

**PRELIMINARY PLANNING POLICY JUSTIFICATION REPORT
AND
IMPACT ANALYSIS**

**For: Karen Elizabeth Johannesen-Wilson
9860 Regional Road 20
Township of West Lincoln , Regional Municipality of Niagara**



SOUTH COAST CONSULTING

**189 Clare Avenue
Port Colborne, ON L3K 5Y1**

Phone: 905-733-8843

Email: southcoastofcanada@gmail.com

SUMMARY

TYPE OF STUDY: <u>Supplementary</u> Planning Policy Justification Report and Impact Analysis
DATE: 2025-06-06
AUTHOR: Steven Rivers, RPP, MCIP
OWNER / AGENT: Karen Elizabeth Johannesen-Wilson
ADDRESS: 9860 Regional Road 20, West Lincoln
ROLL #: 260203001143900
LEGAL DESCRIPTION:
APPROVAL AUTHORITIES: Township of West Lincoln
<p><i>DEVELOPMENT PROPOSAL</i></p> <p>The subject property on the south side of Regional Road / Highway 20, west of Fulton near the boundary of Hamilton, has a total area of about 5 hectares and frontage on the Highway 20 / Regional Road 20. The subject property has an existing dwelling, accessory buildings and structures and abuts an existing contractor's yard, agricultural uses, and large-lot rural residential uses.</p> <p>The current and proposed future <i>agricultural use</i>, is tapping maple trees on the subject property. The <i>agri-tourism value-added use</i> is production and sale of maple syrup from the sap collected on site. The <i>on-farm diversified use</i> is the seasonal exotic car tour home industry. The carport and garage are used to store up to 12 cars. An on-site "porta-potty" provided for the occasional use of customers is maintained by Glanborough Pumping.</p> <p>Seasonal Exotic Car Tours</p> <p>The <i>seasonal exotic car tour</i> business lets customers drive exotic cars from May to November. With over 20 years of experience, GTA Exotics provides customers the opportunity to explore Niagara while driving exotic cars for a day. There are five (5) cars per tour with up to ten (10) customers, two (2) per car. The tours run from 10 AM to 6 PM typically once a day on Wednesdays, Thursdays, and Fridays, and twice a day on Saturdays and Sundays.</p> <p>A Global Positioning System tracking system monitors the location and speed of the cars with a lead and follow cars with employees controlling speed. The cars have modified mufflers to be quieter. The business is endorsed by the Ontario Provincial Police for promoting safe driving. Three (3) routes are used to explore different local and regional cultural landscapes. The tours stop at various local agricultural attractions, restaurants, or stores to eat or buy souvenirs.</p>

Current and Proposed Maple Syrup Production *Agri-tourism Value-Added Use*

Current Production

Based on an assessment by White Meadows Farms, there are about 800 to 900 trees capable of being tapped and as stated in the Farm Business Plan the subject property has mature maple trees currently tapped to produce sap for maple syrup. Trees are currently tapped between Sinkhole Creek and Regional Road 20. The “sugar shack” is located on a neighbouring property, 2483 Westbrook Road. Maple sap and syrup production starts the end of February and goes till the end of March. Marketing is all year. At present bottling is done in the accessory buildings on the subject property.

Future Production

The viability of the business plan is supported by the proposal for the expansion of the tapping equipment. The owner has an agreement with White Meadows Farms leading to a \$50,000.00 investment in new tapping equipment. The installation of the equipment will start in the fall. The maple syrup will be produced at and kept at White Meadows Farm for sale, and some will be provided for sale to the *seasonal exotic car tour* customers in addition to the maple syrup continued to be made on site.

Planning Act Summary

The proposed development satisfies the *Planning Act* provincial interests by protecting ecological systems and agricultural resources over the long term. No land is taken out of agricultural production and there is no proposed use other than agriculture in the natural heritage system. The proposal has no negative impact on the financial well-being of the Province, Region, or Township.

Provincial Planning Statement and Official Plan Summary

Located on a Farm

Given maple syrup is produced from sap collected from trees on the subject property and sold for a profit, the subject property is a farm, and the maple syrup production and sale are a *value-added use*.

Limited Area

The proposal satisfies the intent of the *Provincial Planning Statement* criterion that the use should be secondary to the principal *agricultural use* on the subject property, and it is compatible with surrounding agricultural operations.

The uses exceed the *Provincial Planning Statement* recommended area of *existing buildings or structures for on-farm diversified uses* by about 67 square metres. Much of the area exceedance should be considered double counting. The 124 square metres of the carport is used for storing the cars used by the customers of the tours. Because the tour cars are not there when customers are present, the carport can also be used to park the customer's cars.

The carport can provide eight (8) spaces for customers parking in when the cars used for the tour. The eight (8) parking spaces along the west side of the cleared area, west of the carport, are redundant and may not be needed by customers.

Reducing the total area of the *existing buildings or structures* used by the area of the redundant carport parking because of the double counting is reasonable. Removing the carport area results in a reduction of the total area of the buildings used from 266 square metres to 204 square meters or about three (2.5) percent more than that the recommended approximately 199 square metres.

Compatibility

The *seasonal exotic car tour home industry* satisfies *compatibility* considerations:

- Its limited size and seasonal nature do not hinder agricultural operations.
- It is appropriate to available rural services and infrastructure.
- It keeps the agricultural / rural character of the area.
- It can meet all applicable environmental standards.
- The cumulative impact is limited and does not undermine *agricultural use* of the subject parcel or the area.
- It does not negatively impact the *prime agricultural area* for long-term use for agriculture because it ensures the continued *agricultural use* of the subject property and by not taking agricultural land out of production.

The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses*:

- Build upon rural character and use rural amenities of the natural and agricultural resources on and surrounding the subject property and Niagara's agricultural and scenic assets.
- Use rural road infrastructure efficiently.
- Promote diversification of the economic base and employment opportunities through agricultural goods and tourism services, including value-added maple syrup products and the sustainable use of agricultural resources.
- Provide sustainable and diversified tourism, including leveraging Niagara's historical, cultural, and natural assets.
- Conserve biodiversity in the area because no new structures are proposed that would have a negative impact on the natural heritage features on the surrounding properties and considers the ecological benefits provided by nature thorough the maple syrup production activities.
- Provide an economic activity in the *prime agricultural area* complying with the *Provincial Planning Statement*.

The *seasonal exotic car tour home industry* is *compatible* and coexists with surrounding agricultural operations because it:

- Does not displace agricultural land, within the limits discussed under the *Provincial Planning Statement* “limited in area” criterion.
- Does not require new structures or site grading and / or drainage.
- Meets *compatibility* requirements (i.e., does not require significant emergency, or water and wastewater services, and keeps reasonable noise and traffic levels in the area).
- The frequency and timing have no clear interference with cropping cycles or other *agricultural uses* on the farm or in the surrounding area.
- No land is being taken out of agricultural production – the *single detached dwelling, accessory buildings and structures*, landscaped area, driveway, and septic tank and filter bed already exist with no need for expansion.
- Agriculture stays the main land use in *prime agricultural areas*; - no land is taken out of agricultural use.
- The retail part is only limited storage of bottles of maple syrup produced by White Meadows and on the subject property from the trees on the west side of the house to the road, for sale to the *seasonal exotic car tour* customers.
- Off-site impacts are limited because the tours are:
 - Five (5) or fewer cars with modified mufflers to reduce noise.
 - Traveling at controlled safe speeds on public roads using Global Positioning System trackers and lead and follow cars.
 - Not changing the agricultural-rural character of the area.

The *seasonal exotic car tour home industry* supports agriculture in West Lincoln and Niagara by providing opportunities for farm visits and sales of local produce at farm markets and roadside stands selling local produce. The *seasonal exotic car tour home industry* co-exists with agriculture without conflict.

As discussed above, *seasonal exotic car tour home industry* can be accommodated *compatibly* and coexist with surrounding agricultural operations. It:

- Is located on a farm.
- Is secondary to the principle *agricultural use* on the subject property.
- Can be limited in area by zoning.
- Is *compatible* with and does not hinder surrounding *agricultural uses*.
- Builds upon rural character and uses rural amenities of the natural and agricultural resources on and surrounding the subject property and Niagara’s agricultural and scenic assets.
- Safely uses rural road infrastructure with not impacts.
- Promotes diversification of the economic base and employment opportunities through agricultural goods and tourism, including *value-added* maple syrup products and the sustainable use of agricultural resources.

- Provides sustainable and diversified tourism, including leveraging Niagara's historical, cultural, and natural assets.
- Conserves biodiversity in the area because no new *structures* are proposed that would have a negative impact on the natural heritage features on the subject property or surrounding properties and considers the ecological benefits provided by nature thorough the maple syrup production activities.
- Takes no land out of agricultural production – the *single detached dwelling, accessory buildings and structures*, landscaped area, access laneway, and septic tank and filter bed already exist with no proposed expansion.
- Agriculture stays the main land use in *prime agricultural areas*; - no land is taken out of *agricultural use* by the *seasonal exotic car tour home industry* and the *agri-tourism value-added uses*.
- The retail component is limited to storage of bottles of maple syrup produced from sap currently collected from the trees on the subject property and will continue to be collected from the trees on the west side of the house to the road in cooperation with the neighbouring property owner and in the future from sap collected on the subject property and processed by White Meadows Farms, for sale to the *seasonal exotic car tour home industry* customers as part of their experience.
- Off-site impacts are minimal because the tours are:
 - Five (5) or fewer cars changed with mufflers to reduce noise.
 - Travelling at controlled safe speeds on public roads using Global Positioning System trackers and lead and follow cars.
 - Not changing the agricultural-rural character of the area.
- Provides an economic activity in the prime agricultural area.

The objectives for Agricultural and Rural Areas in the reviewed planning documents, are, among others, to preserve agricultural lands and provide an efficient and orderly pattern of land uses. In *agricultural areas*, the predominant use of land is to be agriculture. The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* are also provided for.

The appropriate scale for *on-farm diversified uses* may vary depending on the type of use. The following criteria were considered when reviewing the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses*:

- Whether the *uses* are more appropriately located in a nearby *settlement area* or on *rural lands*.
 - A search on REALTOR.ca did not result in any suitable buildings.
 - The value and potential for theft threat of the exotic cars require they be kept in a closely supervised location.
- Whether they are required near the agricultural operation for it to support and complement the agricultural activity.

- Maple syrup production is an intensive 24-7 requiring on site supervision.
- Running the exotic car tours from the subject property offers a “WOW” factor, one of a kind, motivational, private estate feel experience, only possible from the current location.
- *Compatibility* with the existing farming operation and surrounding farming operations is discussed above and in the discussion of the *Provincial Planning Statement* “Compatible With and Not Hinder Surrounding Agricultural Uses” criterion for *on-farm diversified uses*.
- The appropriateness to the site and farming operation is discussed above and in the discussion of the *Provincial Planning Statement* “Limited in Area” criterion for *on-farm diversified uses*.
- Is the proposal consistent with and keep the character of the agricultural area is discussed above and in the discussion of the *Provincial Planning Statement* “Compatible With and Not Hinder Surrounding Agricultural Uses” criterion for *on-farm diversified uses*.
- The proposal does not generate potentially conflicting off-site impacts is discussed above and in the discussion of the *Provincial Planning Statement* “Compatible With and Not Hinder Surrounding Agricultural Uses” criterion for *on-farm diversified uses*.
- The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* do not require a new residential use.
- The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* are low water and low effluent producing uses and the site can accommodate them on private water and private sewage treatment systems.
- The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* do not require improvements to infrastructure.
- The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* comply with all other applicable provisions of the former *Region of Niagara Official Plan*.

The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* should be allowed because:

- The location and use impose no operating constraints and results in no reduction of the efficiency of the farm or surrounding *agricultural uses*.
- Existing adequate and potable water supply and sewage disposal are available.
- Soils are suitable to support the existing individual waste disposal system.
- There is adequate drainage and outlets for stormwater run-off.
- There is an existing adequate entrance to Regional Road 20.
- It is not ribbon development.

