General Goverance Meeting April 19, 2021 Re: Special Events By-Law LGS-012-21

The Municipal Act, 2001, authorizes municipalities to pass by-laws, issue permits and impose conditions on events. These by-laws may require site plans, traffic plans, emergency plans and security plans. These by-laws can help ensure uses are reasonable without the need for other approvals.	

On-farm diversified uses: means 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.

PPS, definitions

2.3.1 PPS Criteria for On-Farm Diversified Uses

All of the following criteria must be met to qualify as on-farm diversified uses, in accordance with the PPS.

Located on a farm.

(from the label "on-farm" diversified uses and from the definition's requirement that the use be secondary to the principal "agricultural use" of the property)

Guidelines on Permitted Uses 2.3 continues with

"While the PPS definition of *on-farm diversified uses* allows for a wide range of on-farm economic opportunities, it also requires those uses be secondary to the principal *agricultural use* of the property. In other words, *agricultural uses* must remain the dominant use 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. Temporal considerations apply to uses that are temporary or intermittent, such as events."

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%)

The approach to the "limited in area" criterion is intended to:

- achieve the balance between farmland protection required by the PPS and economic opportunities for farmers
- improve consistency among municipalities in terms of the land area that could be used for such uses
- · level the playing field for different types of on-farm diversified uses
- provide flexibility as on-farm diversified uses and owners change
- · simplify implementation

"Temporal considerations apply that are temporary or intermittent, such as event uses. . . the frequency and timing of events must not interfere with cropping cycles..."

PPS 3.2.1.1

Large-scale, repeated or permanent events are not *on-farm diversified uses* and should be directed to existing facilities such as fairgrounds, parks, community centres and halls, settlement areas or rural lands. Guidelines on new venues in *prime agricultural areas* are provided in Section 3.2 Limited Non-Agricultural Uses.

[97] A large event venue capable of being used frequently and year round is not appropriate on the Site. The proposed event venue must be better defined and scoped..."

Hours of Operation / Seasonality

- 2.6 No person shall conduct an On-Farm Special Event,
 - a. between the hours of 11:00 PM and 10:00 AM; or
 - b. on a date outside the range of May 1 to October 31.

Frequency

- 2.7 No Person shall host more than one On-Farm Special Event on the same property within the Municipality in any consecutive three-day interval.
- 2.8 No Person shall host more than two On-Farm Special Events within the Municipality on the same property in any consecutive seven-day interval.

Attendance

2.9 Maximum attendance at an On-Farm Special Event shall be the lesser of the capacity determined through the approved Site Plan Agreement, or 300 people.

PART 3 – LICENSING

Applications

- 3.1 Every application for a Licence shall be completed and submitted on forms prescribed by the Municipal Clerk.
- Every application for a Licence shall include,
 - (a) an annual licensing fee of \$500.00;
 - (b) the address of the property proposed to be used for On-Farm Special Events;
 - (c) written proof, satisfactory to the Municipal Clerk, that the Applicant is the Owner;
 - (d) proof of a valid Ontario farm business registration number for the property, or proof of exemption from the registration requirements;

LICENSING

- o Licensing relieves the BURDEN of regulation by the community
- o Licensing is a TOOL to regulate (e.g. a driver's license, an LCBO license, a fishing license) misuse of the privilege granted
- o Licensing is an INCENTIVE to comply. If there were repeated infractions, the issue could be resolved in one year, not three

[92] "Rural areas are a critical part of the agricultural system and way of life in Ontario. Although they are not prime agricultural areas, they are important and subject to relevant and thoughtful Provincial policy and protection. On-farm diversified uses/agritourism in rural areas are appropriate but, as noted at the hearing, do not get a "free 28 PL170178 pass" simply because they are on a farm and will help a farmer(s). They must align with Provincial policy..." LPAT 2018