

**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. DS-2022-0077**

**FOR THE CONSIDERATION OF  
COUNCIL**

September 21, 2022

**SUBJECT: APPLICATION TO AMEND ZONING BY-LAW NO. 500 VIVAPRIYA SARAVANAMUTTU 27909 HIGHWAY 48, GEORGINA, PART LOT 11, CONCESSION 6(G), PART 2 65R-1804**

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**1. RECOMMENDATION:**

1. That Council receive Report No. DS-2022-0077 prepared by the Planning Division, Development Services Department, dated September 21, 2022 respecting an application to amend Zoning By-law No. 500 submitted by Vivapriya Saravanamuttu for the property municipally addressed 27909 Highway 48, Georgina.
2. That Staff report further to Council following the receipt and assessment of all Town Department and External Agency comments, and once the Applicant has addressed these comments and the concerns presented in Report No. DS-2022-0077, as well as any concerns raised by the public and Council at the Public Meeting.
3. That Staff provide written notice of the next Public Meeting, a minimum of two (2) weeks in advance of the date of said meeting, to the following:
  - i. Any person or public body that has requested to be notified of any future public meeting(s); and,
  - ii. Any person or public body that has requested to be notified of Council's decision regarding the approval or refusal of the subject application.

**2. PURPOSE:**

The purpose of this report is to provide Staff's preliminary review and analysis and to outline comments received with respect to the application to amend Zoning by-law No. 500 submitted by Vivapriya Saravanamuttu for the property municipally addressed 27909 Highway 48, Georgina.

**3. BACKGROUND:**

OWNERS:	Vivapriya Saravanamuttu
APPLICANT:	Vivapriya Saravanamuttu

AGENT: Michael Smith Planning Consultants; Development Coordinators Inc. (c/o Gord Mahoney)

DESCRIPTION: (refer to Attachments 1 to 4)  
27909 Highway 48, Georgina  
Roll No: 041-000

FILE NO: 03.1170

### 3.1 SUBJECT PROPERTY AND SURROUNDING LAND USES:

The subject property is located on the south side of Highway 48, just west of the Hamlet of Virginia.

The subject property is currently used for agriculture and contains farm fields, woodlands and an existing single family dwelling, a detached garage and three (3) accessory buildings. Access is provided to Highway 48 using one (1) driveway shared with the agriculture use. Highway 48 is a 2 lane Provincial Highway.

Surrounding land uses include agriculture and Highway 48 to the north, industrial, agriculture and woodlands to the east, commercial, agriculture and woodland to the west and agriculture and woodlands to the south.

Table 1 below provides a summary of relevant information regarding the subject property and the proposed development.

**Table 1: Development Details**

Planning Information	
	<b>Subject Property</b>
<b>Municipal Address</b>	27909 Highway 48, Georgina
<b>Zoning</b>	Rural (RU)
<b>Town of Georgina Official Plan</b>	Agricultural Protection Area and Environmental Protection Area with Greenland System Overlay
<b>York Region Official Plan</b>	Protected Countryside (Greenbelt Area)
<b>Lot Frontage</b>	35.11 metres
<b>Lot Area</b>	62.5 hectares
<b>Regulated By LSRCA</b>	Yes
<b>Heritage Status</b>	Not listed or designated
<b>Natural Hazards</b>	Yes, floodplain and meanderbelt
<b>Environmental Features</b>	Significant Woodland and Wetland
Servicing	

	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
<b>Water</b>	Well	Well
<b>Sanitary</b>	Septic	Septic
<b>Access</b>	Existing, full moves driveway to Highway 48	Existing, full moves driveway to Highway 48

### 3.2 PROPOSAL:

The application proposes to rezone the subject property from Rural (RU) to site-specific Rural (RU-XX) to permit an event venue on the subject land as an On-Farm Diversified Use. The venue will be used for events such as weddings, anniversaries and family reunions.

The subject property contains an existing single family dwelling, a detached garage and three (3) accessory buildings. The proposed RU-XX zone will rezone the two (2) accessory buildings which are to be used for the event venue. Further clarification regarding the use of the third accessory building for the event venue will be required. The accessory buildings are former agriculture buildings which are no longer required for agriculture purposes. The event venue will be seasonal between the months of May and October.