- Adequate off-street parking is provided.
- Existing access is clearly defined by landscaping and other acceptable means.
- There is no outside storage.
- The *seasonal exotic car tour home industry* is only slightly over the recommended *gross floor area* for *building and structures*.

The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* should be considered based on the following criteria:

- The scale is limited and appropriate to the site and surrounding farming operations and supports the maple sap and syrup production operation on the farm.
- The proposal has no impact on, does not interfere with, and is *compatible* with surrounding *agricultural uses*.
- The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* do not generate conflicting off-site impacts including impacts related to *infrastructure* or transportation.
- The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* are low water and low effluent-producing uses, the site can accommodate the use on the existing private water and private sewage treatment systems and will not generate the need for more public *infrastructure*.
- No *special events* are proposed.
- The timing and duration of activities do not hinder the agricultural operation on the site or on surrounding lands.
- The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* does not require significant improvements to utilities or infrastructure such as roads or hydro services.
- The proposal complies with all of policies of the *Provincial Planning Statement, Township of West Lincoln Official Plan*, and the former *Region of Niagara Official Plan*.
- The use is small in scale and remains secondary to the principal *agricultural use* of the subject property.
- All property stays designated and zoned agricultural.

Zoning

Zoning by-law amendments are required to amend the existing Agricultural 'A' Zone to accommodate *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* in addition to the principal maple sap collection *agricultural use*. A special Agricultural (A) Zone is requested with following provisions:

- Reduced lot area of the “A-Agricultural Zone” from of 40 hectares from 4.5 hectares (Section 5.3 Table 12).
- Increased **gross floor area in all accessory buildings and structures for a home industry** from 100 square metres to 266 square metres (Section 3.7e)iv)
- Reduced **lot area for an on-farm diversified use** from of 10 hectares from 4.5 hectares (Section 3.11a).
- Increased area of the **lot** devoted to an on-farm diversified uses from 1 percent to 1.3 percent (Section 3.11c)i)
- Reduced **lot area** for an **on-farm diversified use** from of 20 hectares from 4.5 hectares (Section 3.11c)v).

ZONING MATRIX		
Regulation	Requirements	Comment
<i>Lot area (sec 5.3 Table 12)</i>	40ha	4.97ha - relief required
<i>Lot frontage (sec 5.3 Table 12)</i>	45m	91.9m - satisfied
<i>Front yard (sec 5.3 Table 12)</i>	7.5m -	>7.5m - satisfied
<i>Interior side (sec 5.3 Table 12)</i>	5m	26.03m - satisfied
<i>Rear yard (sec 5.3 Table 12)</i>	10m	>10m - satisfied
<i>Lot coverage (sec 5.3 Table 12)</i>	10%	1.89% - satisfied
House	428.34sqm/0.86%	
Carport	124.01sam/0.25%	
Garage	188.14/0.39	
Tent	195.10sqm/0.39%	
<i>Height (sec 5.3 Table 5.3)</i>	11m	<11m-satisfied
<i>Landscaped open space (sec 5.3 Table 5.3)</i>	No minimum	Satisfied
ACCESSORY BUILDING OR STRUCTURES TO A RESIDENTIAL USE		
<i>Ground floor area per building or structure (sec 3.1 Table 1.1 Type 3)</i>	1241.21sqm	266sqm - satisfied
<i>Number of accessory buildings (sec 3.1 Table 1.1 Type 3)</i>	1241.21sqm	266sqm - satisfied
<i>Number of accessory structures per (sec 3.1 Table 1.1 Type 3)</i>	1241.21sqm	266sqm - satisfied
<i>Permitted yards (sec 3.1 Table 1.1 Type 3)</i>	All	satisfied
<i>Front lot line no closer than the main building (sec 3.1 Table 1.1 Type 3)</i>	30m	>30m - satisfied
<i>Interior side lot (sec 3.1 Table 1.1 Type3)3</i>	7.5m	9.56m - satisfied
<i>Rear yard (sec 3.1 Table 1.1 Type 3)</i>	7.5m	>7.5m - satisfied
<i>Height (sec 3.1 Table 1.1 Type 3)</i>	10m	<10m - satisfied
<i>Lot coverage / lot area (sec 3.1 Table 1.1 Type 3)</i>	1241.21sqm	266sqm - satisfied
<i>Setback from main building (sec 3.1 Table 1.1 Type 3)</i>	3m	>3m - satisfied
ON-FARM DIVERSIFIED USES / HOME INDUSTRIES		
<i>Located within a dwelling and / or within an accessory building or structure to a dwelling (sec 3.7a)</i>		satisfied
<i>Residential appearance and character maintained (sec 3.7b)</i>		satisfied
<i>One (1) home industry per lot (sec 3.7c)</i>		satisfied
<i>Within an accessory building or structure or private garage (sec 3.7d)</i>		satisfied
minimum lot frontage (sec 3.7e)i)	24m	91.9m - satisfied
minimum lot area of 4,000sqm (sec 3.7e)ii)	4000sqm	4.9ha - satisfied
gross floor area in all accessory buildings and structures (sec 3.7e)iv	100sqm	266sqm/relief required

Operated by persons whose principal residence is on the lot and two non-residents (sec 3.7f)		satisfied
A sign is permitted		satisfied
No outside storage (sec 3.7i)		satisfied
No noise, vibration, glare, fumes, odour, dust, radio, or television interference (sec 3.7j)		satisfied
agri-tourism / value-added uses permitted (sec 3.7k)ii)		satisfied
Sale of agricultural products produced on the lot (sec 3.7k)v)		satisfied
Minimum lot area of 10ha (sec 3.11a)		4.97ha/ relief required
On a lot containing a permitted agricultural use and associated single detached dwelling (sec 3.11a)		satisfied
On a lot where the specific type of on-farm diversified use is permitted (sec 3.11a)		satisfied
Maximum of three (3) on-farm diversified uses (sec 3.11b)		satisfied
Area of on-farm diversified uses 1% (496.5sqm) or 0.5ha (sec 3.11c)i)	637.25sqm – 1.28%	relief required
Area of existing buildings and structures (sec 3.11c)i)	507.25sqm – 0.53%	
Required parking area (sec 3.11c)i)	130sqm – 0.26%	
Gross floor area 500sqm (sec 3.11c)ii)	266sqm	satisfied
Comply with the requirements of Section 3.1 (sec 3.11c)iv)		satisfied
Comply with zone regulations (sec 3.11c)v discounted by 50% (sec 3.11c)iii)		
Lot area (sec 5.3 Table 12)	20ha	4.9ha - relief required
Lot frontage (sec 5.3 Table 12)	22.5m	91.9m - satisfied
Front yard (sec 5.3 Table 12)	3.75m -	>7.5m - satisfied
Interior side (sec 5.3 Table 12)	2.5m	26.03m - satisfied
Rear yard (sec 5.3 Table 12)	5m	>10m - satisfied
Lot coverage (sec 5.3 Table 12)	5%	1.89% - satisfied
House	428.34sqm – 0.86%	
Carport	124.01sqm – 0.25%	
Garage	188.14 – 0.39	
Tent		
Height (sec 5.3 Table 5.3)	5.5m	<5.5m-satisfied
Landscaped open space (sec 5.3 Table 5.3)	No minimum	Satisfied
Accessory and related to the existing permitted agriculture use (sec 3.11d)		Satisfied
Serve the existing permitted agricultural use (sec 3.11d)		Satisfied
Products produced by the principal agricultural use on the lot (sec 3.11e)		Satisfied
Gross floor area of retail sales shall not exceed 50% of the gross floor area of all buildings and structures used in conjunction with the on-farm diversified uses to a maximum of 200sqm of gross floor area for retail use (sec 3.11f)i)	0	Satisfied
One (1) retail outlet on a lot (sec 3.11f)ii)	0	0 -Satisfied
Area of the lot permitted to be used for outside display and sales (sec 3.11f)iii)	25sqm	0 -Satisfied
Outside display and sales areas lot lines setback (sec 3.11f)v)	3m	0 -Satisfied
Outside display and sales areas and any related structures height (sec 3.11f)vi)	3m	0 -Satisfied
PARKING		
2 spaces for each dwelling unit (sec 3.12.6a) Table 6)		satisfied
On-farm Diversified Use - 1 parking space per 55 sqm gross floor area (sec 3.12.6a) Table 6)		7 - Satisfied

Opinion

The principal *use* of subject property is an *agricultural use* permitted in the **Agriculture 'A' Zone**. The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* are *accessory* and incidental to the maple sap collection *agricultural use*.

The requested Zoning By-law Amendments:

- Conform with the provisions of the *Planning Act*, Provincial Planning Statement and *West Lincoln Official Plan* including the former *Region of Niagara Official Plan*.
- Provide for and allow the permitted *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses*.
- Have no negative impacts.
- Provide for the efficient use existing municipal services.

This proposal represents good planning and will permit the provided for *agri-tourism value-added use production and sale of maple syrup* from the sap collected on the farm and the provided for *on-farm diversified use seasonal exotic car tour home industry*.

Council can be confident that the requested Zoning By-law Amendment is consistent with the Township's Official Plan as well as Provincial policies.

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INTRODUCTION

South Coast Consulting was retained by Karen Elizabeth Johannesen-Wilson to prepare this [Preliminary Planning Policy Justification Report and Impact Analysis](#) for a *Planning Act* application. Zoning by-law amendments are required to amend the existing Agricultural ‘A’ zoning to accommodate the [seasonal exotic car tour business](#), an *on-farm diversified use home industry* and maple syrup production and sale, a value-added *on-farm diversified use agri-tourism use* on the land and *buildings and structures* on the subject property in addition to the principal maple sap collection *agricultural use*.

The subject property, where the [seasonal exotic car tour home industry](#) and the *agri-tourism value-added maple syrup production and retail sales uses* are proposed, is zoned “A-Agricultural” requiring a Zoning By-law Amendments to permit the uses. An Agricultural (A) Zone is requested with special provisions for the following:

- Reduced *lot area* of the “A-Agricultural Zone” from of 40 hectares from 4.5 hectares (Section 5.3 Table 12).
- Increased *gross floor area* in all *accessory buildings and structures* for a *home industry* from 100 square metres to 266 square metres (Section 3.7e)i)
- Reduced *lot area* for an *on-farm diversified use* from of 10 hectares from 4.5 hectares (Section 3.11a).
- Increased area of the *lot* devoted to an *on-farm diversified uses* from 1 percent to 1.3 percent (Section 3.11c)i)
- Reduced *lot area* for an *on-farm diversified use* from of 20 hectares from 4.5 hectares (Section 3.11c)v).

The purpose this [Preliminary Planning Policy Justification Report and Impact Analysis](#) is to:

- Review the proposed *use* of the subject property.
- Provide the planning rationale and justification in support of the Zoning By-law Amendment application.
- Evaluate how the proposal complies in the context of the:
 - Good planning principles, and
 - Applicable policies and provisions of the:
 - [Provincial Planning Statement](#) ,
 - [Township of West Lincoln Official Plan](#) including the former [Niagara Region Official Plan](#) , and
 - [Township of West Lincoln Zoning By-law](#).

The approximately 5-hectare subject property with about 90 metres of frontage on Regional Road 20, with an existing *dwelling* and *accessory buildings and structures*, is designated **Good General Agriculture Area** and impacted by the Regional **Core Natural Heritage System** consisting of Significant Woodland, and Type 1 (Critical) Fish Habitat associated with Sinkhole Creek (these features are considered Key Natural Heritage

Features and Key Hydrologic Features in the former [Niagara Region Official Plan](#), **Good General Agricultural, Natural Heritage System, Environmental Conservation Area, Fish Habitat, Floodplain, Significant Woodlands**, and **Potential Aggregate Resources** in the [West Lincoln Official Plan](#), and zoned “**Agricultural – A**” and “**Environmental Conservation - EC**” and “**Environmental Protection – EP**”. The Environmental Protection ‘EP’ and Environmental Conservation “EC” zones permit *existing uses*, *buildings*, and *structures* and *accessory uses* and the Agriculture (A) Zoning permits *agricultural uses*, a *single detached dwelling* and *accessory uses* including *home industries* in conjunction with a permitted principal use, which in this case is the *agriculture use* of maple sap collection.

