

Golden Horseshoe Food and Farming Alliance

**EVENT BARNS**

Position Paper

September 2021

DRAFT

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## INTRODUCTION

Event barns are a popular trend in the Golden Horseshoe and Ontario. Event barns can host weddings, birthday parties, corporate events and much more. On one hand, event barns can provide an additional revenue stream and provide entrepreneurial opportunities for family farmers. On the other hand, event barns are complicated and expensive to establish in Ontario. Many family farm entrepreneurs require a road map of applications, permits, timelines and costs associated with establishing event barns. Many local governments also struggle with balancing opportunities for family farm entrepreneurs with appropriate agricultural compatibility and preservation.

The Golden Horseshoe is a region in Ontario that is currently the most densely populated and industrialized area in Canada. The Golden Horseshoe has a growing population of more than seven million people that covers an area of approximately 10,095 km<sup>2</sup> (World Atlas, 2021).

The Golden Horseshoe is home to some of Ontario's best prime agricultural lands. Prime agricultural lands are defined as specialty crop areas and/ or areas within Canada's Land Inventory Classes 1 - 3 (MMAH, 2020 & OMAFRA, 2021,). Only 5% of the Canadian land area is actually made up of prime agricultural lands and only 0.5% of the Canadian land area is Class 1 lands (Walton, 2003). Ontario contains 52% of Canada's Class 1 land, even though only 6.8% of the Province's total land area is suitable for agriculture (Caldwell & Hilts, 2005). A total of 2,074,689 ha (5,126,667 ac) are classified as prime agricultural land in Ontario, and the majority of these lands (86%) are located in Southern Ontario (Fox & Wang, 2016).

Prime agricultural areas are where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 -7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture (MMAH, 2020). Prime agricultural areas are a finite, limited resource and agricultural uses are to remain the principal use in prime agricultural areas (OMAFRA, 2021).

For more than 40 years, Ontario has been dedicated to protecting valuable farmland through various provincial and municipal land use planning policies. According to Caldwell et al. (2017) there are a number of reasons to limit non-farm development in the agricultural area, including:

- fragmentation of land and utilization of farmland for not growing crops or producing livestock;
- a potential source of conflict with agricultural operations, such as odour or sound;
- increasing the cost of providing services for a municipality;
- having environmental and servicing impacts; and
- fundamentally changing the rural community and detracting from general rural aesthetics.

Farmland preservation policies in Ontario have been reasonably supported, but the success of preservation, stewardship and entrepreneurialism varies by region and municipality.

The Golden Horseshoe Food and Farming Alliance (GHFFA) is a partnership between the Regional Municipalities and Federation of Agriculture in Niagara, Peel, Halton, York, Durham and the Cities of Hamilton and Toronto as well as Conservation Authorities, the Greenbelt Fund, Durham College, Niagara College, the Holland Marsh Growers and various members of the food industry. The GHFFA's goal is to retain, enhance and expand the region as a globally renowned food and farming cluster (GHFFA, 2021).

The GHFFA 2021- 2026 Vibrant Future Action Plan identifies the objective to develop short, plain language position papers to support the agri-food sector in the Golden Horseshoe. This position paper explains the emerging development policies, regulations and processes aimed at establishing responsible event barns and answers the simple question: is it appropriate to establish event barns in Ontario and the Golden Horseshoe in particular?

This paper will explain the background of family farming and on-farm diversification, introduce the concept of event barns and provide examples and identify development requirements, processes and costs for establishing event barns in Ontario. This paper will also provide a responsible position on event barns and identify next steps to assist family farmer entrepreneurs and local governments in balancing event barn opportunities while also preserving Ontario's agricultural lands.

## **FAMILY FARMING AND ON-FARM DIVERSIFICATION IN ONTARIO**

There are approximately 500 million family farms in the world which produce 80 percent of the world's food (Food and Agricultural Organization of the United Nations, 2019 & Graeub et al., 2016).

Family farms can include a variety of labor and ownership and are still the predominant form of agriculture both in developed and developing countries (Food and Agricultural Organization, 2019; Statistics Canada, 2017a; Statistics Canada, 2017b).

Although there is much discussion within literature as to what constitutes a family farm, in the Canadian context it can be defined as a farm of food production that is not managed by a commune, cooperative, or a non-family corporation (Brookfield & Parsons, 2007; Calus & Huylenbroeck, 2010; Garner & de la O Campos, 2014; Gasson et al., 1988; Hill, 1993; Knezevic et al., 2016; Krymowski, 2019; Morgan, 1993 & Niekamp, 2002). A family farm is now largely defined as an operation where the ownership structure and decision-making powers rest with the family (Gasson et al., 1988 & Krymowski, 2019). Today, family farms can include a variety of labor and ownership and are still the predominant form of agriculture in Ontario (Food and Agricultural Organization, 2019; Statistics Canada, 2017a).