Refer to Attachments 4-7 for the site photos, survey, site sketch, floor plans and elevation drawings. As depicted on Attachments 6 and 7, the most southerly accessory building (Building #1) is to be used as a kitchen for the events, bride and groom retreat area, washrooms and storage. The accessory building (Building #2) to the north is to be used for the ballroom/reception area. The accessory building (Building #3) to the east of the ballroom/reception area will require further clarification if it is to be used as a change room for the bride and groom. The single family dwelling and the detached garage are to be utilized by the Owner/Applicant and are not part of the event venue.

A total of 27 parking spaces are proposed and access is provided via the existing driveway with full movement onto Highway 48.

The documents submitted in support of this Zoning By-law Amendment including a Planning Justification Report, Functional Servicing and Stormwater Management Report, Flood Hazard Mapping, Traffic Brief and an Agricultural Impact Study and MDS Review are available upon request from the Development Planning Division and through this link: [Submission Documents](#).

#### **4. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:**

##### **4.1 PUBLIC CIRCULATION**

Pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended, a public notice sign was erected on the property on August 8, 2022 and a joint Notice of Complete Application / Public Meeting was mailed to all assessed property owners within 120 meters of the subject property and statutory agencies on August 9, 2022.

For the purpose of additional public notification, the Notice of Complete Application / Public Meeting was posted to the Town's website on August 15, 2022 and on the Town's page in the August 25, 2022 edition of the Georgina Advocate.

As of writing the report, Staff have not received any submissions from the public.

##### **4.2 TOWN DEPARTMENTS AND EXTERNAL AGENCY COMMENTS**

Staff circulated the relevant Town departments and external agencies. Copies of received comments are included as Attachment 8.

The Town Building Division has indicated no objection to the proposed zoning by-law amendment, subject to the following comment(s):

- A building permit will be required to convert the two existing buildings, one being 140 square metres and one being 170 square metres, to Assembly Occupancies. An architect and an engineer should be retained to evaluate the condition of the buildings and to advise the owner of the Ontario Building Code requirements to convert a farm building to an Assembly Occupancy.

The Town Development Engineering Division has indicated the following comment(s):

- The site is located on a rural property with no availability and requirements for municipal water, sanitary, and storm servicing.
- There is no change in total impervious area (paved or built) therefore no SWM quantity or quality controls are required.
- All post development flows (2, 5, 25 and 100 year) shall be controlled to the 2- year pre-development flows as per the Lake Simcoe Region Conservation Authority requirements (5-year pre-development as per Town of Georgina). Further review of Storm Water Management report to be completed at design stage.
- Further review of Erosion and Sediment Controls to be completed at design stage.
- Require snow storage locations to be shown. Use LSRCA Parking Lot Design Guidelines to Promote Salt Reduction for estimates of snow storage required.
- Lighting plan will be required at design stage.
- Site Plan Approval is required.

The Town Sewage Inspector has indicated the following comment(s):

- Further review of septic system is required. No comments at this time.

The Town Tax and Revenue Division has indicated the following comment(s):

- This tax account currently has \$0.10 owing, and will have an installment payment due on Sept 27, 2022.

The Georgina Fire Department has indicated the following comment(s):

- This would be a change of use and will require a building permit – therefore all construction shall be in conformance with the Ontario Building Code.
- The fire access route for the assembly occupancy shall be a minimum of 6 meters in width and shall have a turnaround facility for any portion greater than 90 meters in length.
- The fire access route shall be designed and constructed to support the weight of the heaviest responding apparatus to the property during an emergency which is 100,000lbs.
- Adequate onsite water supply for firefighting shall be provided – Fire Underwriters Survey (FUS) fire flow calculation is requested.
- Cooking suppression system may be required in accordance with section 2.6 of the Ontario Fire Code.
- The owner shall create a fire safety plan for the property as per section 2.8 of the Ontario Fire Code.

York Region is reviewing the application for conformity with provincial, regional and local plans and comments are pending.

The Ministry of Transportation (MTO) provided the indicated the following comments:

- Provided comments with regards to permits required for any modifications to the driveway and any signs posted.
- The property has the proposed Highway 404 extension going through the south portion of the site and should be noted on the plan.
- Further comments will be provided to the Town once their Engineering staff have reviewed the associated studies. MTO's comments are provided in Attachment 8.