The Niagara Peninsula Conservation Authority states there is a regulated water course on the subject property where development cannot occur.

The former [Niagara Region Official Plan](#) policies require the completion of an *environmental impact study* when *development* and / or *site alteration* is proposed within 120 metres of a *provincially significant wetland*, 50 metres of a *significant woodland / significant valleyland*, and / or 30 metres of a fish habitat. The former [Niagara Region Official Plan](#) policies also provide exemptions.

[Pre-consultation](#)

On 2020-08-20 the Township of West Lincoln hosted a formal Pre-consultation Meeting to discuss the uses on the subject property. The Township’s Planning and Public Works Departments, Regional Planning, and Niagara Peninsula Conservation Authority staff attended. The meeting established *Planning Act* applications were needed to accommodate the *seasonal exotic car tour home industry* and the *agri-tourism value-added uses* and an event facility. Background Studies needed include a Planning Justification Report and Private Servicing Plans. The application is no longer seeking the event facility use. There have been several meetings with the Township since the Pre-consultation Meeting and a Township site visit took place on 2025-04-30.

The required Zoning By-law Amendment is for the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* provided for in the planning documents reviewed. The proposal is an example of good land use planning, and it is recommended the requested Zoning By-Law Amendment be approved.

SITE CONTEXT

This section provides an understanding of where the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* is located and characteristics of the subject property and the surrounding area. The subject property, illustrated in *Figure 1, SUBJECT PROPERTY LOCATION*, on the south side of Regional Road / Highway 20, west of Fulton near the boundary of Hamilton, has a total area of 4.97 hectares and about 90 metres frontage. The subject property abuts an existing contractor's yard, *agricultural uses*, and large-lot rural residential uses. The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* are *compatible* with the mixed-use context of the neighbourhood as illustrated on the *Figure 2, ADJACENT LAND USE SCHEMATIC*.

Figure 1: SUBJECT PROPERTY LOCATION

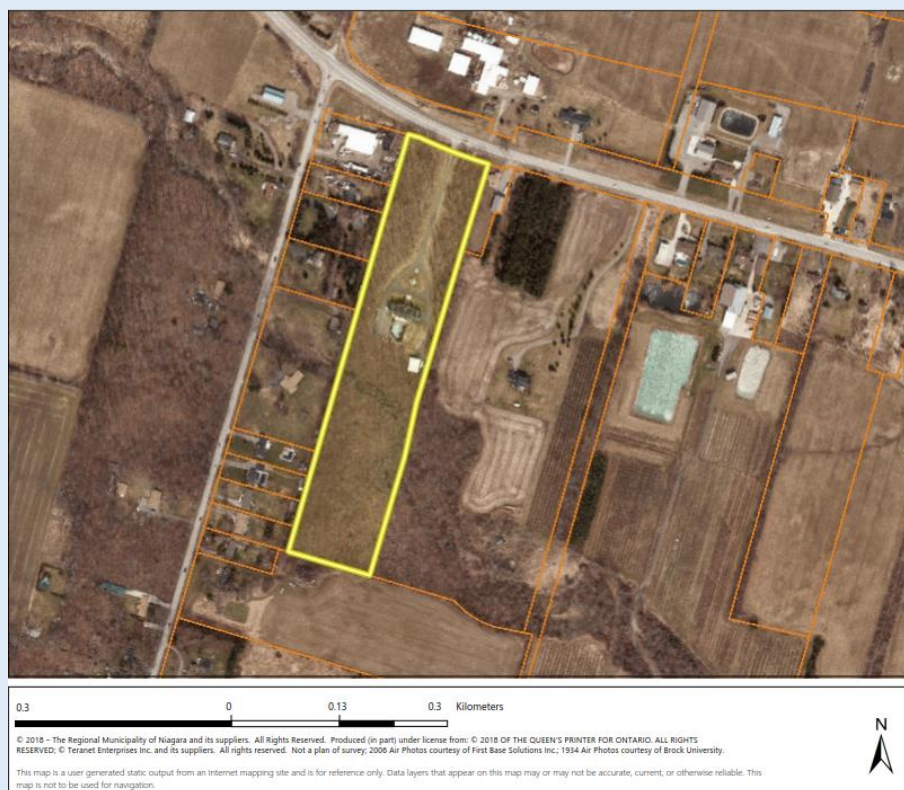
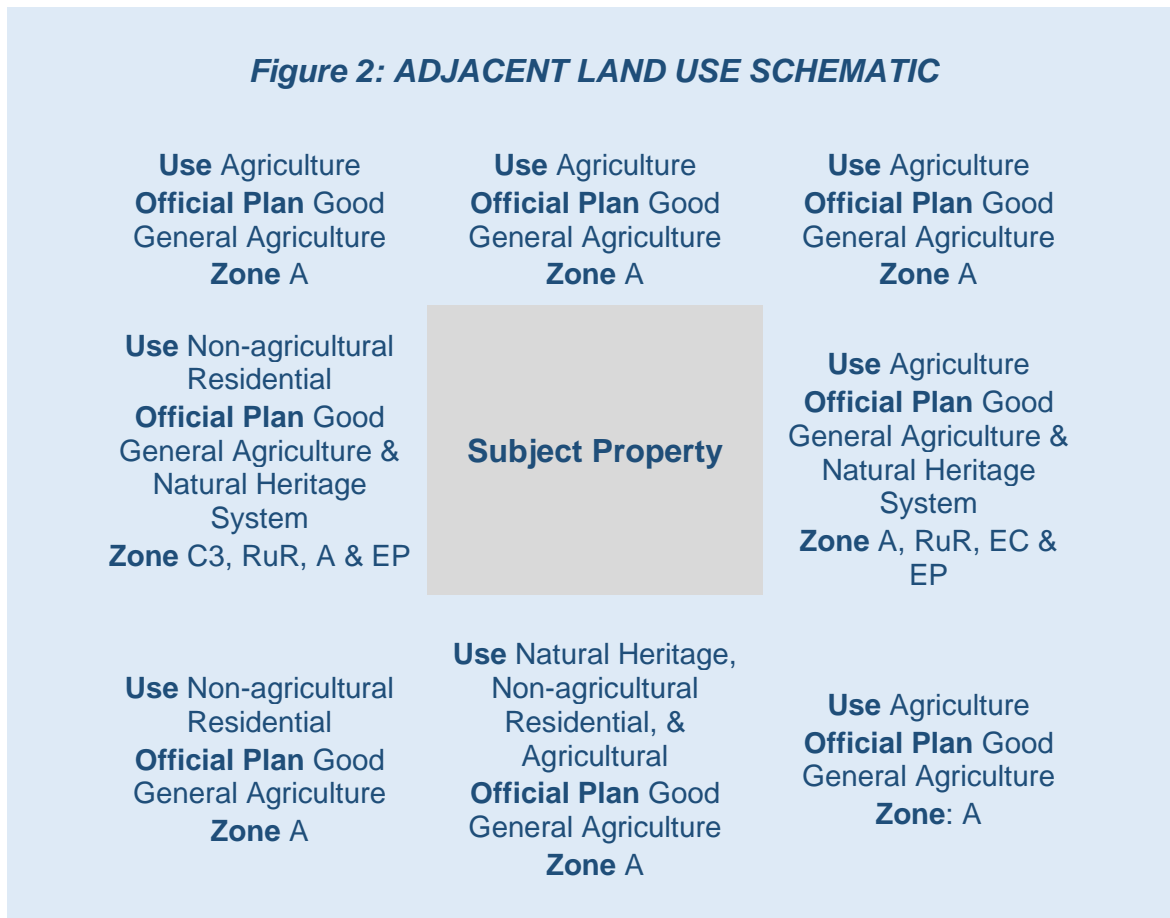


Figure 2: ADJACENT LAND USE SCHEMATIC

The current and proposed future *agricultural use*, is tapping maple trees on the subject property. The *agri-tourism value-added use* is production and sale of maple syrup from the sap. The *on-farm diversified use* is the seasonal exotic car tour *home industry*.

DEVELOPMENT CONCEPT

The approximately 124 square metre carport and the approximately 188 square metre garage are used to store up to 12 cars used by *seasonal exotic car tour home industry* and the *agri-tourism* value-added maple syrup production and retail sales uses. A contracted 4-stall “porta-potty” provided for the occasional use of the *seasonal exotic car tour* customers is maintained by Glanborough Pumping.

Seasonal Exotic Car Tours On-Farm Diversified Home Industry

The *seasonal exotic car tour home industry* lets customers drive exotic cars from May to November. GTA Exotics is the original 100% Canadian, family owned and operated exotic car tour company. With over 20 years of experience GTA Exotics is still the industry leader in exotic car and supercar tours. Customers explore Niagara while driving up to five (5) exotic cars or supercars in one day. There are five (5) cars per tour with up to ten (10) customers, two (2) per car. The tours run from 10 AM to 6 PM typically once a day on Wednesdays, Thursdays, and Fridays and twice a day on Saturdays and Sundays. The tours of five (5) cars do not interfere with traffic.

A GPS tracking system is used to monitor the location and speed of the cars. On the tours there is a lead car and follow car with employees used to control the speed of the cars. The cars have modified mufflers to be quieter. The business is endorsed by the Ontario Provincial Police for promoting safe driving.

The proposal is a seasonal tourism activity supporting the *agricultural use* on the property and in the area providing customers with experience with the sap collection and maple syrup production on the farm and in farming areas in general with visits to agricultural and other business in Niagara. Patrons often stay in local hotels. Three (3) routes are used exploring different local and regional cultural landscapes and the tours typically stop at various local attractions, restaurants, or stores to eat or buy souvenirs. Local businesses are supported including:

- Honsberger Estate Winery.
- Just Eats.
- Redstone Winery.
- Harbour Estates Winery.
- Vineland Estates Winery.
- Bench Brewery
- Tim Hortons.
- Lincoln Line Orchards.
- Cater Me Please and City Farm Catering – both focusing on local, fresh, and regional ingredients with a farm-to-table commitment.
- Various gas stations like Smithville ESSO at Allen’s Corners for snacks, fuel, and nature breaks.

Maple Syrup *Agri-Tourism Value-Added Use*

Current Production

Based on an assessment by White Meadows Farms, there are about 800 to 900 trees capable of being tapped and as stated in the Farm Business Plan the subject property has mature maple trees currently tapped to produce sap for maple syrup. The primary agricultural activity on the subject property is collecting sap to make maple syrup. Trees are tapped between Sinkhole Creek and Regional Road 20. There is the potential to tap more trees. Neighbouring properties, including the property at 2483 Westbrook Road who the owner of the subject property partners with, also have maple trees available for tapping.

Maple sap collection and syrup production generally starts the end of February, goes till the end of March, and marketing is all year. The owner of the subject property and the neighbour produce maple syrup in the sugar shack located on the abutting property at 2483 Westbrook Road. Bottling is done in the accessory buildings on the subject property and 2483 Westbrook Road.

The subject property currently collects sap and produces and sells maple syrup as illustrated in the Web Page: maplesyruptours.ca. Farm visitors can view maple syrup being made and taste locally hand-crafted maple syrup. The maple syrup is currently and will continue to be made on-site allowing visitors to experience the entire process from start to finish. Different flavours in a variety of sizes at prices varying from \$10.00 for a 50-millilitre bottle to \$50.00 for six 50-millilitre bottles can be purchased. Images of the current production process are in *Figure 3, CURRENT MAPLE SYRUP PRODUCTION*.