Family farms have shown considerable resilience through the importance of generational farming; continued cost savings and flexible budgeting; social responsibilities linked to the rural community; respect and responsibility for the environment and diversification (Alsos et al., 2003; Ainley, 2014; Bessant, 2006; Brookfield & Parsons, 2007; Clarke, 2016; Garner & de la O Campos, 2014; Gorman et al., 2001; LaLone, 2008; Nuthall & Old, 2017; Smithers et al., 2004 & Thompson, 1989).

Since 1995, approximately 45% of farmers in Canada have engaged in off-farm activities (either working for additional income or operating another business) (Statistics Canada, 2017a & Vanier Institute of the Family, 2017). Pluriactivity (i.e., when farmers and their families rely on non-agriculture or off farm sources of income) is considered a response to farm finances and farm operational constraints; however, pluriactivity also focuses on personal goals, as well as occupational / career-

related and lifestyle considerations. Pluriactivity offers personal and family financial assurance and safety which allows farm families to worry less about risk, expenses, and the long, hard hours of farming work. Pluriactivity is a broad-based strategy for improving long term economic security and raising living standards for the farm family (Barlett, 1986 & Brookfield & Parsons, 2007).

On-farm diversification not only includes implementing value-added farming practices, it can also include new businesses on farm lands, some of which may not be directly related to agriculture at all (OMAFRA, 2016). The concept of on-farm diversification is not amenable to a very precise definition and covers a wide range of possible activities (Busby & Rendle, 2000; Evans & Ilbery, 1993 & Ilbery, 1991). The Ontario Ministry of Municipal Affairs and Housing (MMAH) in the 2020 Provincial Policy Statement (PPS) defines on-farm diversification 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” (MMAH, 2020, p. 48). Barbieri (2013) identifies that on-farm diversification includes a wide variety of activities and services. Similarly, OMAFRA (2016) also identifies that there are many types of on-farm diversified uses including but not limited to: wineries, breweries, cideries, cheese shops, abattoirs, bakeries, professional offices, art studio, massage therapists, veterinarians, kennel, classes or workshops, sawmills, woodworking or welding shops, equipment repair, seasonal storage of boats or trailers, bed and breakfasts, farm vacation suites, hay rides, petting zoos, farm-themed playgrounds, horse trail rides, corn mazes, seasonal events, retreats, ziplines, farm market, antique business, seed suppliers, tack shops, and café or small restaurants. Overall, family farming has and continues to change in Ontario as family farmers are looking for on-farm diversification opportunities (Bollman, 2001; Brookfield, 2008; Calus & Van Huylbroeck, 2010; Che et al., 2005; Farrington & Kuhlman, 2010; Garner & de la O Campos, 2014; LaLone, 2008; Larson et. al, 2014; Nunn & Qian, 2010; Nuthall & Old, 2017; Smil, 2001 & Tauger, 2010).

## **EVENT BARNs AND EXAMPLES IN THE GREATER GOLDEN HORSESHOE**

Event barns are an example of an on-farm diversified use. Event barns can be compatible with surrounding agricultural operations if the frequency and timing of events do not interfere with cropping cycles or agricultural uses on a farm or surrounding area (OMAFRA, 2016). “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” (OMAFRA, 2016, p. 18).

To date, the Golden Horseshoe has many event barns, some of which are legal and have received various government approvals and many which are illegal (have not received municipal approvals and permits) venues (Caldwell et al., 2021). Event barns can be a popular on-farm diversification venture for family farm entrepreneurs as the natural ambiance is a destination for many couples on their wedding days. Formality, for many millennials, feels awkward and they no longer desire formal weddings at the plaza, instead they look for venues that offer simple celebrations that are a reflection of themselves. Event barns can be places where families and friends are in a casual setting and the pressures of formal weddings diminish (Kitchener, 2018).

The following are three examples of event barns located in the Golden Horseshoe.

### ***Maple Meadows Farm & Event Center, Port Colborne, Niagara Region***

Maple Meadows Farm in the City of Port Colborne is a successful event barn that has received appropriate government approvals. The owners purchased the 26 ha (65 ac) farm in 1999 and grew hay while they worked off the farm. Today the farm owners rent 22 ha (55 ac) to an organic farmer and focus their attention on the gorgeous post and beam barn where they host approximately 200 guests per wedding and organize upward of 52 weddings between May and October annually. It is important

to note that the farm owners spent 2 years and over \$200,000 on renovating the 510 m<sup>2</sup> (5,500 ft<sup>2</sup>) rustic barn to meet building and fire codes. As one of the first event barn entrepreneurs in the Golden Horseshoe the keys to their success have been obtaining a zoning provision for a 2.8 ha (7 ac) unlimited event space in 2014 and having their barn set far back from the road and not close to any neighbours. According to their brides and grooms, the weddings at Maple Meadows Farm are cozy and chic.



### ***Cambium Farms, Caledon, Peel Region***

Cambium Farms in the Town of Caledon is also an example of an event barn that has received government permits and approvals. Cambium Farms is a 20.23 ha (49.98 ac) cash crop farm and landscaping business. The current property owners also rent their land to a local farmer.

Cambium Farms began hosting weddings in their beautiful barn that was built in 1873 after utilizing the space to host a wedding for their own family member.



Pre COVID-19 Cambium Farms hosted 60-70 events per year between May – September.