The Lake Simcoe Region Conservation Authority (LSRCA) has indicated the following comment(s):

- Proposal is generally consistent and in conformity with the natural heritage and natural hazard policies as the existing accessory buildings which will house the event venue are located outside the floodplain hazard and not within the natural heritage system.

- Any fill associated with raising the existing driveway due to the floodplain and meanderbelt or any other site alteration will require a permit.
- Recommend that the natural heritage features on the subject property be re-zoned as 'Environmental Protection', 'Open Space' or similar, to ensure protection of the natural heritage features and their associated buffers. The LSRCA comments are provided in Attachment 8.

Canada Post has indicated the following comment(s):

- Provisions are already in place with regard to mail delivery for the above noted vicinity to an existing Community Mailbox. As such, there will be no requirements of the developer/owner.
- Please re-circulated for commenting on any changes to the application.

The following internal departments and external agencies have indicated no concerns.

- Town Operations and Infrastructure Department
- Town Municipal Law Enforcement Division
- Town Planning Policy Division
- Town Economic Development
- York Catholic District School Board
- Enbridge Gas Inc.
- Bell Canada
- Rogers Communications

Staff will ensure all comments are received and considered before returning to Council with a future report.

## **5. ANALYSIS:**

Based on the comments received to date, the information provided by the Agent/Applicant/Owner, and a site inspection conducted by Staff, the following is an overview of the proposed Zoning By-law Amendment against applicable Provincial, Regional and Town planning documents.

### **5.1 PROVINCIAL POLICY FRAMEWORK**

Section 3(5) of the *Planning Act* requires that a decision of the Council of a municipality, in respect of the exercise of any authority that affects a planning matter, shall be consistent with the Provincial Policy Statement and shall conform with, or not conflict with, the Provincial Plans that are in effect.

#### 5.1.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, and plays a key role in setting the policy foundation for regulating development and the use of land in Ontario.

The subject property is within a 'Rural Area' as per the PPS. Rural areas are important to the economic success of the Province and our quality of life.

As per the PPS, an "On-Farm Diversified Use" is defined as uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

The proposal is subject to following Sections of the PPS.

Section 1.1.4 Rural Areas in Municipalities, notes that rural areas should be supported through the sustainable management or use of resources; and provide opportunities for economic activities in prime agricultural areas. Section 1.1.5 Rural Lands in Municipalities, sets out permitted uses on rural lands which include agriculture uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with Provincial standards.

The subject property is currently in active agricultural crop production. The event venue is proposed as an on-farm diversified use which will make use of existing buildings on the property that are no longer required for the agriculture use. The proposal would provide an additional economic opportunity for the Owners of the subject property if approved.

Section 2.1 Natural Heritage, provides that these areas shall be protected for the long term.

The existing accessory buildings which will house the event and the parking area are not within the Natural Heritage System.

Section 2.3 Agriculture, states that prime agricultural areas shall be protected for long-term use for agriculture. Permitted uses and activities include agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agriculture uses and on-farm diversified uses shall be compatible and shall not hinder, surrounding agricultural operations. In addition, the PPS also requires that new land uses in prime agricultural areas shall comply with the minimum distance separation formulae.

An Agricultural Impact Study and MDS study prepared by Clark Consulting Services concludes that there will be minimal impacts on agriculture on the subject lands and minimal impacts to neighbouring operations due to the proposal. The report notes that it is possible that the farmer renting the land on the subject property could attempt field work that could coincide with events at the proposed event venue. It is recommended that

the Applicant/Owner advise farmers renting these lands of the dates of events, so conflicts are minimize or avoided.

The proposed event venue could be considered an on-farm diversified use; however, further information is required from the applicant to evaluate whether the scale of the proposal is considered limited in accordance with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Guidelines on Permitted Used in Ontario's Prime Agricultural Areas, Publication 851 (OMAFRA Guidelines).

Section 3.1 Natural Hazards, provides direction on where development should not occur, which is within hazard lands, flooding hazards, erosion hazards, dynamic beach hazards and hazardous sites.