Farm Business Case

The Farm Business Case outlines the potential for the expansion of the *agri-tourism value-added use* and how viability increases when paired with the *seasonal exotic car tour home industry use*. The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* creates a tourism destination with the income through in-house retail sales to customers, and educational opportunities showing the sap collection and maple syrup production process for customers.

Maple Production Improvement Initiative

This section provides an overview of the maple syrup industry in Ontario and an estimate of the potential economic value of maple syrup production on the subject property. In recent years, the Canadian and Provincial governments supported the diversification of rural economies through the Rural Economic Development Program¹ and the Community Economic Development and Diversification² funding streams.

¹ <https://www.ontario.ca/page/rural-economic-development-program>

² <https://feddev-ontario.canada.ca/en/funding-southern-ontario?OpenDocument>

Figure 3: CURRENTT MAPLE SYRUP PRODUCTION



On 2023-09-26 the governments of Canada and Ontario invested of up to \$1 million over 2 years through the Sustainable Canadian Agricultural Partnership to support productivity and growth in the Ontario's maple syrup sector. The Maple Production Improvement Initiative provided maple syrup producers access to cost-shared funding to supporting a range of activities to enhance their operations. Applicants could receive up to 50% cost-share funding for eligible costs, to a maximum of \$20,000 per project.

The initiative supported purchase and installation of upgraded production equipment increasing productivity, efficiency, and growth, such as reverse osmosis or remote monitoring systems. It also provided funding to cover a part of certain woodlot management activities, including tree marking and the development of a forest plan, to help the operation of eligible businesses.

This initiative was developed following discussions with sector businesses. It built on other actions the government had taken to support the overall agri-food sector's growth. It also followed recent committed investments of up to \$6 million through the Grow Ontario Market Initiative and more than \$68 million through the Ontario Agricultural Sustainability Initiative.

Sustainable Canadian Agricultural Partnership is a 5-year (2023-2028), \$3.5-billion investment by federal-provincial and territorial governments to strengthen competitiveness, innovation, and resiliency of the agriculture, agri-food, and agri-based products sector. This includes \$1 billion in federal programs and activities and a \$2.5 billion commitment that is cost-shared 60% federally and 40% provincially/territorially for programs designed and delivered by the provinces and territories.

The Provincial Government News Release³ stated this initiative was developed following discussions with sector businesses. It built on other actions the government has taken to support the overall growth of the agriculture and food industry, such as recent investments of up to \$12 million through the Grow Ontario Market Initiative, up to \$25 million through the Agri-tech Innovation Initiative, and more than \$68 million through the [Ontario Agricultural Sustainability Initiative](#).

The Sustainable Canadian Agricultural Partnership is a five-year (2023-2028), \$3.5-billion investment by federal, provincial, and territorial governments to strengthen competitiveness, innovation, and resiliency of the agriculture, agri-food, and agri-based products sector. This includes \$1 billion in federal programs and activities and a \$2.5 billion commitment cost-shared 60 per cent federally and 40 per cent provincially / territorially for programs designed and delivered by the provinces and territories.

³ <https://news.ontario.ca/en/release/1004264/governments-helping-boost-production-of-ontario-maple-syrup>

Description of the Operation and why the Location is Appropriate

The subject property is a mostly wooded, approximately 5.0 hectares, with mature maple trees that are and can be tapped for syrup production. Neighbouring properties have trees available for tapping. Currently zoned for agriculture, maple syrup production would make use of the property's existing maple trees. The following section provides a financial projection for a maple syrup operation.

General Financial Projections

To generate a financial projection of the cost and revenue of a maple syrup operation on the Subject property the data from a similar operation was used as a model. *Table 1, CAPITAL START-UP COSTS FOR A POTENTIAL 500 TREE MAPLE SYRUP OPERATION* illustrates the total capital start-up costs for a potential 500-tree maple syrup operation would be approximately \$54,000. 1

Table 1: CAPITAL START-UP COSTS FOR A POTENTIAL 500 TREE MAPLE SYRUP OPERATION

Item	Unit price (price per tree)	Total Cost
Capital Start-up Costs		
Sugar Shack	\$40.33	\$20,166.67
Arch	\$36.30	\$18,150.00
Buckets & Taps	\$30.65	\$15,326.67
Total		\$53,643.33

To generate *Table 2: ANNUAL COSTS AND PRODUCTION VALUE OF MAPLE SYRUP PRODUCTION OVER TIME*, three case scenarios were developed to illustrate production change over time. Operating under the assumption that it will take the owners a few years to scale up production, the following case scenarios present the annual cost / production value for 150 tapped trees in year 1, 250 tapped trees in year 5, and 500 tapped trees in year 10.

The maple syrup operation becomes the most profitable at the 10-year mark when all maple trees are tapped. The owners could increase both the short-term and long-term profitability of the maple syrup operation if they are able to scale up to full capacity in a shorter amount of time and contract with neighbours to tap trees on their properties.

Table 2: ANNUAL COSTS AND PRODUCTION VALUE OF MAPLE SYRUP PRODUCTION OVER TIME

Annual Costs / Production Value	Year 1 (150 Trees)	Year 5 (250 Trees)	Year 10 (500 Trees)
Labour ^a	\$1,710.00	\$2,896.68	\$5,793.37
Packaging	\$363.00	\$614.91	\$1,229.82
Total	\$2,073.00	\$3,761.61	\$7,523.20
Annual production (litres) ^a	198.73	331.22	662.45
Price per litre ^b	\$12.13	\$13.59	\$13.59
Gross annual sales	\$2,410.64	\$4,501.66	\$9,003.31
Revenue	\$337.64	\$740.05	\$1,480.11

^a Average 5- and 10-year CPI applied to annual labour and packaging costs.

^b based on an average of 1.32 litres per tree

^c based on average market prices for maple syrup per litre (see table 1). 2020 market price for year 1 and ten-year historical average for years 5 and 10.

The viability of maple syrup production also greatly increases when paired with secondary economic activities on the property. Secondary activities would allow the property to serve as a tourist destination and would bring in added income through in-house retail sales, special events, and educational opportunities showing the maple syrup production process. More detail on the proposed secondary economic activities is provided in the following section.

Future Production

The viability of the business plan is supported by the proposal for the expansion of the sap collection infrastructure. The owner has an agreement with White Meadows Farms leading to a \$50,000.00 investment in equipment to tap between 800 and 900 trees and collect the sap. The installation of the equipment will start in the fall when the leaves are down and if there is assurance the *home industry on-farm diversified use* can continue followed by processing of the sap and packaging of the maple syrup. The end products will be kept at the White Meadows Farm location for sale and some of the end product will be provided for sale to the *seasonal exotic car tour home industry and the agri-tourism value-added uses* customers at 9860 Regional Road. The sap from tapping trees on the west side of the property between the house and the road will still be processed using the current “sugar shack.”

POLICY AND PLANNING ANALYSIS

The Policy and Planning Analysis:

- Provides the basis for showing why the proposal should be considered and approved.
- Provides an outline of applicable planning policy documents and the regulatory context reviewing specific policies relevant to the proposal.
- Establishes the basis for the applications by explaining how the proposal conforms to the policies reviewed.

In addition to the *Planning Act* the *Provincial Planning Statement* and the *Township of West Lincoln Official Plan* including the former *Niagara Region Official Plan* are addressed as part of the Policy and Planning Analysis.

Planning Act

In *Subsection 1.1* of the *Planning Act* sets out the basis and the purpose of the *Planning Act* to promote sustainable economic development in a healthy natural environment within the means provided and led by Provincial policy and to encourage cooperation and coordination among various interests.

Matters of Provincial Interest

In *Section 2* the *Planning Act* addresses matters of Provincial interest and requires Council to have regard to matters such as the protection of ecological systems and agricultural resources, the conservation of significant interest including: architectural, cultural, historical, archaeological, scientific interest; the adequate provision and efficient use of: transportation, sewage, water services, waste management systems; and Protection of the financial well-being; the protection of public health and safety, among others.

Council Decisions

Subsection 3.5 of the *Planning Act* requires decisions of Council, in respect of the exercise of any authority that affects a planning matter, to be consistent with the *Provincial Planning Statement*.

Zoning By-law Amendments

Section 34 of the *Act* permits a person to request an amendment to a By-law subject to providing the prescribed information and material. The application's required planning review fees, and the supplementary documentation required for the zoning by-law amendment / application are submitted with this *Preliminary Planning Policy Justification Report and Impact Analysis*.

Planning Act Summary

*The proposal satisfies the **Planning Act** matters of provincial interest by protecting ecological systems and agricultural resources over the long term. No land is taken out of agricultural production and there is no proposed use other than agriculture in the nearby natural heritage systems. Since there are no new structures proposed the proposal conserves significant interests. The proposal has no negative impact on the financial well-being of the Province, Region, or Township.*

Provincial Planning Statement (2024)

The **Provincial Planning Statement** provides policy direction on matters of provincial interest related to land use planning and development. The **Provincial Planning Statement** sets the policy foundation for regulating the development and use of land. Land use planning decisions must be consistent with the **Provincial Planning Statement**.

Rural Areas from the Provincial Planning Statement

Policy 2.3.1.1 states *settlement areas* are to be the focus of growth and development. The Provincial Planning Statement defines *rural areas* as *rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas*. **Section 2.5, Rural Areas in Municipalities**, states, in **Policy 2.5.1.**, healthy, integrated, and viable *rural areas* should be supported by, among other things:

- Using rural *infrastructure* and *public service facilities* efficiently.
- Promoting diversification of the economic base and employment opportunities through services including *value-added* products such as the maple syrup production operation.
- Conserving biodiversity and considering the ecological benefits provided by nature, as the proposal does, by not expanding into environmentally sensitive areas.
- Providing opportunities for sustainable and diversified tourism leveraging historical, cultural, and natural assets through businesses such as the *seasonal exotic car tour home industry* and the *agri-tourism value-added uses*.
- Providing for economic activities in *prime agricultural areas*.

Policy 2.5.2. requires in *rural areas*, rural settlement areas are to be the focus of growth and development and their vitality and regeneration is to be promoted. However, **Section 2.6, Rural Lands in Municipalities Policy 2.6.1.**, permits *on-farm diversified uses* like the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses on rural land*. **Policy 2.6.2** promotes development, such as the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses*, sustained by rural service levels, and as required by **Policy 2.6.3.**, appropriate to the *infrastructure* available avoiding the need for uneconomical expansion of this *infrastructure*.

Policy 2.6.2.(d) states, on *rural lands* permitted uses include, among others, *agricultural uses* and *on-farm diversified uses*, the latter of which are defined as uses secondary to the principal *agricultural use* of the property and limited in area. *On-farm diversified uses* include, but are not limited to, *home industries*. Policy 2.6.2.(e) states that on *rural lands* permitted uses include *home occupations* and *home industries*.

Policy 2.6.3 requires development to be appropriate to the planned or available *infrastructure* and avoid the need for the uneconomical expansion of this *infrastructure*.

Policy 2.6.4. encourages the Township to support a diversified rural economy and by protecting agricultural and directing non-related development to areas where it will minimize constraints on agriculture.

While Policy 2.6.5. requires new land uses to comply with the *minimum distance separation formulae*. Ontario Ministry of Agriculture, Food, and Rural Affairs Guideline 35, Minimum Distance Setbacks for Agriculture-Related Uses and On-Farm Diversified Uses, states Minimum Distance Setback I setbacks from *existing livestock facilities* and *anaerobic digesters* will not be needed for land use planning applications proposing *on-farm diversified uses*.

The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses*:

- Build upon rural character and use rural amenities of the natural and agricultural resources on and surrounding the subject property and Niagara's agricultural and scenic assets.
- Use rural road *infrastructure* efficiently.
- Promote diversification of the economic base and employment opportunities through agricultural goods and tourism services, including *value-added* maple syrup products and the sustainable use of agricultural resources.
- Provide sustainable and diversified tourism leveraging Niagara's historical, cultural, and natural assets.
- Conserve biodiversity in the area because no new structures are proposed that would have a negative impact on the natural heritage features on the surrounding properties and considers the ecological benefits provided by nature thorough the maple syrup production activities.
- Provide an economic activity with the potential for growth in the prime agricultural area in accordance with *Provincial Planning Statement* policies.