Cambium Farms expects to host 120 – 140 events per year in the near future.

Cambium Farms has continued to grow their business with planning applications in 2015, 2017 and 2018 to permit 450 guests on site. The main floor of the barn is 820m<sup>2</sup> (8,934 ft<sup>2</sup>) which operates seasonally May – October and the byre



located in the lower level of the barn is 420 m<sup>2</sup> (4,520 ft<sup>2</sup>) and operates year-round. Various permits and building renovations have occurred including provincial permits for water and septic.

Overall, Cambium Farms spent well over half a million dollars on requirements such as land use approvals including various studies, building permits including engineered drawings and structural design and municipal development charges. Cambium Farms is known for their hospitality and generates most of their business from the Greater Toronto Area. Cambium Farms has plans to expand their on-farm diversified uses with nearby wineries and breweries to generate additional local economic development and possible overnight accommodations.

### **Stonewall Estates, Lincoln, Niagara Region**

Stonewall Estates in the Town of Lincoln opened their doors in 2017 as an official event barn after receiving various planning approvals and building permits. The 40 ha (120 ac) vineyard and orchard was purchased in 2005. The beautiful family farm on prime agricultural lands rests beside 16 Mile Creek and includes waterfront views and forest trails, which create a beautiful setting for weddings

and events. The event barn was relocated and rebuilt from a Guelph farm. The event barn today hosts approximately 30 weddings per year with a maximum of 200 guests. There is also a bridal cottage on site and a smaller barn that is partially used for washrooms and the caterer.



Stonewall Estates spent approximately three and a half years and half a million dollars on approvals, permits, consultants, development charges and renovations as part of their development process. They operate with 120 parking spaces and a maximum useable floor area for the event barn of 235m<sup>2</sup> (2,530 ft<sup>2</sup>). The breathtaking Stonewall Estates plans to open their winery in 2022.

### **Graham Creek Country Estate, Clarington, Durham Region**

Graham Creek Country Estate is an ecologically sustainable 16 ha (40 ac) three generation family farm in the Municipality of Clarington. Graham Creek Country Estate raises pasture-based and antibiotics, hormones and chemical-free beef and lamb. To date, there is no event barn on site at Graham Creek Country Estate. The family farm entrepreneurs pursued planning applications in 2015 proposing to permit seasonal special events, farm tours, meat processing and sales on an agricultural property. The proposed zoning by-law amendment for the seasonal event venue included a maximum total area of 2.5% of the lot, maximum total floor area of 340 m<sup>2</sup> (3,659 ft<sup>2</sup>) and 65 parking spaces.

In 2017, various neighbours objected to the application and therefore the Municipality of Clarington Council refused the event venue and approved the meat processing accessory use.

The main concerns raised were: 1) the small scale of the existing farm operation and that proposed special events would become the primary use of the property; and 2) the overall compatibility of the proposed events in the rural area. The decision was appealed by Graham Creek Country Estate to the Local Planning Appeals Tribunal (LPAT).

In 2018, the tribunal dismissed the appeal of the refusal of the official plan amendment and outlined an official plan amendment was no longer required because amendments were made to the official plan in November 2016 and approved by the Region of Durham in June 2017 that permitted agri-tourism providing there was a rezoning. The tribunal agreed with the Municipality of Clarington Council and refused the zoning change for the seasonal special event venue. The meat processing use was approved with modifications. Overall, the tribunal was not convinced that there were appropriate controls in place to limit the seasonal special event venue and the event barn would restrict the agricultural use of the small family farm (Municipality of Clarington, 2017 & Local Planning Appeal Tribunal, 2018).

### **EVENT BARN REQUIREMENTS**

There are many opportunities that event barns create for family farm entrepreneurs including additional revenue streams, showcasing farming heritage and environmental practices and the ability to be creative and endure new businesses. However, there are various requirements to creating event barns in Ontario including the development process of appropriate zoning and building approvals (Clysdale, 2019; Dunning, 2019; Follert, 2017; Lewis, 2019; Rothweiler, 2015 & Stewart, 2015). “It is important for farmers to have a solid understanding of the zoning and building code requirements in place in their local municipalities or regional districts as these will not only depict the types of activities permitted on the farm but also control or influence the scale, type or size of operation that can take place” (Vaugeois et al., 2017, p. 27). Government policies and regulations are in place to create safe spaces in Ontario where the public can visit and not get hurt or sick; however these municipal

requirements are often confusing and expensive (Caldwell et al., 2021). Family farmers who seek to establish appropriate event barns will need to ensure they have the correct land uses and building permits in place, which include, but are not limited to septic and water. These approvals may result in development charges and changes to property tax rates. Finally, family farm entrepreneurs should understand what the implications of not following government regulations are in terms of by-law enforcement and managing relationships with neighbours. The following is a description of these details to consider:

