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# Planning Report

To: Mayor and Council, Township of Otonabee-South Monaghan

Subject: Farmhill Wedding/Event Venue – Zoning By-law Amendment Application  
2709 Dillon Road  
Applicant: Jennifer and Matthew Smith  
Agent: Landmark Associates Ltd.

Municipal  
File No.: Z05-19

EcoVue  
File No.: 18-1466-05

Date: March 12, 2019

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## 1.0 Recommendation

It is recommended that Council receive the report dated March 12, 2019 from EcoVue Consulting Services regarding application Z05-19 (Farmhill Wedding Venue).

It is recommended that application Z05-19 be deferred, subject to comments received at the Statutory Public Meeting.

## 2.0 Background

The applicants, Jennifer and Matthew Smith, own a farm property at 2709 Dillon Road (Part of Lots 22 and 23, Concession 9, Otonabee Ward). The applicants intend to establish a wedding and special event venue as an on-farm diversified use that would be accessory to the primary agricultural use on the property.

A pre-consultation meeting was held on August 15, 2018, where it was determined that the applicants would require a Zoning By-law amendment in order to permit the proposed wedding and special event venue. An application for Zoning By-law amendment was received by the Township in February of 2019 deemed complete on February 26, 2019. The application submission was supplemented by a Planning Justification Report completed by Landmark Associates Ltd (Landmark).



## 2.1 Description of Property and Proposed On-Farm Diversified Use

The property is approximately 38 hectares and is located at the corner of Dillon Road and Drummond Line, approximately 2.45 kilometres south of Highway 7. Most of the property is leased out to a farmer as a cattle pasture. However, the applicants also raise sheep and geese on a smaller, fenced-off portion of the property in the vicinity of the existing buildings and structures.

There is an existing single detached dwelling on the property and several agricultural and storage buildings, including: two (2) geese coops, a driveshed, a run-in shed and a small barn for the sheep.

As noted above, the applicants are proposing to establish a “special event venue” that will primarily be used for wedding ceremonies and receptions, but will also host small-scale events such as art classes, outdoor yoga and harvest dinners. The venue will operate primarily on weekends between May and October, with smaller events such as art and yoga classes taking place sporadically during the week. The proposed venue is intended to be of a limited size and scale so as to be considered an on-farm diversified use that is accessory to the primary agricultural use on the subject property (see Section 3.0 of this report).

The proposed wedding and event venue and will primarily be located in three locations on the property:

1. **The Venue Area** (4,532 m<sup>2</sup>) is comprised of a rectangular-shaped area immediately south of a hedgerow located in the southwestern portion of the property. Events and ceremonies will be staged within this area. A temporary 558 square metre tent will be erected within this area and will function as the primary site for wedding and event functions. Temporary, portable washroom facilities will also be located within this area. Smaller events such as harvest dinners or art and yoga classes will also take place within this area.
2. **The Parking Area** (2,863 m<sup>2</sup>), which will accommodate 70 spaces, will provide parking for venue patrons. The lot will be located immediately south of the entrance to the subject property. Due to the relatively long distance between the parking and venue areas, guests will be taken to the venue area via a tractor-driven wagon (other, more accessible means of transport will also be available to guests).



3. **The Bridal Suite** (55.8 m<sup>2</sup>) will be located within the existing single detached dwelling and will provide a private area for the bride and other members of the bridal party to prepare for ceremonies.

All food services will be provided by outside caterers and transported to the venue from off-site. Drinking water will be provided via bottled water or portable drinking water stations. Liquor will be available for events and will be served by bartenders employed by the property owners.

## Phase 2

At this point, the applicants are prepared to operate the proposed venue within a temporary structure (tent). However, it is the intent of the applicants to eventually construct a permanent building in place of the tent structure. Due to the uncertainty of when it will be constructed, the applicants have not provided any plans or proposals related to the permanent structure.

It should also be noted that the applicants maintain an existing home occupation (photography studio) within the existing single detached dwelling. Since a home occupation is an existing permitted use within the Rural (RU) Zone, the proposed Zoning By-law amendment will not include any reference to this use. Furthermore, it is our opinion that this home occupation – although considered an on-farm diversified use – should be considered separate from the proposed wedding/event venue.