Natural Heritage from the Provincial Planning Statement

Policies with respect to natural heritage are in Chapter 4: Wise Use and Management of Resources , specifically Section 4.1. Natural Heritage of the *Provincial Planning Statement*. As required by Policy 4.1.1. the natural features and areas will continue to be protected for the long term because no new development is proposed.

As required by [Policy 4.1.2](#), the diversity and connectivity of natural features in the area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, will be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features* and *ground water features*.

[Policy 4.1.9](#), states nothing in [Policy 4.1](#) is intended to limit the ability of *agricultural uses* to continue.

Agriculture from the Provincial Planning Statement

[Policy 4.3.1.1](#) requires the Township to use an agricultural system approach, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*. As required by [Policy 4.3.1.2](#), *prime agricultural areas* are protected for long-term use for agriculture because no land is taken out of agricultural production by the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses*.

The proposed *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* are part of the Niagara region's *agricultural system*. The visits to local and regional agricultural business are part of the *agricultural system*. The *seasonal exotic car tour home industry* and the *agri-tourism value-added uses* supports other businesses, such as local gas stations, which in turn support the *agricultural system* businesses. The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* help to maintain a continuous productive land base for agriculture and support the region's agricultural operations, particularly the wineries, farm markets, and the other commercial services and assets important to the viability of the agri-food sector.

[Policy 4.3.2.1](#) permits *value added agricultural uses*, such as the syrup production and the *on-farm diversified uses* such as *home industries*:

- *Compatible* with, and not hindering, surrounding agricultural operations.
- Secondary to the principal maple sap collection *agricultural use* of the property.
- Limited in area.
- Promoting the enjoyment, education, or activities related to the farm's maple syrup production, and the wineries, orchards, and farm roadside markets.

[Policy 4.3.2.2](#), promotes and protects all types, sizes, and intensities of *agricultural uses* in accordance with provincial standards and [Policy 4.3.2.4](#), permits the principal *dwelling* associated with an agricultural operation in as an *agricultural use*.

Provincial guidance on *home industry on-farm diversified uses* provides the following criteria.

Located on a Farm

Uses such as the proposed *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* must be located on a farm property actively in *agricultural use*. Section 2.1 of the Ontario Ministry Of Agriculture Food And Rural Affairs Guidelines says *agricultural uses* occur on a farm with the expectation of gain or reward.

The Township may require evidence the property is actively farmed. For example, proof may be required that shows the property qualifies for the Farm Property Class under the *Assessment Act, 1990*. The Farm Business Case for Diversified Agriculture and Related uses in *Annex 2* illustrates the agricultural potential of the subject property. The *seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses* are located on a farm. There is an assessment White Meadows Farm for processing sap collected from an increased number of tapped trees.

Given maple syrup is produced from sap collected from trees on the subject property and sold for a profit, the subject property is a farm, and the maple syrup production and sale are a value-added use.

Secondary to the Principal Agricultural Use of the Property

Provincial guidance requires *home industry on-farm diversified uses* to be secondary to the principal *agricultural use* of the property. In other words, *agricultural uses* must remain the dominant land use in term of area of the property. This is measured in spatial and temporal terms. Spatially, the use must be secondary relative to the *agricultural use* of the property.

The spatial limits are addressed below under the “limited in area” criterion. Temporal considerations apply to temporary or intermittent uses. The *seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses* must be compatible with surrounding agricultural operations and the frequency and timing must not interfere with cropping cycles or other *agricultural uses* on the farm or in the surrounding area. Because the *seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses* only use 993 square metres or two (2) percent of the 49,648.65 square metre lot, much less than the recommended 10,000 square metre upper limit it is secondary to the principal maple sap and syrup production *agricultural use* of the subject property, and given the access is directly to Regional Road 20, there is anticipated to be no interference with the *agricultural uses* on the farm or in the surrounding area.

Given the limited area used for the *seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses* they satisfy the Provincial Planning Statement criterion that the use should be secondary to the principal *agricultural use* of the subject property.

The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* are *compatible* with surrounding agricultural operations because:

- No land is being taken out of agricultural production – the *single detached dwelling, accessory buildings and structures*, landscaped area, access laneway, and septic tank and filter bed already exist with no proposed expansion required.
- Agriculture stays the main land use in *prime agricultural areas*; - no land is taken out of *agricultural use* by the *seasonal exotic car tour home industry* and the *agri-tourism value-added uses*.
- The retail component is only limited storage of bottles of maple syrup produced by White Meadow Farm and on the subject property from the trees on the west side of the house to the road, for sale to the *seasonal exotic car tour home industry* and the *agri-tourism value-added uses* customers.
- Off-site impacts are limited because the tours are:
 - Five (5) or fewer cars changed with mufflers to reduce noise.
 - Travelling at controlled safe speeds on public roads using Global Positioning System trackers and lead and follow cars.
 - Not changing the agricultural-rural character of the area.

The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* are *compatible* and coexists with surrounding agricultural operations, because it:

- Does not displace agricultural land, within the limits discussed under the “limited in area” criterion.
- Does not require new *structures* or *site grading* and / or drainage.
- Meets *compatibility* requirements (i.e., does not require significant emergency, or water and wastewater services, and keeps reasonable noise and traffic levels in the area).
- The frequency and timing do not interference with cropping cycles or other *agricultural uses* on the farm or in the surrounding area.

Limited in Area

Like many municipalities West Lincoln limits the scale of *on-farm diversified uses* by

- Limiting the number or place of residence of employees – An *on-farm diversified use* and shall be operated by the *person* or *persons* whose principal residence is the *dwelling* on the *lot* upon which the *on-farm diversified use* is located, and up to a maximum of two (2) *persons* other than the residents of the dwelling are permitted to be employed in the *on-farm diversified use* (*Zoning By-law Nio. 2017-70, Consolidated o July 15, 2019, section 3.11h*) ⁴⁾

⁴<https://www.westlincoln.ca/en/build-and-invest/resources/WL-FINAL-ZBL---as-amended-July-2019.pdf>

- Number of businesses - a maximum of three (3) *on-farm diversified uses* shall be allowed on a lot (*Zoning By-law No. 2017-70, Consolidated on July 15, 2019, section 3.11b*)⁵)
- Floor area of buildings and outdoor storage - *on-farm diversified uses* shall not exceed the following size limits: (*Zoning By-law No. 2017-70, Consolidated on July 15, 2019, section 3.11c*)⁶)

These factors do not have a direct bearing on the amount of farmland displaced by the uses. The “limited in area” requirement should be based on the total land area unavailable for agricultural production because of the *seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses* (i.e., the footprint occupied by the uses, expressed as a percentage of lot coverage). The area calculation should account for all aspects related to the *seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses* such as buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking, and new access roads. The lot coverage ratio should be based on the size of the parcel of land where the use is located. The rationale for using a lot coverage ratio is built on the premise that a large property can accommodate a larger *on-farm diversified use* than a small property while meeting *compatibility* requirements.

The *seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses* can be accommodated *compatibly* and can coexist with surrounding agricultural operations.

The *Ontario Ministry of Agriculture Food and Rural Affairs Guidelines* recommend the area of existing laneways not be included in area calculations. The footprint of an *on farm diversified use* in an existing residence (the office space) or outbuildings (the garage and carport) may be calculated at 50% of the area of the building. However, 100% of the area needed for parking should be included.

The *Ontario Ministry of Agriculture Food And Rural Affairs Guidelines* recommend “limited in area” be relative to the size of the farm property on which the *on-farm diversified use* is located. The size of the entire farm property and not just the portion of an agricultural use, should be considered. The *Ontario Ministry of Agriculture Food and Rural Affairs Guidelines* recommend the standard for the acceptable area occupied by on-farm diversified uses is up to 2% of a farm parcel to a maximum of 1 hectare (10,000 square metres).

⁵<https://www.westlincoln.ca/en/build-and-invest/resources/WL-FINAL-ZBL---as-amended-July-2019.pdf>

⁶<https://www.westlincoln.ca/en/build-and-invest/resources/WL-FINAL-ZBL---as-amended-July-2019.pdf>

Given the subject property is 49648.65 square metres, based on this criterion about 993 square metres can be used for the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses*.

The *Ontario Ministry of Agriculture Food and Rural Affairs Guidelines* recommended area calculations for *on-farm diversified uses* are:

- The discounted area of *existing buildings* or structures occupied by *on-farm diversified use* (e.g., 50%) based on the accompanying site plan:
 - Office in the house 12 square metres – 0.05 percent.
 - Carport 62 square metres – 0.13 percent.
 - Garage 94 square metres – 0.19 percent.
 - Tent 98 square metres – 0.20 percent.
 - TOTAL 266 square metres – 0.54 percent.
- Area of *parking* at 100% -130 square metres - 0.26 percent.
- The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* occupies a total of 637.25 square metres (based on the site plan) or about 0.80 percent of the subject property, less than the recommended 2 percent, or approximately 993 square metres of the property on which the *uses* are located, to a maximum of 1 hectare.
- The *gross floor area of buildings* used for the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* is limited (e.g., 20% of the 2%). (199 square metres - 20% or about 199 square metres of the 2% or 993 square metres of the property on which the *uses* are located). The total area of the buildings used for the *on-farm diversified use* is 266 square metres or about 34 percent more than that the recommended 199 square metres.

The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* exceeds the *Provincial Planning Statement* recommended area of *existing buildings* or *structures* for *on-farm diversified uses* by about 67 square metres.

Much of the area that the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* exceeds the *Provincial Planning Statement* recommended area of *existing buildings* or *structures* for *on-farm diversified uses* can be considered double counting. The 124 square metre of the carport used for storing the cars used by the customers during the tours can also be used to park the customer's cars. The 23.08 metre length of the carport can provide eight parking spaces. Those parking spaces are available for customers to park in when the cars are being used for the tour.

The approximately 130 square metres of the eight (8) parking spaces illustrated along the west side of the cleared area, west of the carport are redundant and may not need to be used for parking by customers.

Reducing the total area of the *existing buildings* or *structures* used by the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* by the area of the redundant carport because the parking area is counted twice appears reasonable. Removing the carport area results in a reduction of the total area of the *existing buildings* or *structures* used for the *on-farm diversified use* from 266 square metres to 204 square meters or about three (2.5) percent more than that the recommended 198.59 square metres.

Given the limited total area of the seasonal exotic car tour home industry and the agri-tourism value-added uses the Provincial Planning Statement policies for the limited area of on-farm diversified uses is satisfied.

Compatible With and Not Hinder Surrounding Agricultural Uses

Some uses meeting the other *on-farm diversified uses* criteria may not meet the *compatibility* criterion. For example, uses attracting large numbers of people for non-farm events or for recreational purposes could result in soil compaction, excessive noise, and trespass issues incompatible with surrounding agricultural operations.

Commercial or industrial uses with many employees or attracting many customers also may not be *compatible* in the *prime agricultural area*. In addition, some uses may be better suited to *settlement areas* where municipal services are available.

The seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses satisfies *compatibility* considerations because:

- They do not hinder surrounding agricultural operations.
- They are appropriate to available rural services and infrastructure.
- They keep the agricultural / rural character of the area.
- They can meet all applicable environmental standards.
- The cumulative impact of the uses is limited and do not undermine the agricultural nature of the subject parcel or the area.
- *The seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses* do not negatively impact the prime agricultural area for long-term use for agriculture and ensure the continued *agricultural use* of the subject property and by not taking agricultural land out of production.

As suggested by the *Ontario Ministry of Agriculture Food and Rural Affairs Guidelines*, the seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses support agriculture in West Lincoln and Niagara by providing opportunities for farm visits and sales of local produce at nearby farm markets and roadside stands selling local produce and by being able to co-exist with agriculture without conflict.