### **PUBLIC LAND USE PLANNING PROCESS**

The Ontario public land use planning process can be a complicated process compared to all municipal requirements to establish an event barn. To develop a property in a way that is not allowed by the current local municipal zoning bylaw, a family farm entrepreneur may be required to apply for a zoning change, also known as a zoning by-law amendment or a rezoning. Municipal councils consider a zoning change only if the new use is permitted by the municipality's official plan (MMAH, 2021b). In return, municipal official plans must be consistent with Provincial legislation including the PPS and specific land use policy plans that apply to a specific geographical area of Ontario including but not limited to the Growth Plan for the Greater Golden Horseshoe, Niagara Escarpment Plan, Green Belt Plan, Lake Simcoe Protection Plan and the Oak Ridges Moraine Conservation Plan. The PPS (2020) identifies in section 2.3.3.1 that prime agricultural areas shall be protected for long-term use for agriculture and permitted uses include agriculture, agriculture related and on-farm diversified uses. Proposed on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives (MMAH, 2020).

In 2016, the Province of Ontario created the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (OMAFRA Guidelines). These guidelines outline best practices for Agriculture,

Agriculture Related, and On-Farm Diversified Uses and are intended to ensure that agricultural remains the principle use in prime agricultural areas (OMAFRA, 2016). The OMAFRA Guidelines were created to help local municipalities, decision makers, farmers and others interpret the policies in the PPS. It is important to note that the OMAFRA Guidelines were created for use of prime agricultural areas as they are of provincial significance in Ontario, however, the guidelines can also be applicable to rural lands in Ontario regardless of the soil classification. The OMAFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas are the first important direct step within the Ontario land use planning policy regime to address on-farm diversification permissions including event barns.

The following criteria are identified in the OMAFRA Guidelines and depict the difference between agricultural, agricultural-related and on-farm diversified uses for clarity.

**Figure 1**  
**Criteria for Agriculture, Agricultural-Related and On-Farm Diversified Uses in Prime Agricultural Areas**

Type of use	Criteria as provided by PPS policies and definitions
<b>Agricultural</b>	<ol style="list-style-type: none"> <li>1. The growing of crops, raising of livestock and raising of other animals for food, fur or fibre</li> <li>2. Includes associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment</li> <li>3. All types, sizes and intensities of <i>agricultural uses</i> shall be promoted and protected in accordance with provincial standards</li> <li>4. <i>Normal farm practices</i> shall be promoted and protected in accordance with provincial standards</li> </ol>
<b>Agriculture-Related</b>	<ol style="list-style-type: none"> <li>1. Farm-related commercial and farm-related industrial uses</li> <li>2. Shall be compatible with and shall not hinder surrounding agricultural operations</li> <li>3. Directly related to farm operations in the area</li> <li>4. Supports agriculture</li> <li>5. Provides direct products and/or services to farm operations as a primary activity</li> <li>6. Benefits from being in close proximity to farm operations</li> </ol>
<b>On-Farm Diversified</b>	<ol style="list-style-type: none"> <li>1. Located on a farm</li> <li>2. Secondary to the principal <i>agricultural use</i> of the property</li> <li>3. Limited in area</li> <li>4. Includes, but is not limited to, home occupations, home industries, <i>agri-tourism uses</i> and uses that produce value-added agricultural products</li> <li>5. Shall be compatible with, and shall not hinder, surrounding agricultural operations</li> </ol>

(OMAFRA, 2016, p. 3)

More specifically section 2.3 of the OMAFRA Guidelines identify criteria for on-farm diversified uses, including a wide variety of uses that may qualify as on-farm diversified uses based on the PPS definition. It should be noted that all these criteria must be met:

1. 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);
2. Secondary to the principal agricultural use of the property;
3. Limited in area. This criterion 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 (e.g., traffic, changes to the agricultural-rural character) to ensure compatibility with surrounding agricultural operations. These guidelines recommend that the standard for the acceptable area occupied by an on-farm diversified use is up to 2% of a farm parcel to a maximum of 1 ha (10,000 m<sup>2</sup>). It should be noted there are additional detailed provisions on how to calculate area;
4. Includes, but is not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products; and
5. Shall be compatible with, and shall not hinder, surrounding agricultural operations (OMAFRA, 2016).