The existing driveway leading to the event venue is within a floodplain and meanderbelt and is located in a Natural Hazards Area. The LSRCA has provided comments and states that it has been demonstrated through a Floodplain Analysis prepared by Greck and Associates that safe access standards to the buildings can be met by raising the existing driveway which will require a permit from the LSRCA.

A future report will be brought before Council for consideration with further discussion on the application's consistency with the PPS with respect to the intensity and scale of the proposal.

#### 5.1.2 Greenbelt Plan, 2017

The Greenbelt Plan (GBP) identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological features and functions occurring on the landscape.

The subject property is considered 'Prime Agricultural Area' within the Protected Countryside of the GBP. It is also located within the Natural Heritage System. Therefore, the proposal is subject to Section 3.1.3 Prime Agricultural Area Policies and 3.2.1 Natural System Policies of the GBP.

Section 3.1.3 Prime Agricultural Area, provides that all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are permitted based on provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations.

The subject property is currently in active agricultural crop production. The accessory buildings which will house the event venue are existing buildings on the property that are no longer required for agriculture use. The proposed venue could be considered an on-



farm diversified use however further evaluation of the scale of the proposal is required against OMAFRA Guidelines to determine this.

Section 3.2.1 Natural Heritage Systems, states that a full range of existing and new agricultural, agriculture-related and on-farm diversified uses and normal farm practices are permitted in the Natural Heritage System.

A portion of the property is covered with woodlands and wetlands, however the existing accessory buildings which will house the proposed event and parking area are not within the Natural Heritage.

A future report will be brought before Council for consideration with further discussion on the application with conformity with the Greenbelt Plan.

#### 5.1.3 A Place to Grow: Growth for the Greater Golden Horseshoe, 2020 (Growth Plan)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) directs decision-making regarding growth management in the Greater Golden Horseshoe until the year 2051.

The subject property is considered to be 'Rural Lands' within the 'Greenbelt Area' of the Growth Plan and is subject to the policies of sections 2.2.9 Rural Areas, 4.2.2 Natural Heritage System and 4.2.6 Agricultural System.

Section 2.2.9 Rural Areas states that subject to the policies of Section 4, Protecting What Is Valuable, development outside settlement areas may be permitted on rural lands provided that they are compatible with the rural landscape and surrounding local land uses, will be sustained by rural service levels and will not adversely affect the protection of agricultural uses which include on-farm diversified uses.

The proposed event venue will be sustained by rural service levels and according to the Agricultural Impact Study and MDS study prepared by Clark Consulting Services, there will be minimal impacts on agriculture on the subject lands and minimal impacts to neighbouring operations due to the proposal.

Section 4.2.2 Natural Heritage System, notes that a full range of existing and new agricultural uses, agriculture-related uses, on-farm diversified uses, and normal farm practices are permitted in the Natural Heritage System.

A portion of the property is covered with woodlands and wetlands, however the existing accessory buildings which will house the proposed event and parking area are not within the Natural Heritage System.

Section 4.2.6 Agricultural System, provides that where agricultural uses and non-agricultural uses interface outside of settlement areas, land use compatibility will be

achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the agricultural system. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed. Where appropriate, this should be based on an agricultural impact assessment.

The Agricultural Impact Study and MDS study prepared by Clark Consulting Services concludes that there will be minimal impacts on agriculture on the subject lands and minimal impacts to neighbouring operations due to the proposal. The report notes it is recommended that the Applicant/Owner advise farmers renting these lands of the dates of events, so conflicts are minimize or avoided.

The proposed venue could be considered an on-farm diversified use, however further evaluation of the scale of the proposal is required against OMAFRA Guidelines to determine this.

A future report will be brought before Council for consideration with further discussion on conformity with the Growth Plan.

#### 5.1.4 Lake Simcoe Protection Plan, 2009

The Lake Simcoe Protection Plan (LSPP) seeks to protect, improve and restore elements that contribute to the ecological health of the Lake Simcoe Watershed, including water quality hydrology, key natural heritage features and their functions and key hydrological features and their functions.

The subject property is within the area regulated by the Lake Simcoe Region Conservation Authority (LSRCA).