Further details of the proposed on-farm diversified use can be found in the Planning Justification Report provided by Landmark.

## **3.0 Planning Review**

The Zoning By-law amendment to permit the proposed special event venue must be evaluated for consistency and conformity with the applicable Provincial and local land use planning documents. These documents include the Growth Plan for the Greater Golden Horseshoe, the Provincial Policy Statement (and associated guidelines), the County of Peterborough Official Plan and the Township of Otonabee-South Monaghan Official Plan and Zoning By-law. Below is a summary of the proposed amendment in the context of these documents.



### **3.1 Growth Plan for the Greater Golden Horseshoe**

The Township of Otonabee-South Monaghan is located within Greater Golden Horseshoe and is subject to the Growth Plan for the Greater Golden Horseshoe (Growth Plan). As per Section 4.2.6.1 of the Growth Plan, the Province has identified an Agricultural System (AS) within the Growth Plan area that identifies and designates prime agricultural areas, regardless of existing designations in local Official Plans. As shown on this mapping, the subject property is located within the AS. Therefore, the property is subject to the prime agricultural area policies within the Growth Plan and the Provincial Policy Statement (see below).

Although there are some policies associated with the AS in the Growth Plan, the applicable prime agricultural policies are found in the Provincial Policy Statement.

### **3.2 Provincial Policy Statement and Publication 851**

Since the subject property is considered prime agricultural and is not located within a settlement area, Sections 1.1.4 (Rural Areas) and 2.3 (Agriculture) of the Provincial Policy Statement (PPS) apply.

Section 1.1.4 i) states that healthy, integrated and viable rural areas should be supported by “*providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3*”.

Furthermore, Section 2.3 of the PPS states that in permitted uses in prime agricultural areas will be limited to “*agricultural uses, agriculture-related uses and on-farm diversified uses*”. An on-farm diversified use (OFDU) is defined in Section 6.0 of the PPS as:

*[a use] that [is] secondary to the principal agricultural use of the property, and is limited in area. On-farm diversified uses include but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.*

In accordance with Sections 1.1.4 i) and 2.3, the Province released Publication 851 (*Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas*) to provide guidance related to the uses listed in Section 2.3 and direction for leveraging existing rural and agricultural assets in a way that promotes a “*thriving agricultural industry and rural economy*”.

Publication 851 also provides some specific examples of OFDUs and guidelines for determining the appropriate size and scale of an OFDU. Given that the PPS definition does not provide an exhaustive list

of OFDUs, nor what constitutes “*limited in area*”, Publication 851 provides some clarity and direction in this respect. As such, it is important to consult this document when evaluating a proposed OFDU, particularly if local planning documents have not yet been update to reflect these guidelines provided by the Province (an exercise that the Township is currently undertaking – see below).

### **3.2.1 On-Farm Diversified Use Guidelines**

As previously mentioned, the proposed special event venue has been proposed by the applicant as an on-farm diversified use (OFDU). According to Section 2.3.1 of Publication 851, an OFDU must meet the following criteria:

1. **Located on a farm** – A farm is considered to be a “*property that is actively in agricultural use*”.
2. **Secondary to the principal agricultural use on the property** – The agricultural use must remain “*the dominant use on the property*”. The OFDU must be secondary, relative to the agricultural use, in “*spatial and temporal terms*”. Spatial terms are measured by the “limited in area” metrics that are described below. The temporal considerations are usually applied when considering uses that are “*temporary or intermittent, such as events*”. The occurrence of events as part of the OFDU should not interfere with the primary use (i.e. interfering with crop cycles or other agricultural uses in the area).
3. **Limited in area** – It is stated in Section 2.3.1 that limited in area will generally mean limited relative to the size of the farm property on which the OFDU is located. As a general rule, the Province recommends that an OFDU not exceed more than 2% lot coverage of the total area of the property to a maximum of 1 hectare. This includes all buildings, structures, parking areas, laneways, storage or any other component of the OFDU that is dedicated *solely* for the OFDU. Therefore, laneways that are shared between the primary agricultural use and the OFDU are not counted towards this lot coverage calculation. Furthermore, existing buildings on the property that are used wholly or in part for the OFDU are only counted at 50% of their total footprint (or 50% of the part of the building used for the OFDU) towards the OFDU lot coverage total.
4. **Includes but is not limited to home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products** – This is the definition provided within the PPS. As noted above, this is not an exhaustive list of uses and OFDUs that meet all other guidelines should be considered to meet this definition.