As discussed above, the seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses can be accommodated compatibly and coexist with surrounding agricultural operations.

Provincial Planning Statement Summary

As discussed above, the seasonal exotic car tour home industry and the agri-tourism value-added uses can be accommodated compatibly and coexist with surrounding agricultural operations. The proposed seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses are an on-farm diversified use home industry and value added agri-tourism uses that:

- Are located on a farm.
- Are secondary to the principle agricultural use on the subject property.
- Can be limited in area by zoning.
- Are compatible with and does not hinder surrounding agricultural uses.
- Build upon rural character and uses rural amenities of the natural and agricultural resources on and surrounding the subject property and Niagara's agricultural and scenic assets.
- Use rural road infrastructure efficiently.
- Promote diversification of the economic base and employment opportunities through agricultural goods and tourism services, including value-added maple syrup products and the sustainable use of agricultural resources.
- Provide sustainable and diversified tourism, including leveraging Niagara's historical, cultural, and natural assets.
- Conserve biodiversity in the area because no new structures are proposed that would have a negative impact on the natural heritage features on the surrounding properties and considers the ecological benefits provided by nature thorough the maple syrup production activities.
- Takes no land out of agricultural production – the single detached dwelling, accessory buildings and structures, landscaped area, access laneway, and septic tanks and filter beds already exist with no proposed expansions.
- Agriculture stays the main land use in prime agricultural areas; - no land is taken out of agricultural use by the seasonal exotic car tour home industry and the agri-tourism value-added uses.

- *The retail component is limited to storage of bottles of maple syrup produced from sap currently collected from the trees on the subject property and will continue to be collected from the trees on the west side of the house to the road in cooperation with the neighbouring property owner and in the future from sap collected on the subject property and processed by White Meadows Farms, for sale to the seasonal exotic car tour home industry and the agri-tourism value-added uses customers as part of their experience.*
- *Off-site impacts are minimal because the tours are:*
 - *Five (5) or fewer cars changed with mufflers to reduce noise.*
 - *Travelling at controlled safe speeds on public roads using Global Positioning System trackers and lead and follow cars.*
 - *Not changing the agricultural-rural character of the area.*
- *Provide an economic activity with the potential for growth in the prime agricultural area in accordance with the policies of the [Provincial Planning Statement](#).*

Official Plans

Former Niagara Region Official Plan

The former Regional Official Plan (2014) was updated and adopted by Regional Council on 2022-06-23 and subsequently approved by the Province with modifications on 2022-11-04. [The Region of Niagara Official Plan](#) was a long-term, strategic policy planning framework for managing growth coming to Niagara. The policies of the [Plan](#) guided land use and development, influencing economic, environmental, and planning decisions until 2051 and beyond.

On 2025-04-01 the Township inherited the planning responsibilities previously assigned to the Region including the responsibility for implementation of the [Region of Niagara Official Plan](#). [Planning Act](#) transition provisions require the [Region of Niagara Official Plan](#) to be deemed to constitute an Official Plan of the Township remain in effect until Township revokes it or amends it. The Township is now responsible for administering both the [Region of Niagara Official Plan](#) and the [Township of West Lincoln Official Plan](#).

The [Region of Niagara Official Plan](#) has not replaced the [Township of West Lincoln Official Plan](#), but it must be considered when reviewing planning applications and making recommendations. Going forward, the creation of a new [Township of West Lincoln Official Plan](#) may integrate both the [Region of Niagara Official](#) and [Township of West Lincoln Official Plans](#) into one new concise document. With the transition of the [Region of Niagara Official Plan](#) the Township is responsible for land use planning functions previously provided by the Region of Niagara including, among others:

- Environmental planning.
- Archaeological screening.
- Records of site condition.
- Gas and petroleum well screening.

Natural Heritage from the Regional Plan

The Preamble to [Section 3.1](#), Natural Environment System, says the *natural heritage system* is made up of *wetlands*, *woodlands*, *valleylands*, and *wildlife habitat*, *linkages*, *buffers*, *supporting features and areas*, and *enhancement areas*. The intent of the *natural heritage system* is to preserve and enhance the biodiversity, *connectivity*, and long-term ecological function of the natural systems in the Region.

The *water resource system* is made up of both *groundwater features* and *surface water features* and areas. The intent of the *water resource system* is to protect the ecological and hydrological integrity of water resources and the *watersheds* in the region.

The *natural heritage* and *water resource systems* are ecologically linked, rely on, and support each other, and have many overlapping components. The establishment of these natural systems is required by Provincial policy. These systems have been integrated in the [Region of Niagara Official Plan](#) and are known together as the Region's *natural environment system*.

Since there is no new *structures*, *buildings*, or *site alteration* proposed, the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* do not conflict with the objectives of the former [Region of Niagara Official Plan's natural environment system](#) and the proposal, among other things:

- Maintains the biodiversity and connectivity of natural features and their associated *ecological* and *hydrological functions*.
- Maintains the *hydrologic functions* and connections among *groundwater features*, natural features, and *surface water features*.
- Maintains the *wetland* area and the *hydrological* and *ecological functions* they provide.
- Protects the woodlands and their biodiversity.
- Protects the provincially and regionally significant earth science and life science *areas of natural and scientific interest*.
- Protects the *other woodlands* maintaining the treed area in the region.
- Supports the long-term *ecological integrity* of the *natural environment system*.
- Protects the *ecological connectivity* in the region.
- Maintains the protection for the *woodlands* maintaining tree cover in the region.
- Protects the *fish habitat* and the *habitat of endangered species and threatened species*.
- Protects the ecological health of the Great Lakes, consistent with the provisions of the Great Lakes Strategy, the targets, and goals of the *Great Lakes Protection Act, 2015*, and any applicable Great Lakes agreements as part of *watershed planning* and coastal or waterfront planning initiatives.
- Minimizes the risks to human health and safety and property associated with natural hazards.

- Recognizes the role and value of *compatible* and complementary agricultural and rural uses within and next to the *natural environment system*.

Because there are no new *buildings* or *structures* the *seasonal exotic car tour home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* complies with Policy 3.1.5.5 prohibiting *development* or site alteration in *key natural heritage features* in the *Provincial natural heritage system* or in any *key hydrologic features*.

Policy 3.1.5.6 states nothing is intended to limit the continued *agricultural use*, the sap collection and maple sugar production operation, on the site's *key natural heritage* or *key hydrologic features*. Policy 3.1.9.7.4 states new buildings and structures for on-farm diversified uses will not be required to undertake an environmental impact study and / or hydrological evaluation if a minimum 30 metre buffer is provided from a natural heritage feature and area. Since there are no new buildings or structures proposed it is recommended an environmental impact study is not required.

Rural Areas and Agriculture from the Former Regional Plan

Unlike the broad concept of *rural areas* in the *Provincial Planning Statement* the *rural area* in the former *Region of Niagara Official Plan* is a land use designation. The preamble to the Agricultural System section of the former *Region of Niagara Official Plan* says the agricultural land base is comprised of *prime agricultural areas* and *rural lands*. Objectives include:

- Facilitating a strong, diverse, and resilient agricultural economy.
- Protecting the region's agricultural land base.
- Ensuring agriculture is the predominant land use in *prime agricultural areas*.
- Restricting and controlling non-agricultural uses to minimize potential conflicts.
- Ensure the long-term sustainability and function of uses within the *agricultural system*.

Policy 4.1.1.2 requires *prime agricultural areas* to be protected for long-term use for agriculture, while Policy 4.1.7.3 provides for *on-farm diversified uses (home industries) agri-tourism uses* - farm-related tourism uses promoting the enjoyment, education, or activities related to the farm operation, that can co-exist or occur without conflict with surrounding land uses and activities in terms of its uses, scale, height, massing, and relative location – and value-added uses *compatible* with surrounding agricultural operations.

As required by Policy 4.1.7.4 and discussed above the *seasonal exotic car tour home industry* and the *agri-tourism* sap collection and maple syrup production and sales are *compatible* with, and do not hinder, surrounding agricultural operations and, as required by Policy 4.1.7.5 the proposed *on-farm diversified uses* are consistent with the provisions of the *Provincial Planning Statement*.

As required by Policy 4.1.7.6 the *on-farm diversified uses*, such as the proposed seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are:

- Located on a farm.
- Secondary to the principal *agricultural use* of the property.
- Limited in area.
- *Compatible* with (a *development*, building and / or land use that can co-exist or occur without conflict with surrounding land uses and activities in terms of its uses, scale, height, massing, and relative location.), and do not hinder, surrounding agricultural operations.

Policy 4.1.7.7 says the appropriate scale for *on-farm diversified uses* may vary depending on the type of use. The following recommended criteria were considered when reviewing the proposed *agriculture-related uses*:

- Whether the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are more appropriately located in a nearby *settlement area* or on *rural lands* - a search on REALTOR.ca did not result in any suitable buildings.
- Whether the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are required for or near the agricultural operation for it to support and complement the agricultural activity – the maple syrup production is an intensive 24 hour a day seven day a week process requiring on site supervision. The reasons for running the exotic car tours from the subject property is to offer a “WOW” factor, one of a kind, motivational, private estate feel experience, only possible from the current location and the value and potential for theft of the exotic cars also require they be kept in closely supervised location.
- The extent to which the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are *compatible* with the existing farming operation and surrounding farming operations is discussed above in the discussion of the *Provincial Planning Statement* “Compatible With and Not Hinder Surrounding Agricultural Uses” criterion for *on-farm diversified uses*.
- Whether the scale of the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are appropriate to the site and farming operation is discussed above under is discussed above in the discussion of the *Provincial Planning Statement* “Limited in Area” criterion for *on-farm diversified uses*.
- Whether the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are consistent with and keep the character of the agricultural area is discussed above in the discussion of the *Provincial Planning Statement* “Compatible With and Not Hinder Surrounding Agricultural Uses” criterion for *on-farm diversified uses*.

- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* do not generate potentially conflicting off-site impacts is discussed above in the discussion of the Provincial Planning Statement “Compatible With and Not Hinder Surrounding Agricultural Uses” criterion for *on-farm diversified uses*.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* do not include a new residential use.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are limited to low water and low effluent producing uses and the site can accommodate the use on private water and private sewage treatment systems.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* do not require significant improvements to *infrastructure*.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* comply with all other applicable provisions of the former Region of Niagara Official Plan.

Rural Areas from the West Lincoln Official Plan

Like the Region of Niagara Official Plan, and unlike the broad concept of *rural areas* in the Provincial Planning Statement, the *rural area* in the West Lincoln Official Plan is a land use designation. One small area of the Township is designated as *rural area* and is predominately used for non-agricultural uses.

Agriculture from the West Lincoln Official Plan

As promoted and encouraged by Objectives 4.2a) and 4.4.4a) the former Region of Niagara Official Plan protect components of a viable agricultural industry producing crops and preserving Good Agricultural Lands for agricultural purposes because no agricultural land is taken out of production and there are no significant impacts on any *agricultural use*.

As promoted by Objective 4.2c) and discussed above in the discussion of the Provincial Planning Statement “Compatible With and Not Hinder Surrounding Agricultural Uses” and “Limited in Area” criteria for *on-farm diversified uses* the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* and the *agri-tourism* uses are a small-scale seasonal tourism use *compatible* with existing agricultural production on the subject and neighbouring properties that do not hinder surrounding agricultural operations.

Objective 4.2d) seeks to minimize the impact of uses on the *agricultural area* by encouraging incompatible uses to locate within designated *settlement areas* and *hamlets*, and Objective 4.4.1.a) directs non-farm uses to Urban and Hamlet Areas. The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are *compatible* with the agricultural area and a search on REALTOR.ca did not result in any suitable buildings.

The discussion above on the provincial guidance on “Shall Be Compatible With, and Shall Not Hinder, Surrounding Agricultural” suggests some *uses* may be better suited to *settlement areas* where *municipal services* are available. In the case of the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses*, there is nothing to suggest it should be in a *settlement area* because of the need for *municipal services* that are not already provided to the subject property.