The Town has a Memorandum of Understanding (MOU) with the LSRCA. The MOU specifies that the LSRCA is responsible for reviewing proposals relative to the LSPP and Official Plan natural heritage policies.

The Town relies upon the LSRCA to provide comments on conformity with the LSPP. As discussed earlier in this report under Section 4.2 Town Departments and External Agency Comments, the LSRCA has reviewed the application and has determined the proposal is generally consistent and in conformity with the natural heritage and natural hazard policies of the applicable Provincial, Regional and Local plans. LSRCA comments are provided in Attachment 8.

#### 5.1.5 York Region Official Plan, 2010 (Office Consolidation April 2019)

The subject property is within the Greenlands System and designated 'Protected Countryside' and 'Agricultural Area' on Maps 1 and 8 respectively, of the York Region Official Plan (YROP). A portion of the property is within the Natural Heritage System and it is noted that the proposed 404 Highway extension runs through the property.

The current 2010 York Region Official Plan was written before the PPS contained policy language regarding on-farm diversified uses in the Agriculture Area and as a result of this, does not provide direction on the permissibility of on farm diversified uses in the Agriculture area.

Section 6.3.2 of Agricultural Areas, specifies that normal farm practices and a full range of agricultural uses, agriculture-related uses and secondary agricultural uses are supported and permitted in the Agriculture Area.

The 2022 York Region Official Plan was recently adopted by Council June 30, 2022, when the Regional Official Plan is approved by the province, the 2022 Plan will replace the existing 2010 Regional Official Plan.

The Adopted 2022 York Region Official Plan provides policy direction for on-farm diversified uses that are secondary to the principal agricultural use of a property and are limited in area.

York Region has indicated that they are reviewing the application and will provide future comments with regard to conformity with provincial, regional and locals plans. An noted, additional information is required with respect to the scale of the proposed event venue.

A future report will be brought before Council for consideration with further discussion on conformity with the York Region Official Plan.

#### 5.1.6 Town of Georgina Official Plan, 2016

The subject property is within the Greenlands System and designated 'Agricultural Protection Area' and 'Environmental Protection Area' on Schedule A2 of the Town of Georgina Official Plan. A portion of the property contains Key Natural Heritage Features and another portion of the property falls within Hazard Lands. The proposal is subject to the following Official Plan policies.

Section 4.4 Natural Hazards, provides direction on development and states that development and site alteration will be prohibited in areas that are subject to flooding, with some exceptions and only when certain conditions have been met which includes development which must occur in accordance with the Lake Simcoe Region Conservation Authority's Guidelines for the Implementation of Ontario Regulation 179/06, as amended from time to time.

The existing driveway leading to the event venue is within a floodplain and meanderbelt in a Natural Hazards Area. The LSRCA has provided comments and states that it has been demonstrated through a Floodplain Analysis prepared by Greck and Associates that safe access standards to the buildings can be met by raising the existing driveway which will require a permit from the LSRCA.

Section 5.3 Environmental Protection Area, notes that development or site alteration shall demonstrate no negative effects on key natural heritage features or key hydrologic features or their functions.

The existing accessory buildings which will house the event and the parking area are not within the Environmental Protection Area and do not contain Key Natural Heritage Features.

Section 6.1 Agricultural Protection Area, notes that agriculture-related uses and on-farm diversified uses may be permitted to locate in the agricultural protection area subject to the provisions of the Zoning By-law. Where an amendment to the Zoning By-law is required, applications for the development of agriculture-related uses or on-farm diversified uses must meet the criteria set out in section 6.1 with respect to minimizing the use of prime agricultural land, MDS, access, servicing and compatibility

The Agricultural Protection Area criteria are noted below:

- (a) *Minimize the use of prime agricultural land;*
- (b) *Demonstrate there are no alternative locations within the Agricultural Protection Area having poorer soils or lower agricultural capability*

The event venue will be housed in existing accessory buildings on the subject property, these buildings are former agricultural buildings and are no longer required for the agricultural operations on the site which minimizes the use of agricultural land. No additional buildings are proposed. Further information is required from the applicant with respect to the total area which will be dedicated to the proposed use.