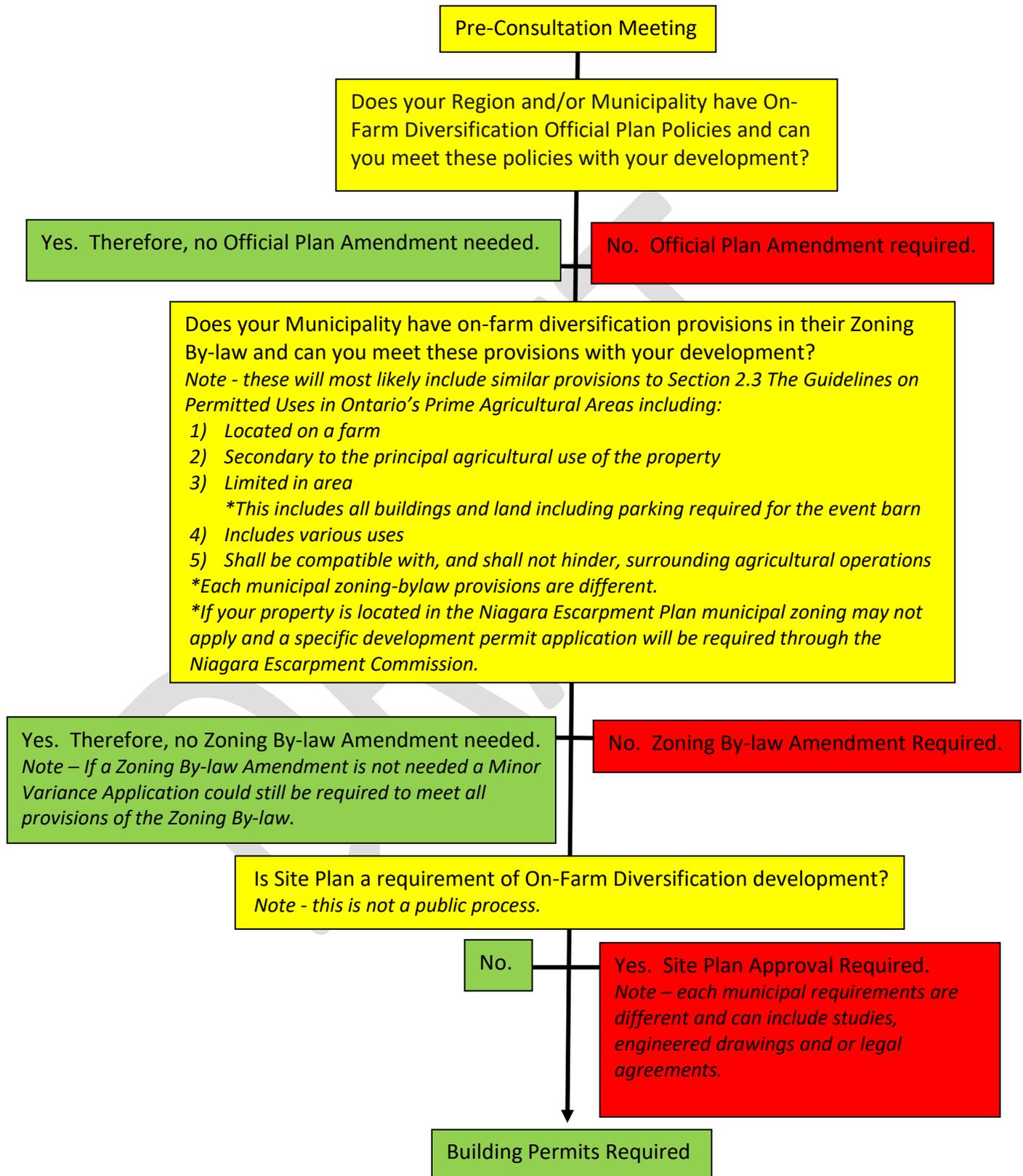
Section 2.5 of the OMAFRA Guidelines identifies implementation tools for municipalities, including municipal official plans and zoning by-laws to set policies and provision for on-farm diversification, depending on the proposed use. Section 2.5.3 identifies that municipalities may find it useful to apply site plan control to on-farm diversified uses given the broad range of uses permitted (both farm- and non-farm-related uses) and further recommends that an expedited site plan approval process may be appropriate (OMAFRA, 2016).

The OMAFRA Guidelines provide some clarity, measurement and examples of what is and is not appropriate on-farm diversification development in Ontario. However, it should be noted that this document is a guideline only and not prescribed policy. It should be noted that the Greenbelt Plan (policy 3.1.3) refers and requires use of the OMAFRA Guidelines. The OMAFRA Guidelines also explain provincial policy which all land use decision must either be consistent with or conform to. As a result of this OMAFRA Guideline, some Ontario municipalities are beginning to create official plan policies and

zoning by-law provisions to assist the process of on-farm diversification. Some municipalities have chosen to implement on-farm diversification policies while others have not.

On-farm diversification is very much dependent on what a local municipality and/or regional municipality in the Golden Horseshoe and beyond has chosen to implement in terms of policies and provisions and in turn what planning approvals an entrepreneur will require to create an event barn. Therefore, the first step a family farm entrepreneur should take in creating an event barn is to connect with the local municipal planning department to understand if an official plan amendment and/ or zoning amendment and site plan application is required. Pre-consultation meetings are a great way to get answers and understand all the requirements of an event barn in a specific municipality before submitting planning applications. If a farm is located within the Niagara Escarpment Plan, the Niagara Escarpment Commission should also be contacted in this regard as a development permit may be required. Municipal zoning has no legal standing in much of the Niagara Escarpment Plan outside many urban areas, minor urban centers and the escarpment recreation area. Instead a development control system is in place. The development control system does not permit development “as of right” the way a municipal zoning by-law does. Rather individual applications are evaluated based on meeting permitted uses and development criteria (Niagara Escarpment Commission, 2021). The following flow chart may assist family farm entrepreneurs ensure they are meeting all required land use planning processes:

**Figure 2**  
**Event Barn Land Use Planning Approval Requirement Outline**



It should be noted that the official plan/ zoning by-law amendment and site plan approval applications require a separate process. The official plan and zoning by-law amendments are public planning processes in Ontario and therefore can be appealed to the Ontario Land Tribunal (OLT) for final decision. There are also separate costs associated with each official plan, zoning by-law and site plan application. These application costs can vary depending on the municipality and can range from \$2,000 - \$45,000 within the Golden Horseshoe. There could be costs associated with both the region and municipality. These costs do not include additional studies such as traffic, environmental or noise studies, peer reviews (if required), site plan securities (if required) or professional consulting costs. There is no charge to apply for a development permit from the Niagara Escarpment Commission.