The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are a seasonal tourism activity supporting the *agricultural uses* in the area by providing customers with experience in farming activities and visits to business such as wineries, breweries, orchards, restaurants, including Honsberger Estate, Redstone, The Bench, Lincoln Line Orchards, Tim Hortons, the Smithville ESSO at Allen’s Corners as promoted by Objective 4.2e).

Polies 4.2.1a)i) and iv) permit food production uses with a strong focus on the things like the maple sap and syrup specialty crop production from the trees already tapped on the subject property and uses secondary to the principal *agricultural use* of the property including seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses*.

As required by Policy 4.2.1d) the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are supported by a private sewage disposal system and private water supply. The private sewage disposal system for the seasonal exotic car tour *home industry* and the *agri-tourism* value-added *uses* and the *agri-tourism* uses is provided by a portable facility supplied and maintained by Glanborough Pumping.

Policy 4.4.2e) requires small scale commercial and industrial uses not requiring proximity to agricultural operations to be in appropriately designated commercial or industrial areas within designated *settlement areas*. A recent search on REALTOR.ca did not result in any suitable locations for the intensive 24 hour a day seven day a week maple syrup production process requiring on site supervision. The reasons for running the exotic car tours from the subject property is to offer a “WOW” factor, one of a kind, motivational, private estate feel experience, only possible from the current location and the value and potential for theft of the exotic cars also require they be kept in closely supervised location.

Policy 4.6 states allowing a range of appropriate *on-farm agriculture-related uses* and *on-farm diversified uses* like the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* contribute to economically sustainable agriculture in the Township, strengthen the *agricultural system*, facilitate broader access to local food and beverages, agricultural products, and VQA wines, preserve the agricultural land base, and maintain the scenic quality of the agricultural landscape.

The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* should be allowed because:

- Their location and use impose no operating constraints and results in no reduction of the efficiency of any existing farm or surrounding agricultural uses.
- Existing adequate and potable water supply is available.
- Soils are suitable to support the existing individual waste disposal system.
- Adequate drainage and outlets are existing for stormwater run-off.
- Existing adequate entrances and exits to roads are located to minimize travel hazards and the proposal is not ribbon development.
- Adequate off-street loading, parking spaces and access points are provided.
- Existing access points are clearly defined by landscaping and other acceptable means.
- There is no outside storage.
- The municipality may impose controls through available legislation to ensure that the hours of operation of the uses do not conflict with adjacent land uses.
- The land will be appropriately zoned, and a development agreement can be needed.
- Development on treed areas, steep slopes, ravines, watercourses and any other natural or cultural heritage resource will not occur.
- Development may be subject to site plan control.
- The *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* is only slightly over the 500 square metres recommended *gross floor area* for *building and structures*.

As discussed above in the discussion of the former *Region of Niagara Official Plan Policy 4.1.7.7 Rural Areas and Agriculture* from the former Niagara Region Official Plan, the following added considerations have been addressed:

- Whether the use is more appropriately located in a nearby settlement area.
- Whether the use is required on or near the agricultural operation to support and complement the agricultural activity.
- Whether the use is *compatible* with the existing farming operation and / or surrounding farming operations.
- Whether the use follows all other applicable provisions of the *Township of West Lincoln Official Plan* and the former *Region of Niagara Official Plan*.

As required by Policy 4.6.2. the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are secondary to the principal sap collection *agricultural use* on the subject property, limited in area, and complement and contribute to the sustainability and viability of the farming operation.

The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are an *on-farm diversified uses* as provided for by Policy 4.6.3. promote the enjoyment, education, or activities related to the farm operation, are related to agriculture, and benefit from the location on the farm. The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* should be considered based on the following criteria:

- The scale of the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are limited and appropriate to the site and surrounding farming operations and supports the maple sap collection and syrup production operation on the farm.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* have no impact on, does not interfere with, and is *compatible* with surrounding *agricultural uses*.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* do not generate conflicting off-site impacts including impacts related to *infrastructure* or transportation.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are low water and low effluent-producing uses, the site can accommodate the use on the existing private water and private sewage treatment systems and will not generate the need for more public *infrastructure*.
- No *special events* are proposed.
- The timing and duration of seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* do not hinder the agricultural operation on the site or on surrounding lands.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* do not require significant improvements to utilities or *infrastructure* such as roads or hydro services.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* comply with all of policies of the Township of West Lincoln Official Plan and the former Region of Niagara Official Plan.
- The proposed seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* will not negatively impact *cultural heritage resources*.

Policy 18.17 permits seasonal exotic car tour *home industry*, and the *agri-tourism* value-added maple syrup production and retail sales *uses* in the Agricultural Area because:

- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are small in scale and remain secondary to the principal *agricultural use* of the subject property.
- All property stays designated and zoned agricultural.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are *compatible* with and do not hinder surrounding *agricultural uses*.
- The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* follow other policies in the West Lincoln Official Plan.
- A severance is not requested.

The permitted locations, size, activities, and other aspects of the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* will be established in the implementing zoning bylaw.

Policy 18.18 requires *sensitive land uses* to be protected from the adverse impacts of noise, vibration, odours, emissions, litter, dust, and other contaminants. In order to achieve this, Council will request that appropriate studies be undertaken where *sensitive land uses* may be impacted. Such studies shall be submitted to Council prior to approval in principle of a development or land use change (i.e.: prior to establishing the principle of development).

The *Provincial Planning Statement* and the former *Niagara Region Official Plan* define *sensitive land uses* as *buildings*, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to residences, day care centres, and educational and health facilities.

The *Provincial Planning Statement* and the former *Niagara Region Official Plan* define major facilities as facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are not *major facilities* requiring separation from *sensitive land uses*.

Natural Heritage from the West Lincoln Official Plan

Policy 10.7.21 states *development* may be permitted without an amendment to *West Lincoln Official Plan* on adjacent lands to *Conservation Areas* if it has been demonstrated that, over the long term, there will be no significant negative impact on the *Core Natural Heritage System* or *adjacent lands* and the proposed *development* is not prohibited by other Policies. Since there are no new *buildings, structures, or site alteration* proposed as part of the seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* there will be no significant negative impact on the *Core Natural Heritage System* or *adjacent lands*. The requirement for an Environmental Impact Study should be waived.

Policies for Watershed Planning from the West Lincoln Official Plan

As required by *Policy 11.3* the Niagara Peninsula Conservation Authority was consulted at the time of the Pre-consultation Meeting held by the Township. The Niagara Peninsula Conservation Authority noted the presence of a flood hazard on the subject property associated with Sinkhole Creek. Any development or site alteration proposed near the flood hazard will need to be reviewed and approved by the Niagara Peninsula Conservation Authority. The Niagara Peninsula Conservation Authority requested the topographic survey with the floodplain elevation accurately plotted be provided to understand the extent of the floodplain and if any aspects of the proposed accessory structures / commercial uses fall within the floodplain. The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are not within the floodplain so Section 6 of the Niagara Peninsula Conservation Authority Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority does not apply.

Under the Niagara Peninsula Conservation Authority Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority, states Development Activities: [under the Conservation Authorities Act] development means:

- The construction, reconstruction, erection or placing of a building or structure of any kind; or
- Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure; or
- Site grading; or
- The temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

Since there is no proposed development, resulting from the seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses as defined by the Niagara Peninsula Conservation Authority, close to the flood hazard illustrated on Figure 4, Regulated Floodplain Extent, and Figure 5, Surveyor's Real Property Report it is assumed Section 6 of the Niagara Peninsula Conservation Authority Policy Document does not apply.

Official Plan Summary

The Objectives for Agricultural and Rural Areas in the planning documents, are, among others, to preserve agricultural lands and provide an efficient and orderly pattern of land uses. In agricultural areas, the predominant use of land is to be agriculture. The seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses is also provided for.

Strategic objectives satisfied by the seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses include:

- *Efficient use of land through use of the existing single detached dwelling.*
- *Because there is no incompatibility with neighbouring uses, no of conflict.*
- *No introduction of incompatible land uses within agricultural areas.*

The Township's Vision of continued viability of agriculture on prime agricultural lands is not offended because there is no impact on existing and potential agricultural operations. Supportive accessory uses are encouraged.




The Township's Goals and Objectives are satisfied including:

- *Provision of an environment for sustainable agriculture and related activities through the protection of prime agricultural land and by preventing incompatible land uses.*
- *Recognition of the mixed-use landscape of agricultural areas.*
- *Recognition the benefits of tourism encouraging a more diversified employment opportunities for residents of the Township through the promotion of new and expanding businesses.*
- *Ensuring the long-term sustainability of the Township by expanding the property tax base.*
- *Since there is no need for a Severance, the seasonal exotic car tour home industry and the agri-tourism value-added maple syrup production and retail sales uses avoid the fragmentation of land ownership.*
- *Promotion of small-scale secondary uses compatible with and not hindering surrounding agricultural operations.*

Figure 4: REGULATED FLOODPLAIN EXTENT



11/29/2024, 8:55:09 AM

-  Assessment Parcels
-  Regulated
-  Watercourses 2K 2002

1:2,257

0 0.01 0.03 0.05 mi
0 0.02 0.04 0.08 km

Maxar Meridian

[illegible]

ZONING BY-LAW

The Subject property is zoned **Agricultural (A)** with “**Environmental Conservation - EC**” and “**Environmental Protection – EP**” overlays. The Agricultural Zone, *accessory use*, *on-farm diversified use*, and *home industry* provisions are found in:

- *Accessory uses* to the permitted *agricultural use* and *on-farm diversified uses including home industries* (Table 11) are allowed.
- Section 3.1.g)iii. provides regulations for *agri-tourism / value-added uses* (in Section 3.11), ; *on-farm diversified uses*.
- Section 3.1.g)ix. provides regulations for *home industries* (in Subsection 3.7).
- Section 3.1.g)xi. provides regulations for *on-farm diversified uses* (in Section 3.11).

The Lot, Building, and Structure Requirements are outlined in Table 3, ZONING MATRIX. The proposal is for *seasonal exotic car tour home industry* (defined as the *accessory use* of a *dwelling*, or of an *accessory building* or *structure* to a permitted *dwelling*, for an occupation or business which results in a product or service) and the *agri-tourism value-added* (defined as the *use* of land, *buildings* or *structures* for *accessory uses* to the principal *agricultural use* of the *lot*, conducted for gain or profit to support, promote and sustain the viability of the *agricultural use*, including but not limited to . . . value-added . . . processing, packing or storage operations) *maple syrup production and retail sales uses*.

Zoning provides limits on the proposed development ensuring *compatibility* with the existing neighbourhood. The subject property, where the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* are located, is zoned “**A-Agricultural**” requiring a Zoning By-law Amendment to permit the *uses*. An **Agricultural (A) Zone** is requested with special provisions for the following:

- Reduced *lot area* of the “A-Agricultural Zone” from of 40 hectares from 4.5 hectares (Section 5.3 Table 12).
- Increased *gross floor area* in all *accessory buildings and structures* for a *home industry* from 100 square metres to 266 square metres (Section 3.7e)i)
- Reduced *lot area* for an *on-farm diversified use* from of 10 hectares from 4.5 hectares (Section 3.11a) Increased area of the *lot* devoted to an *on-farm diversified uses* from 1 percent to 1.3 percent (Section 3.11c)i)
- Reduced *lot area* for an *on-farm diversified use* from of 20 hectares from 4.5 hectares (Section 3.11c)v).

