on the following criteria:
  - i. the scale of the operation is limited and appropriate to the site and surrounding farming operations;
  - ii. the use has no or minimal impact on, does not interfere with and is compatible with surrounding *agricultural uses*;
  - iii. the use does not generate potentially conflicting off-site impacts including impacts related to *infrastructure* or transportation;
  - iv. the use is limited to low water and low effluent-producing uses, and the site is capable of accommodating the use on private water and private sewage treatment systems and will

not generate the need for additional public *infrastructure*;

- v. for *special events*, the use represents an occasional activity and is not a regularly recurring activity;
- vi. the timing and duration of such uses do not hinder the agricultural operation on the site or on surrounding lands;
- vii. the use does not require *significant* improvements to utilities or *infrastructure* such as roads or hydro services;
- viii. the use complies with all of policies of this Plan and the Regional Official Plan; and
- ix. the proposed use or *site alteration* and/or development will not negatively impact *cultural heritage* resources.

#### **4.6.4. Wineries, Breweries and Distilleries**

Estate wineries, farm wineries, micro-breweries and micro-distilleries may be permitted as an on-farm diversified use, an agriculture related use or a blend of the two, subject to the applicable provisions in this Plan and the following specific provisions.

##### **4.6.4.1 Estate Wineries**

All estate wineries will be subject to a site specific zoning by-law amendment.

The minimum acreage for an *estate winery* will be established in the implementing zoning by-law and will generally be a contiguous parcel of at least eight (8) hectares, with the majority of land being in full vineyard production. This acreage is required to provide a rural setting for the winery, land for the ponding of waste water and associated vineyards. Any existing estate wineries having less than eight (8) hectares in lot area will be recognized in the zoning by-law provided they comply with all other provisions of this plan.

Proposals for properties less than eight (8) hectares will only be considered where it is demonstrated through the preparation of a planning justification report that the proponent can comply with all other policies of this Plan and that the rural character of the property as a vineyard is retained.

The production of wine from an estate winery is subject to the following criteria:

- a) all wines produced will be made from predominately locally grown fruit;
- b) all wines produced are to be made from predominately locally grown fruit crushed and fermented on site; and
- c) an *estate winery* will have the capability to bottle of all the wine produced on site; and,
- d) an approved site plan.

The following uses may be permitted as ancillary to an *estate winery*, provided that the amount of floor space will be limited in the zoning by-law, so such uses are only accessory to and complement the *estate winery*, do not detract from the main use of the land, or adversely impact other uses permitted in the agricultural area:

- i) retail sale of wine;
- ii) hospitality room/area where food and wine is prepared and served;
- iii) the sale of products in an agricultural market; or
- iv) overnight accommodations, such as bed and breakfast.

Estate wineries will be required to locate with direct or convenient access to an improved roadway with sufficient capacity to accommodate the anticipated traffic.

On-site vineyards are an important aspect of the image of an *estate winery* and encourage the use of local fruit in the production of wine. As such, land not intended for building or on-site services will be planted in vineyards. Vineyard planting may be a condition of the amending by-law to be completed prior to the issuance of a building permit.

Where *outdoor events* are permitted as part of an *estate winery* operation, the Township will be provided with a list of the *outdoor events* prior to the event taking place. *Outdoor special events* at an *estate winery* property which require approval from the Township will count towards the maximum number of *outdoor events* permitted on the property.

#### **4.6.4.2. Farm Wineries**

Farm wineries will be permitted in the implementing zoning by-law as part of a farm operation. The minimum acreage required for a *farm*

*winery* will be specified in the implementing zoning by-law.

The production of wine from a *farm winery* will be subject to the following criteria:

- a) the zoning by-law shall specify the detailed criteria, but shall include minimum on site plantings and processing prior to retail sales; and,
- b) retail floor space shall be limited in the zoning by-law to not be more than 18.5 m<sup>2</sup> with gross floor area of the facility not exceeding 500m<sup>2</sup>; and,
- c) an approved site plan.