- (c) *Incorporate appropriate separation distances from farm operations in accordance with the Minimum Distance Separation Formulae and Guidelines, where merited by a higher density of human occupancy or activity or significant visitation by the broader public to an agricultural area;*

The Agricultural Impact Study and MDS study prepared by Clark Consulting Services concluded that the proposal would meet the Minimum Distance Separation formulae and Guidelines.

- (d) *Be located on an assumed public road and shall not compromise the design and function of the road;*

The subject property is located on an assumed public road. A Traffic Brief prepared by Asurza Engineers Ltd. concluded that there would be virtually no impacts on traffic operation. MTO has provided initial comments and further comments will be provided to the Town once their Engineering staff have reviewed the associated studies.

- (e) *Be serviced with an adequate waste disposal system and an adequate water supply; and*

The event venue will utilize private service (well and septic) as municipal services are not provided. The Functional Servicing and Stormwater Management Report prepared by Greck and Associates Limited concludes that the proposed events venue can be adequately serviced with the existing well. A further Septic System Capacity Investigation has been completed by Claramy Designs Inc. which confirms that the existing septic system has sufficient capacity for the ballroom if it includes a food service. The report also states that since the construction details of the septic leaching field were not verified, it is recommended that a load test be completed in the septic system to ensure the leaching field can accommodate the daily design sanitary sewage flow.

Further review will be required to ensure the septic system can accommodate the events venue and determine if an expansion of the septic is required.

- (f) *Be compatible with the surrounding land uses*

As stated above, the Agricultural Impact Study and MDS study prepared by Clark Consulting Services concluded that the proposal will have minimal impacts on agriculture on the subject lands and minimal impacts to neighbouring agricultural operations. The study notes the potential for conflicts with event scheduling and agricultural activities.

Additional information is required with respect to the scale and intensity of the use such as the number and timing of proposed events, hours of operation, and number of guests accommodated, so that the event venue remains secondary to the principal agricultural use and does not become the dominant use on the site which would be incompatible with the surrounding land uses.

The proposed event venue could be considered an on-farm diversified use and in conformity with the Town's Official Plan, however further evaluation of the Criteria above and the scale of the proposal is required against OMAFRA Guidelines to determine this.

A future report will be brought before Council for consideration with further discussion on the applications with conformity with the Town's Official Plan.

### 5.1.7 Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, Ministry of Agriculture, Food and Rural Affairs, 2016

Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas helps municipalities, decision-makers, farmers and others to interpret the policies in the Provincial Policy Statement (PPS) on the uses that are permitted in prime agricultural areas.

A variety of uses may qualify as on-farm diversified uses based on the PPS definition as long as they meet certain criteria below. A Planning Justification report has been prepared by Michael Smith Planning Consultants; Development Coordinators Ltd. which speaks to the criteria.

1. *Located on a farm.*
2. Secondary to the principal agricultural use of the property.

The proposed event venue is located on a farm, which is in active crop production, and is proposed to be secondary to the principal agricultural use of the property.

3. *Limited in area.*

The limited in area criteria is intended to minimize the amount of land taken out of agricultural production (if any), ensure agriculture remains the main land use in prime agricultural areas, and limit off-site impacts (such as traffic or changes to the agricultural-rural character) to ensure compatibility with surrounding agricultural operations.

The Guidelines provide that on-farm diversified uses should be located within existing agricultural buildings or structures no longer needed to support agricultural production, thereby reducing the amount of farmland consumed, maintaining the agricultural/rural character of the area, and ensure existing buildings are kept in good repair or improved.

The proposed event venue will not take any agricultural land out of farming / production, however the area dedicated to parking should be examined. The event venue will be housed in existing accessory buildings no longer required for agricultural purposes. The primary land use for the subject property will remain as agriculture. An Agricultural Impact Study and MDS study prepared by Clark Consulting Services concluded that the proposal will have minimal impacts on agriculture on the subject lands and minimal impacts to neighbouring agricultural operations.

A Traffic Brief prepared by Asurza Engineers Ltd. concluded that there would be virtually no impacts on off-site traffic operation. MTO has provided initial comments and further comments will be provided to the Town once their Engineering staff have reviewed the associated studies.