Overall, the requirements for land use planning applications can be different from municipality to municipality in Ontario depending on the policy regime, processes and fee structure of the local government. Requirements for land use planning applications are also assessed on a case by case basis depending on the specifics of the land (designation, zoning, natural heritage/conservation area etc.). No two farms in Ontario will have the same land use planning application requirements and processes.

## **BUILDING PERMITS**

A building permit is necessary when you wish to construct, renovate or demolish a building. Building permits are also required to change the use of a building, even in circumstances where no construction is necessary. The Ontario Building Code sets minimum standards for the design and construction of buildings to meet objectives such as health, safety, fire protection, accessibility and resource conservation (Ontario Building Code, 2012). Building permits are issued under the authority of the Ontario Building Code Act by a municipality. Building Permit issuance also depends on approvals from other applicable legislation, including conservation authority approvals, MTO approvals and verification that

certain requirements under the Environmental Protection Act are met (OMAFRA, 2021). Building permits can only be issued once all technical requirements under the Ontario Building Code are met and all applicable laws as set out in the Ontario Building Code (including Zoning By-laws) are met. If the municipal property is regulated by a Site Plan Control By-law, site plan approval is required in order for a property owner to receive a building permit. Since Site Plan Control By-laws are considered 'other applicable law' by the Ontario Building Code not until the site plan and drawings have been approved by the municipality can the Chief Building Official issue Building Permits (2012).

If an entrepreneur is establishing an event space in an existing barn that is more than 5 years old and over 600 m<sup>2</sup> a Change of Use Building Permit is required for a public hall (Ontario Building Code, 2012). Public Halls are deemed as assembly occupancy and require an architect's review and stamp. The Ontario Building Code defines an assembly occupancy as "the *occupancy* or the use of a *building* or part of a *building* by a gathering of persons for civic, political, travel, religious, social, educational, recreational or similar purposes or for the consumption of food or drink" (Ontario Building Code, 2012).

A review of the building is also required by a professional engineer to determine that it is structurally sufficient, as per the requirements of the Ontario Building Code. If structural upgrades are required the professional engineer will be tasked with their design and review. A change of use building permit (that takes into consideration prescribed compliance alternatives to existing buildings) are governed under Part 10 and 11 of the Ontario Building Code. All new construction is required to meet other parts of the Ontario Building Code. For example, Part 3 outlines requirements such as fire protection (sprinklers, fire separations, means of egress

requirements and other various provisions for firefighting). Part 7 of the Code deals with all new plumbing and Part 8 deals with this design and installation of new septic systems as well as upgrades to existing ones (Ontario Building Code, 2012).

The Ontario Building Code requires potable water to run to the plumbing fixtures, (event barns are normally served by a private well). However, if it is anticipated that more than 50,000 litres of water is needed in a day, a permit to take water from the environment is required by the Province (MECP, 2021). Similarly, if the septic system is designed to treat more than 10,000 litres per day, approval must be obtained from the Province (MECP, 2021).

An Architect will design construction drawings to address exits and fire separations. They can design the event barn to an occupancy load of the clients choosing if there is adequate floor area and facilities. The occupancy load calculation dictates the number of washrooms and exits that will be required. Section 3.1.17 of the Ontario Building Code is used to calculate the occupant load of the building, however the Architect may be required to limit the number of occupants to a lower number (usually because of limited number of washrooms or for zoning by-law restrictions). These maximum occupant loads must be posted at the time of occupancy. Most municipal Building Departments will provide the placard for posting in a conspicuous locating in the building (Ontario Building Code, 2012).

Usually, an entrepreneur will require two building permits to create an event barn; one to renovate the existing building and one for a new or upgraded septic system. Building permit fees vary in each municipality in the Golden Horseshoe and are either based on the square footage of the barn (cost per square foot) or on the estimated construction value for the proposed renovation. Septic permits are normally a flat fee. Permit fees represent only a small

cost when compared to the Architect's and engineer's professional fees and the overall construction costs to renovate a barn for assembly occupancy.

It should be noted that an individual who is charged and found guilty of an offence under the *Building Code Act, 1992*, (such as building without a permit), can be fined up to \$50,000 for a first offence and up to \$100,000 for subsequent offences. Corporations can be fined up to \$500,000 for a first offence and up to \$1,500,000 for subsequent offences. If found guilty of disobeying a Stop Work Order, a maximum fine of \$10,000.00 per day may be levied against individuals and corporations (MMAH, 2021a). It should also be noted, that if event barns are operating illegally without all appropriate building and fire code requirements municipalities may have legal obligations to ensure public health and safety.