5. **Shall be compatible with, and shall not hinder, surrounding agricultural operations** – The Guidelines state that compatibility with surrounding agricultural operations is generally based on potential impacts from the proposed OFDU on normal farm practices. Uses that attract large numbers of people may create traffic or noise impacts that could interfere with nearby farm operations. In demonstrating compatibility, OFDUs must also meet all applicable environmental standards and not undermine the agricultural nature of the area.

An evaluation of the proposed OFDU on the subject property in the context of these requirements is described below:

### **1. Located on a farm**

The proposed OFDU will be located on an active farm. As mentioned, the applicants rent out the property to a local farmer for cattle grazing. The applicants also raise sheep and geese on the property.

### **2. Secondary to the principal agricultural use on the property**

The agricultural uses described above are understood as the primary land uses on the subject property. The proposed OFDU on the subject property will not exceed the maximum area (2% of the total lot area) described in the Guidelines. Furthermore, full-scale events will only take place during the weekends between May and October, while yoga and art classes (and other similar small-scale gatherings) will take place infrequently during the week within this time frame. Therefore, it is our opinion that the proposed OFDU will be secondary to the principal agricultural use in both spatial and temporal terms.

### **3. Limited in Area**

According to the Planning Justification Report, the total area that will be used for the proposed special event venue will be 7,451 square metres (1.84 acres). However, since the bridal suite will be located within the existing single detached dwelling, only 50% of the total area of the suite is counted towards the total OFDU area (in accordance with the Guideline)s. When applying this reduction, the total area dedicated to the OFDU will be 7,423 square metres (1.83 acres). This area constitutes 1.95% of the total lot area (38 hectares or 94 acres), which is below the maximum area permitted for an OFDU.



That said, it is our opinion that the proposed grass laneway between the existing single detached dwelling and the primary venue area should be counted towards the overall OFDU area. This portion of the property is currently part of an area used for grazing and there is no indication that it is a dedicated farm laneway. Air photos and site photos provided indicate that it is a lightly-worn path across the field to the nearest opening in the hedgerow. While farm vehicles appear to use this path, this area is still used as part of the pasture for grazing animals.

Furthermore, this proposed laneway must also be upgraded with a stable surface to allow for fire and emergency access. This assures that this laneway will be taken out of agricultural production in order to accommodate the OFDU. Although this is permitted under the guidelines, portions of the property that are removed from agricultural production must be counted towards the OFDU area.

Therefore, the extent of the size of the proposed OFDU is unclear until a calculation of the OFDU area includes the proposed laneway.

**4. Includes but is not limited to home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products**

As noted above, proposed OFDU uses that meet all other guidelines within Publication 851 should be considered an OFDU by definition.

**5. Shall be compatible with, and shall not hinder, surrounding agricultural operations**

In our opinion, the proposed special event venue will be compatible with the surrounding agricultural operations. As noted in Landmark's Planning Report, the venue area will be a significant distance from the nearest agricultural operation (763 metres) and will be buffered by a number of trees and hedgerows. In our opinion, this will provide a suitable distance from a noise impact perspective. In addition to the natural buffers, the Planning Report outlined several mitigation measures will be implemented during wedding events and ceremonies, as follows:

- During wedding events, speakers will only be permitted within the tent and/or permanent building, with the exception of ceremonies and cocktail hours.
- The tent will have "walls" extending to the ground for greater sound absorption.



- Within the tent, speakers will be located away from the “walls” in order to prevent increased sound amplification.
- Speakers will be placed on sound absorbing pads and directed towards the ground.
- Speakers will be oriented towards the east in order to minimize impacts to the closest receptors and utilize nearby treed areas for sound absorption.
- Straw bale sound walls will be installed outside of the tent in the direction the speakers are oriented.
- The volume of music shall not exceed 85 dB. Sound limiters will be required on sound systems in order to ensure this limit.