Limited in Area is based on the total footprint of the uses, on a lot coverage ratio basis considering the total land area that is unavailable for agricultural production. The area calculation is based on all components related to an on-farm diversified use such as

buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and new access roads. The lot coverage ratio is based on the size of the individual parcel of land where the on-farm diversified use is located.

The OMAFRA Guidelines provide the following recommended area calculations for on-farm diversified uses:

- Existing laneways shared between agricultural uses and on-farm diversified uses are not counted
- Area of existing buildings or structures, built prior to April 30, 2014, occupied by on-farm diversified uses is discounted (e.g., 50%)
- Area of new buildings, structures, setbacks, outdoor storage, landscaped areas, berms, laneways, parking, etc. are counted at 100%
- On-farm diversified uses may occupy no more than 2% of the property on which the uses are located, to a maximum of 1 ha
- The gross floor area of buildings used for on-farm diversified uses is limited (e.g., 20% of the 2%)

Additional information is required regarding the total gross floor area (2 or 3 accessory buildings), parking area, landscaped outdoor gathering areas, and a septic system analysis to determine if an expansion of the existing well and septic is required. The components which are used for the event venue are required to calculate the land area dedicated to the on-farm diversified use to determine if the use can be considered limited in area.

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

On-farm diversified uses can be related to agriculture, supportive of agriculture or able to co-exist with agriculture without conflict. They are intended to supplement the income of farm operators, as well as accommodate value-added uses in prime agricultural areas.

The primary use of the property will remain agriculture for farming operations and the event venue will be secondary to this use, and provide additional income to the farm operator. The proposed event venue will be housed in accessory buildings (formerly agriculture buildings) which are no longer required for agriculture purposes. The events will be seasonal between the months of May to October, however more details are required on the number, timing and size of events. An Agricultural Impact Study and MDS study prepared by Clark Consulting Services concluded that the proposal will have minimal impacts on agriculture on the subject lands and minimal impacts to neighbouring agricultural operations.

The event venue which will be used for events such as weddings, anniversaries and family reunions will benefit from a farm / rural backdrop.

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

As mentioned above, an Agricultural Impact Study and MDS study prepared by Clark Consulting Services concluded that the proposal will have minimal impacts on agriculture on the subject lands and minimal impacts to neighbouring agricultural operations; however the scale and intensity of the proposed event venue have not been provided. This information is required to determine whether the proposed event venue is secondary to the principal agricultural use and does not become the dominant use which would not be considered compatible with the surrounding agricultural operations.

Staff require additional information regarding the area of the components used for the event venue which include buildings, parking and landscaped outdoor gathering areas, septic system, as well as more information on the number, timing and size of events. Comments from the MTO are also pending. In addition, Staff are in on-going consultation with OMAFRA Staff regarding implementing the Guidelines with respect to this proposal.

5.1.8 Zoning By-law 500

The subject property is zoned Rural (RU) on Map 1. Section 28 of Zoning By-law 500 permits agricultural uses, including accessory buildings, structures and uses to any permitted use. An on-farm diversified use is not a permitted use in the RU zone.

Section 2.210 provides a definition for an Agricultural Use:

*“means the use of land or water, building or structure for the purpose of the growing of field crops, sod, flowers, vegetables, berry crops and tree crops, and including nurseries, aviaries, apiaries or farms for the grazing, breeding, raising, boarding or training of livestock or fish, or any other similar use carried on in the field of general agriculture and including the sale of such produce, crops, fish or livestock on the same lot.”*

This definition does not include on-farm diversified uses, therefore, a zoning by-law amendment is required to permit the proposed development.

A draft zoning by-law amendment has been provided by the Owner in Attachment 9 of this report. The proposed by-law speaks to types of events permitted, a maximum area for the event venue, and minimum number of parking spaces.

The by-law will need to further regulate the proposed on-farm diversified use. The by-law will need to be amended to include the definition of a secondary use and restrict the permissibility of the secondary use so that it may only exist if farming is still a primary use, the definition of seasonal use is required to address the maximum frequency and timing of events as to not interfere with farming practices, and a maximum capacity should be included to limit the number of people attending the event venue. The required parking area should also be reviewed.