The retail sale of wine produced on site will be permitted. The amount of floor space will be limited in the implementing zoning by-law so as not to detract from the main use of the land and not adversely affect other uses permitted in the agricultural area.

To extend the operating season of wineries, allow the efficient operation of processing facilities and contribute to the ongoing viability of the farm some product may be obtained from surrounding local farm operations or from other parts of Ontario provided the majority of product is from the farm or from surrounding local operations. Such facilities may require a site specific zoning by-law amendment prior to expanding the operation to include product from other parts of Ontario.

#### **4.6.4.3 Micro-Breweries & Micro-Distilleries**

Micro-breweries and micro-distilleries may be permitted within the Good General Agricultural designation as an on farm diversified use. Micro-breweries and micro-distilleries up to 500m<sup>2</sup> in size will be subject to the applicable farm winery policies and micro-breweries and micro-distilleries over 500m<sup>2</sup> will be subject to the estate winery policies, with the exception that the crops required on site shall be considered as agricultural uses.

#### **4.6.5. Adaptive Re-use**

Adaptive re-use of surplus farm facilities on existing farms for *agriculture-related, on-farm diversified uses or agri-tourism* uses will be encouraged to conserve cultural *Built Heritage Resources* and cultural heritage landscapes that would otherwise disappear as a result of no longer being required for farm purposes.



#### 4.6.6. Special Occasion Facilities

Special events may be permitted within the Good General Agricultural designation as an on farm diversified use. Special events up to 500m<sup>2</sup> in size will be subject to the applicable farm winery policies and special events over 500m<sup>2</sup> will be subject to the estate winery policies, with the exception that the crops required on site shall be considered as agricultural purposes. All special occasion facilities shall require a rezoning and will be subject to site plan control.

**2.2.2.** The text of the Township of West Lincoln Official Plan is hereby amended by adding the following definitions to Section 19 of the Township of West Lincoln Official Plan and by amending the order of existing terms such that alphabetical order of the definitions is achieved upon consolidation.

- **Estate Winery:** A lot on which buildings and structures are used for the making of wines produced predominately from locally grown fruits.
- **Event, Outdoor:** an event held in the open air for profit or non-profit; but does not include a *special event* and shall not include garage sales, yard sales, flea markets or other occasional uses.
- **Event, Special:** an event that may occupy all or part of a privately owned property or Township owned property and may include a parade, festival, filming, running event, procession or any other activity that includes one or more of the following:
  - a) Street closures
  - b) Fireworks or pyrotechnics
  - c) Live entertainment
  - d) Temporary structures or tents
  - e) Service of food or alcohol
  - f) Large volumes of vehicular or pedestrian traffic
  - g) Parking demand in excess of on-site capacity
  - h) Service of food including mobile food trucks

A *special event* shall not include garage sales, yard sales, flea markets or other occasional uses.

- **Farm Winery:** a farm on which buildings and structures are used for the making of wines from fruit grown mainly on-site as outlined in the zoning by-law, and which are secondary uses to the farming operation.

## 2.3 LOCATION MAP

Amendment No. 55 is a policy plan amendment which affects all agricultural designated lands with the Township of West Lincoln.

## 2.4 **IMPLEMENTATION**

This amendment will be required to be adopted by Township Council and forwarded to Regional Council for approval. This amendment will be implemented through notification of the Regional Clerk's department of decision to approve. If no appeals are received within the appeal period, the amendment will be in full force and effect.

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Official Plan Amendment Number 55 was adopted by the Council of the Corporation of the Township of West Lincoln by By-law No. 2020-XX in accordance with the provisions of Section 17 (22) of The Planning Act, R.S.O. 1990, amendments made thereto on the XX day of XX, 2020

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Joanne Scime, Clerk

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Mayor Dave Bylsma

I, Joanne Scime, the Clerk of the Corporation of the Township of West Lincoln, hereby certify that the requirements for the giving of Notice, and the holding of at least one Public Meeting as set out in Section 17(22) of the Planning Act, R.S.O. 1990 have been complied with for Official Plan Amendment Number 55.

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Joanne Scime, Clerk