Furthermore, it is our opinion that there will be no negative impacts on surrounding agricultural operations from a traffic perspective. The entrance to the subject property is a significant distance from adjacent farm properties and does not present any site line issues. The existing entrance will be upgraded in accordance with the Township’s commercial standards.

An event with a maximum number of guests and staff will generate a larger than normal amount of traffic on Dillon Road and Drummond Line. However, the existing low level of traffic on these roads, together with the relative infrequency of large events (no more than once a week from May to October), will ensure that there will likely be no long-term road capacity issues. In addition, many guests will be shuttled to and from events, which will further decrease impacts to local roads.

From an environmental perspective, the proposed area to be rezoned will be located beyond 30 metres from the nearest natural heritage feature on the subject property.

Therefore, it is our opinion that the proposed event facility generally meets the criteria of Publication 851 and the PPS. That said, it must be confirmed that the proposed grassed laneway will be upgraded to a stable surface for emergency access. Furthermore, the upgraded laneway – as proposed – must be included with the total OFDU calculation.



### **3.3 County of Peterborough Official Plan**

The subject property is identified within the Rural and Cultural Landscape within the County and is subject to the policies therein. This Section generally includes policies that direct local municipal planning policy. As per Section 4.3.3.2 (Agriculture), “*secondary uses [on-farm diversified uses] and agriculture-related uses as defined in the Provincial Policy Statement will be compatible with, and will not hinder, surrounding farm operations*”. It is further stated that “*[these] uses shall be limited in scale and the local plans will include criteria for the uses*”.

It is our opinion that the proposed OFDU meets all of the requirements of the PPS and will not hinder the surrounding agricultural operations. However, as noted above, the applicant must confirm that the proposed venue is limited in scale with the inclusion of the proposed laneway.

An analysis of the proposed use in the context of the local official plan is provided below.

### **3.4 Township of Otonabee-South Monaghan Official Plan**

The subject property is designated Rural, according to Schedule “A – Map 4” to the Township of Otonabee-South Monaghan Official Plan. However, since the subject property is located within the Growth Plan Agricultural System, the policies of the Agricultural designation apply.

According to Section 5.8.2 (e), on-farm diversified uses (OFDUs), including “*special events facilities such as farm weddings*” are permitted within the Rural designation provided the uses are “*limited in area and [are] clearly secondary to the principal use of the farm property for farming purposes*”. An OFDU must also meet the following criteria (non-applicable criteria have been omitted):

*(i) A secondary use shall be conducted only by persons who reside on the farm property and whom are involved in conducting farm operation;*

*(ii) The use must be clearly secondary and incidental to the principal use of farming on the subject property. There should be no loss of good and/or productive farmland;*

*(v) Where a permitted on-farm diversified use may generate additional traffic beyond that which is normally associated with a principal agricultural use of a property, the roads authority having jurisdiction may require a traffic impact assessment.*



*(vi) On-farm diversified uses shall not be placed in a separate zone category in the implementing Zoning By-law, but rather shall be considered as a permitted use in the Agricultural Zones established in the Zoning By-law. The Zoning By-law shall establish provisions for on-farm diversified uses that are consistent with the criteria contained in this section.*

As discussed in Section 3.2 of this report, it is our opinion that the proposed use is generally limited in scale. However, the applicant must confirm that the inclusion of the proposed laneway within the OFDU area will still meet the requirements of Publication 851.

The proposed venue will be conducted by the persons residing on the property, who are also involved with conducting the farm operation. The use will be secondary to the primary agricultural operation and it is staff's position that a traffic impact assessment is not required as part of the ZBA. Since the Township Zoning By-law has not yet been amended to permit OFDUs within the Rural (RU) Zone, a site-specific zone will be applied to the subject lands that will permit the proposed event venue.

Overall, it is our opinion that the proposed OFDU generally meets the requirements of the Township Official Plan.

As Council is aware, Township staff (with its planning consultant) are currently undertaking the process of amending the Official Plan in order to introduce new policies for OFDUs. These policies will generally reflect the Guidelines of Publication 851 discussed above. While not in full force and effect, it is important that new OFDUs are generally consistent with these policies. It is our opinion that the proposed OFDU and associated Zoning By-law amendment will be consistent with the General OFDU Amendment.