#### **DEVELOPMENT CHARGES**

Development charges are fees imposed on land development and redevelopment projects to help pay for municipal infrastructure and capital costs that are needed to service new developments such as roads, transit, water and sewer infrastructure, community centres and fire and police facilities. The general principle of development charges is that growth should pay for growth. The *Development Charges Act, 1997* requires that a background study be prepared no less than every five years to determine fees based on current service levels and the forecasted amount, type and location of future development within the municipality. A new development charges by-law can be passed within one year of the completion of a background study (MMAH, 2013).

Development charges can be flexible and permissive to recognize specific circumstances that different municipalities face with development projects. Many municipalities use local development charges as an incentive for direction development through reductions and exemptions in areas such as downtown cores, transit nodes, where high density is desired or industrial and commercial areas to

encourage economic development growth. Development charges are collected from developers/ property owners at the time of issuing a building permit or a change of use permit. Development charges cannot be waived. If development charges are deemed to be owing, they must be paid by the applicant or by a council approved grant from the tax levy.

Development Charges for an event barn will differ in each municipality across the Golden Horseshoe and beyond according to their development charges background study. Development charges for an event barn are usually calculated per square meter and would be applied to the gross floor of the building that is being converted. Across the Golden Horseshoe such development charges could range from -\$50 m<sup>2</sup> to +\$300 m<sup>2</sup>. As an example, a family farmer entrepreneur in Milton had over a \$100,000 development charge for an event barn and outbuildings (Sadewo, 2019 & 2020).

## **TAX IMPACTS**

The Municipal Property Assessment Corporation (MPAC) is responsible for assessing and classifying properties in Ontario. The property assessments they provide are what municipalities utilize to base the property taxes (MPAC, 2021). According to provincial legislation, MPAC receives a copy of all building permits issued by a municipality and can also receive copies of planning and other approvals. If MPAC is made aware that a barn is no longer utilized for farming purposes and is instead an event venue MPAC would inspect the farm and update the classification accordingly. Ultimately there would be an increase in municipal taxes. For some properties this tax increase could be quite substantial. It should be noted that each property assessment will be different on its own merits.

Overall there are a number of complicated government regulations, permits and approvals to establish event barns in Ontario. Each municipality holds different policies and processes and each farm in Ontario will also have different land analysis and therefore, no two farms are alike in Ontario. The inconsistencies in establishing event barns are what makes providing a road map to family farm entrepreneurs and municipal planners challenging.

## POSITION ON EVENT BARNES

So far this paper has provided a general understanding about family farming and opportunities for on-farm diversification, shared examples of event barns in the Golden Horseshoe and provided detailed information on the requirements for establishing event barns in Ontario. With all this information, the question still remains: is it appropriate to establish event barns in Ontario and the Golden Horseshoe in particular. The answer is simple. ***Event barns should only be permitted if they can meet all the current government requirements and follow the OMAFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. It is unlikely that event barns should be established today.***

There are three main reasons it is difficult to establish event barns: 1) The event barn must be secondary to a farm; 2) The size and scale of event barns must be appropriate to balance farmland protection with economic development opportunities; and 3) Approved event barns are expensive and take time to create. The following details will further explain this rationale and reasoning:

### **1) Must be Secondary to a Farm**

On-farm diversification including event barns must be located on a farm (OMAFRA, 2016). Event barns do not apply to small residential lots in the agricultural area. As a farm is not defined in provincial planning policy it is at the discretion of each municipality to confirm what a farm is. Many municipalities may require proof that shows the property qualifies for the farm property class under the Assessment Act, 1990 and/or a valid Ontario farm business registration number. There is no requirement, that the farmer be the operator of the event barn. Therefore, a property owner could rent out the land and operate the event barn or farm the land and have a third party work/operate the event barn. The OMAFRA Guidelines are focused on objective criteria (ie. amount of farmland displaced) rather than other factors that are more difficult for planners to regulate (ie. who operates a farm business).

While the PPS definition of on-farm diversification uses allows for a wide variety of on-farm economic activities, it also requires those uses be secondary to the principle agricultural use of the property. Therefore, agricultural uses must remain the dominant use of the property. This is measured in spatial and temporal uses (OMAFRA, 2016). When an additional use on the farm requires too much space it should re-locate to an appropriate area of a municipality such as an industrial park or a downtown/ commercial space. The same is true of an event barn, the larger the use the more opportunity there is for the event barn to be the dominant use on the property and affecting compatibility within prime agricultural areas. Furthermore, uses with high water and sewage needs and or that generate significant traffic such as banquet halls should not be on-farm diversified uses (OMAFRA, 2016). These uses would be better suited to urban areas where services and amenities are available and there are less conflicts with neighboring properties. We must think farm first!

## **2) Appropriate Size and Scale**

Probably the most important reason why event barns may not be considered an on-farm diversified use is because they are too large and do not operate at an appropriate size or scale to be considered a secondary use.