In addition, Schedule A will also need to be revised to include the Natural Heritage features of the property and should be rezoned with Site-Specific Agricultural Protection (AP-XX), Agricultural Protection (AP) and Environmental Protection (EP) zones. These zoning classifications reflect the zones being proposed in the Phase 1 Review of the Town's updated Zoning By-law No. 500.

## **6. ISSUES REQUIRING RESOLUTION**

Prior to staff bringing a recommendation report to Council for consideration, a number of items must be addressed as set out below.

### *Scale*

In order to interpret whether the proposal can be considered an on-farm diversified use as per the PPS, it is necessary to determine whether the proposal is considered limited in area. An on-farm diversified use may occupy up to 2% of the property to a maximum of 1 hectare.

The buildings, parking, and landscaped outdoor gathering areas used for the event venue need to be reviewed with respect to the total area dedicated to the proposed use. If an expansion to the septic system is required due to the event venue, this area will also need to be included in the calculations for scale. Additional information is required to determine the total land area used for the event venue.

The gross floor area for the buildings dedicated to the on-farm diversified use is also limited to 20% of the limited land area. Building #1 and Building #2 have been included in the on-farm diversified use area calculation submitted by the applicant. The accessory building (Building #3) to the east of the ballroom/reception area will be used as a change room for the bride and groom is not included in the provided calculations. Building #3 will need to be reviewed and calculated if it is part of the event venue.

Additional information is required to calculate the land area and the gross floor area of buildings dedicated to the on-farm diversified use to determine if the use can be considered limited in area.

Additional information is also required with respect to the intensity of the use such as the number and timing of proposed events, hours of operation, and number of guests accommodated, so that the event venue remains secondary to the principal agricultural use and does not become the dominant use on the site.

### *Draft Zoning By-law*

Attachment 9 is a Draft Zoning By-law and Schedule A prepared by the Applicant/Owner.

As noted above, the proposed Draft Zoning By-law will require more detailed provisions including the definition of secondary use and seasonal use to ensure the proposed event

venue remains secondary to the principal agricultural use, does not interfere with farming practices, and does not become the dominant use on the site, and the parking requirements should be reviewed. In addition, Schedule A will need to be revised.

#### *Access*

Staff note the neighbour to the east of the subject property has its own access of Hwy 48, however it has a connection to the driveway/access of 27909 Hwy 48 as well. Staff will require further information on any easements between the Owner of the subject property and the Owner to the east.

In addition, the Traffic Brief and Planning Justification Report should be updated for consistency with respect to the seasonal use.

Preliminary comments from MTO note that permits will be required for any modification to the driveway proposed within 45m of the property line and any signs will require MTO sign permits. Further review from the MTO Engineering Department is required. The LSRCA has also commented that additional fill will be required to increase the driveway elevation

### **7. RELATIONSHIP TO STRATEGIC PLAN:**

This Report addresses the following Town of Georgina corporate strategic goal:

**Promote a high quality of life**

### **8. FINANCIAL AND BUDGETARY IMPACT:**

There are no financial concerns or budgetary impacts on the Town as a result of this application. The Owner shall apply for and obtain any and all necessary approvals associated with proposal, including the payment of applicable associated costs for building permits, which includes the payment of development charges and cash in lieu of parkland dedication at the time of building permit issuance.

### **9. CONCLUSION:**

In conclusion, Staff are of the opinion that the proposed ZBA requires further consideration and refinement relative to the matters identified in this report.

Staff recommend that a subsequent report be prepared for Council's consideration once all Town department and external agency comments are received and pending the satisfactory addressing of the matters raised by Council, members of the public and Staff at the public meeting.

**APPROVALS**

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Reviewed By: Janet Porter, MCIP, RPP  
Manager of Development Services

Recommended By: Harold Lenters, M.Sc PI, RPP  
Director of Development Services

Approved By: Ryan Cronsberry  
Chief Administrative Officer (CAO)

***Attachments:***

Attachment 1 – Context Map  
Attachment 2 – Key Map  
Attachment 3 – Aerial Map  
Attachment 4 – Site Photos  
Attachment 5 – Survey  
Attachment 6 – Site Sketch  
Attachment 7 – Floor Plans and Elevations  
Attachment 8 – Consolidated Comments  
Attachment 9 – Draft Amending Zoning By-law and Schedule 'A'