### **3.5 Township of Otonabee-South Monaghan Zoning By-law 2010-65**

According to Schedule "A – Map 4" to the Township of Otonabee-South Monaghan Zoning By-law 2010-65, the subject property is zoned the Rural (RU) Zone and the Environmental Protection (EP) Zone. As noted above, the Township of Otonabee South-Monaghan Zoning By-law does not permit OFDUs as accessory uses within any zone. Therefore, an amendment to the Zoning By-law is required in order to permit the OFDU and the site-specific aspects of the development. It is proposed that a Rural Exception (RU-48) Zone be applied to portions of the property where the OFDU will be established. This includes the areas described as the "Venue Area", the "Parking Area", a portion of the existing dwelling unit for a "Bridal Suite" and the proposed laneway.



No portions of the property that are currently within the EP Zone will be rezoned.

As with the General OFDU Amendment to the Official Plan, the Township is concurrently undertaking the process of amending the Township Zoning By-law to introduce new provisions related to OFDUs. As noted below, the proposed amending By-law affecting the subject property will be drafted in a way that will be compatible with any new provisions introduced through a General OFDU Zoning By-law Amendment.

#### **4.0 Description of Proposed Zoning By-law Amendment**

The proposed Zoning By-law amendment will rezone the portions of the property dedicated to the OFDU from the Rural (RU) Zone to the Rural Exception 48 (RU-48) Zone. The RU-48 will specifically permit the proposed *“wedding and special event venue”* as an accessory on-farm diversified use within the areas specified above. This includes the *“a 4,532 m<sup>2</sup> area for staging weddings, ceremonies, special events, art or yoga classes, or other similar events, classes and functions, and shall include only temporary buildings and structures for the use thereof”*.

Some highlights of the proposed RU-48 Zone:

- The proposed wedding and special event venue will be permitted in the RU-48 Zone *“in addition to uses permitted within the Rural (RU) Zone”*. This will ensure that when the proposed General OFDU Amendment to the Zoning By-law is approved, and OFDUs are permitted as of right, the landowner (and future landowners) will be not be limited to only the proposed event venue as a permitted OFDU.
- Furthermore, future OFDUs will not be limited to the portions of the property zoned the RU-48 Zone. When the General OFDU Amendment is passed, the landowner may establish an OFDU on other portions of the subject property, subject to the OFDU provisions of the Zoning By-law.
- Section b) (iii) of the site-specific By-law amendment will provide the applicants with the opportunity to move forward with a permanent venue building as part of Phase 2. This provision requires that the applicant demonstrate that adequate private water and wastewater servicing can be provided to the building. The text for this provision is similar to the text that will be introduced as part of the General OFDU Amendment.



The By-law amendment will also include the Site Plan provided by the applicant as Schedule “B”. This will ensure that each component of the OFDU is developed in accordance with the proposal. Once the total area of the OFDU is confirmed, we will provide a Schedule “A” and “B” to the By-law amendment for Council’s consideration.

## 5.0 Summary and Recommendation

It is our opinion that the proposed Zoning By-law amendment to permit the special event venue on the subject property is generally consistent with the Provincial Policy Statement (including Publication 851) and conforms with the Growth Plan for the Greater Golden Horseshoe, the County of Peterborough Official Plan and the Township of Otonabee-South Monaghan Official Plan and Zoning By-law.

However, the applicant must include the proposed laneway between the dwelling and the proposed venue area as part of the on-farm diversified use (OFDU) calculation. The applicant must then confirm that the new total area dedicated to the OFDU meets the Guidelines of Publication 851. Should the revised total area of the OFDU exceed 2% of the total agricultural parcel, the applicant must provide justification for the exceedance.

Therefore, we respectfully request that the Township defer application Z05-19 back to staff, subject to confirmation of the OFDU area and any additional agency or Township department comments, as well as any comments resulting from the Statutory Public Meeting.

Respectfully Submitted,

**ECOVUE CONSULTING SERVICES INC.**

  
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J. Kent Randall B.E.S. MCIP RPP  
Manager and Senior Planner