Table 3: ZONING MATRIX		
Regulation	Requirements	Comment
<i>Lot area (sec 5.3 Table 12)</i>	40ha	4.97ha - relief required
<i>Lot frontage (sec 5.3 Table 12)</i>	45m	91.9m - satisfied
<i>Front yard (sec 5.3 Table 12)</i>	7.5m -	>7.5m - satisfied
<i>Interior side (sec 5.3 Table 12)</i>	5m	26.03m - satisfied
<i>Rear yard (sec 5.3 Table 12)</i>	10m	>10m - satisfied
<i>Lot coverage (sec 5.3 Table 12)</i>	10%	1.89% - satisfied
House	428.34sqm – 0.86%	
Carport	124.01sqm – 0.25%	
Garage	188.14 – 0.39	
Tent	195.10sqm – 0.39%	
<i>Height (sec 5.3 Table 5.3)</i>	11m	<11m-satisfied
<i>Landscaped open space (sec 5.3 Table 5.3)</i>	No minimum	Satisfied
ACCESSORY BUILDING OR STRUCTURES TO A RESIDENIAL USE		
<i>Ground floor area per building or structure (sec 3.1 Table 1.1 Type 3)</i>	1241.21sqm	266sqm - satisfied
<i>Number of accessory buildings (sec 3.1 Table 1.1 Type 3)</i>	1241.21sqm	266sqm - satisfied
<i>Number of accessory structures per (sec 3.1 Table 1.1 Type 3)</i>	1241.21sqm	266sqm - satisfied
<i>Permitted yards (sec 3.1 Table 1.1 Type 3)</i>	All	satisfied
<i>Front lot line no closer to the front lot line than the main building (sec 3.1 Table 1.1 Type 3)</i>	30m	>30m - satisfied
<i>Interior side lot (sec 3.1 Table 1.1 Type3)3</i>	7.5m	9.56m - satisfied
<i>Rear yard (sec 3.1 Table 1.1 Type 3)</i>	7.5m	>7.5m - satisfied
<i>Height (sec 3.1 Table 1.1 Type 3)</i>	10m	<10m - satisfied
<i>Lot coverage / lot area (sec 3.1 Table 1.1 Type 3)</i>	1241.21sqm	266sqm - satisfied
<i>Setback from main building (sec 3.1 Table 1.1 Type 3)</i>	3m	>3m - satisfied
ON-FARM DIVERSIFIED USES / HOME INDUSTRIES		
<i>Located within a dwelling and / or within an accessory building or structure to a dwelling (sec 3.7a)</i>		satisfied
<i>Residential appearance and character maintained (sec 3.7b)</i>		satisfied
<i>One (1) home industry per lot (sec 3.7c)</i>		satisfied
<i>Within an accessory building or structure or private garage (sec 3.7d)</i>		satisfied
minimum lot frontage (sec 3.7e)i)	24m	91.9m - satisfied

minimum lot area of 4,000sqm (sec 3.7e)ii)	4000sqm	4.9ha - satisfied
gross floor area in all accessory buildings and structures(sec 3.7e)iv)	100sqm	266sqm – relief required
Operated by persons whose principal residence is on the lot and up to two (2) persons other than the residents (sec 3.7f)		satisfied
A sign is permitted		satisfied
No outside storage (sec 3.7i)		satisfied
No machinery emitting noise, vibration, glare, fumes, odour, dust, radio, or television interference beyond the lot (sec 3.7j)		satisfied
agri-tourism / value-added uses permitted (sec 3.7k)ii)		satisfied
Retail sale of agricultural products produced on the lot containing a permitted agricultural use permitted (sec 3.7k)v)		satisfied
Minimum lot area of 10ha (sec 3.11a)		4.97ha - relief required
On a lot containing a permitted agricultural use and associated single detached dwelling (sec 3.11a)		satisfied
On a lot where the specific type of on-farm diversified use is permitted (sec 3.11a)		satisfied
Maximum of three (3) on-farm diversified uses (sec 3.11b)		satisfied
Area of the lot devoted to on-farm diversified uses 1% (496.5sqm) or 0.5ha (sec 3.11c)i)	637.25sqm – 1.28%	relief required
Area of existing buildings and structures (sec 3.11c)ii)	507.25sqm – 0.53%	
Required parking area (sec 3.11c)iii)	130sqm – 0.26%	
Gross floor area 500sqm (sec 3.11c)iv)	266sqm	satisfied
Comply with the requirements of Section 3.1 (sec 3.11c)v)		satisfied
Comply with the regulations of the applicable zone (sec 3.11c)vi) discounted by 50% (sec 3.11c)vii)		
Lot area (sec 5.3 Table 12)	20ha	4.9ha - relief required
Lot frontage (sec 5.3 Table 12)	22.5m	91.9m - satisfied
Front yard (sec 5.3 Table 12)	3.75m -	>7.5m - satisfied
Interior side (sec 5.3 Table 12)	2.5m	26.03m - satisfied
Rear yard (sec 5.3 Table 12)	5m	>10m - satisfied
Lot coverage (sec 5.3 Table 12)	5%	1.89% - satisfied
House	428.34sqm – 0.86%	
Carport	124.01sqm – 0.25%	
Garage	188.14 – 0.39	
Tent		
Height (sec 5.3 Table 5.3)	5.5m	<5.5m-satisfied
Landscaped open space (sec 5.3 Table 5.3)	No minimum	Satisfied
Accessory and related to the existing permitted agriculture use (sec 3.11d)		Satisfied
Serve the existing permitted agricultural use (sec 3.11d)		Satisfied
Products produced by the principal agricultural use on the lot (sec 3.11e)		Satisfied

Pending agency, municipal, and public comments

Gross floor area of retail sales shall not exceed 50% of the gross floor area of all buildings and structures used in conjunction with the on-farm diversified uses to a maximum of 200sqm of gross floor area for retail use (sec 3.11f)i)	0	Satisfied
One (1) retail outlet on a lot (sec 3.11f)ii)	0	0 -Satisfied
Area of the lot permitted to be used for outside display and sales (sec 3.11f)iii)	25sqm	0 -Satisfied
Outside display and sales areas lot lines setback (sec 3.11f)v)	3m	0 -Satisfied
Outside display and sales areas and any related structures height (sec 3.11f)vi)	3m	0 -Satisfied
PARKING		
2 spaces for each dwelling unit (sec 3.12.6a) Table 6)		satisfied
On-farm Diversified Use - 1 parking space per 55 sqm gross floor area (sec 3.12.6a) Table 6)		7 - Satisfied

POLICY AND PLANNING ANALYSIS SUMMARY

The Objectives for *Agricultural* and *Rural Areas* in the planning documents, are among others, to preserve agricultural lands and provide an efficient and orderly pattern of land uses. In *agricultural areas*, the predominant use of land is to be agriculture. *Home industry* and the *agri-tourism value-added uses* are also provided for.

Strategic Objectives satisfied by the *seasonal exotic car tour home industry* and the *agri-tourism value-added maple syrup production and retail sales uses* include:

- Efficient use of land through use of the existing *single detached dwelling* and *accessory buildings*.
- No conflict between *uses*.
- No introduction of incompatible land *uses* within *agricultural areas*.

The Townships' Vision of continued viability of agriculture on *prime agricultural lands* is not offended because there is no impact on existing and potential agricultural operations.

The Township's Goals and Objectives are satisfied including:

- Provision of an environment for sustainable agriculture and related activities through the protection of *prime agricultural land* and by preventing incompatible land *uses*.
- Recognition of the mixed-use landscape of agricultural areas.
- Recognition the benefits of tourism encouraging more diversified employment opportunities for residents through the promotion of new and expanding businesses.
- Ensuring the long-term sustainability of the Township by expanding the property tax base.
- Since there is no need for a Severance avoiding the fragmentation of land ownership by developing undersized and underutilized rural parcels.
- Promoting small scale secondary *uses compatible* with and do not hinder surrounding agricultural operations.

OPINION

The principal *use* of subject property is an *agricultural use* permitted in the **Agriculture 'A' Zone**. The seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses* are *accessory* and incidental to the maple sap collection *agricultural use*.

The requested Zoning By-law Amendments:

- Conform with the provisions of the *Planning Act*; Provincial Planning Statement and West Lincoln Official Plan including the former Region of Niagara Official Plan.
- Provide for and allow the permitted seasonal exotic car tour *home industry* and the *agri-tourism* value-added maple syrup production and retail sales *uses*.
- Have no negative impacts.
- Provide for the efficient use existing municipal services.

This proposal represents good planning and will permit the provided for *agri-tourism* value-added *use* production and sale of maple syrup from the sap collected on the farm and the provided for *on-farm diversified use* seasonal exotic car tour *home industry*.

Council can be confident that the requested Zoning By-law Amendment is consistent with the Township's Official Plan as well as Provincial policies.

Steven Rivers

South Coast Consulting
Land Use Planning and Development Project Management
Steven Rivers, MCIP, RPP
189 Clare Avenue
Port Colborne, Ontario L3K 5Y1
Phone: 905-733-8843
Email: southcoastofcanada@gmail.com

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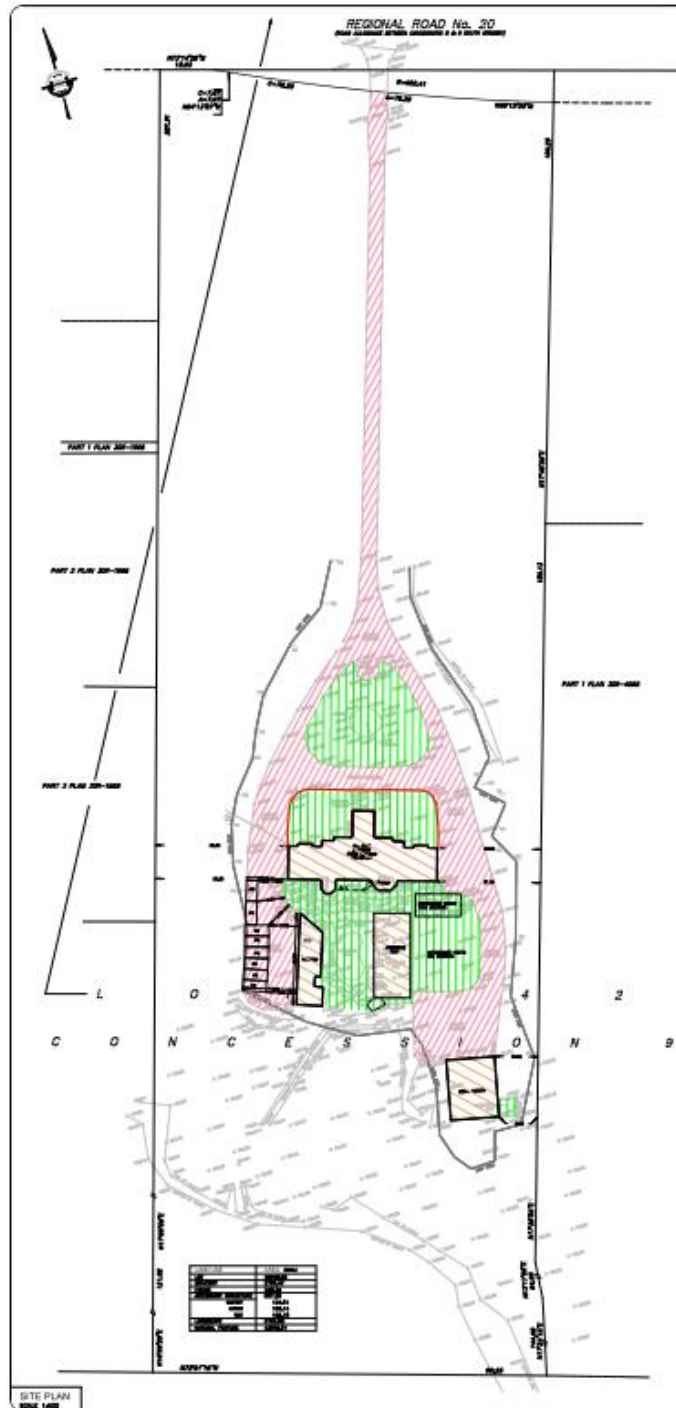
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ANNEX 1: SITE PLAN

PROVIDED UNDER A SEPARATE COVER



ANNEX 2: FARM BUSINESS PLAN

PROVIDED UNDER A SEPARATE COVER