The OMAFRA Guidelines recommend that the size of an on-farm diversified use be relative to the size of the farm property on which the on-farm diversified use is located. According to the OMAFRA Guidelines, an acceptable size and scale is 2% of the farm to a maximum of 1 ha (2.5 ac) as justified through various examples in Ontario (2016). It should be noted that this space limitation includes all amenity space and parking for the event barn. The OMAFRA Guidelines do recommend discounts for existing laneways shared between agricultural uses and on-farm diversified uses and a 50% discount of existing building footprints to encourage the repurposing and retrofitting of existing barns (2016). The OMAFRA Guidelines also recommend that the gross floor area of a building be limited to 20% of the 2% for an on-farm diversified use (2016). Again, since the overall land size and scale of event barns often

exceeds the OMAFRA Guidelines upper ratio, they should not be considered on-farm diversified uses.

Large event barns would be better suited to urban areas.

According to the OMAFRA guidelines 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 and
- simplify implementation (2016).

Two of the three examples of current event barns described earlier in this paper in the Golden Horseshoe are too large and have for all intense purposes created on-farm diversified uses that can be considered the primary use of the property. These examples are well established event barns in the Golden Horseshoe and their permissions in zoning and building permits will remain. It is also estimated that there are many similar examples in the Golden Horseshoe and beyond in relation to inappropriate size and scale of event barns (Caldwell et al., 2021). It is with this information that we grow and can learn as a planning profession to not continue to repeat these errors in permitting large size and scale event barns.

### ***Lessons Learned from Maple Meadows Farm & Event Center, Port Colborne, Niagara Region***

Maple Meadows Farm is a 26 ha (65 ac) farm, of which according to the OMAFRA Guidelines could establish 2% of its land for an on-farm diversified use which would equate to 0.5 ha (1.3 ac). A maximum total of 20% of this 2% land use could be used for the event barn which would equate to 1,000m<sup>2</sup> (10,764 ft<sup>2</sup>) of gross useable floor area. However, Maple Meadows Farm event barn is an existing barn and therefore could utilize the recommended 50% discount equating to an event barn size of 255 m<sup>2</sup> (2,745 ft<sup>2</sup>).

In 2014, before the OMAFRA Guidelines were established, Maple Meadows Farm received zoning approval for a 2.8 ha (7 ac) event space of which the event barn is 510 m<sup>2</sup> (5,489 ft<sup>2</sup>) (The Corporation

of the City of Port Colborne, 2014a). The City of Port Colborne's Zoning By-law permitted agri-tourism, value added uses and accessory agricultural activities as of right which included an event space (The Corporation of the City of Port Colborne, 2014b).

It should be noted that there were various objections and concerns in the zoning by-law report from local neighbours regarding noise, lighting, traffic, water, character of the area, size and scale of the event space and diminishing neighbouring property values. It is understood that no additional studies for noise, traffic or lighting were required or submitted at part of the application. The applicant was required to comply with the City's Noise By-law and seek exemptions where required. The zoning by-law report identified that the applicants could accommodate 375 cars, there would be portable washrooms and no new permanent structures on the subject lands (The Corporation of the City of Port Colborne, 2014b). The site specific zoning stated:

In addition to the uses permitted in the agricultural zone, this land may also be used for special events related to wedding and similar type celebrations as well as special events relating to the agricultural uses occurring on the property and the following special regulations shall apply:

- a) Outdoor event tents will only be permitted between May 1<sup>st</sup> and October 31<sup>st</sup> of each year
- b) Maximum Gross Floor Area for Outdoor Event Tents 330m<sup>2</sup>
- c) That the minimum distance separation 1 shall not apply for outdoor event tents (The Corporation of the City of Port Colborne, 2014a).

A site plan control application was not required as part of this site specific development.

The current property owner outlined in an interview that it would not be possible to conduct this event barn business as is including amenity space and parking on 2% of the farm (Caldwell et al., 2021 & Duesling & Sousa, 2021a).

### ***Lessons Learned from Cambium Farms, Caledon, Peel Region***

Cambium Farm is a 20 ha (50 ac) farm. According to the OMAFRA Guidelines, a total of 2% of the farm would equate to 0.4 ha (1 ac) of land to be utilized as an on-farm diversified use and 20% of the 2% would equate to a maximum gross useable floor area of 800 m<sup>2</sup> (8,610 ft<sup>2</sup>). Again, it should be noted

that Cambium Farms barn is an existing barn and therefore could utilize the recommended 50% discount which would equate to an event barn size of 683 m<sup>2</sup> (7,352 ft<sup>2</sup>). Approved in 2018, well after the OMAFRA guidelines were established, the total gross useable floor area of the event venue is 1,365 m<sup>2</sup> (14,692 ft<sup>2</sup>). The site specific zoning does not outline a total area utilized for the event barn including ancillary lands and/or parking, although it is noted that 1 parking space for each 10 m<sup>2</sup> of gross floor area is required (The Corporation of the Town of Caledon, 2018). However, the amended site plan outlines a total event barn space of 8 ha (20 ac) (Reipma Consultants Inc., 2018).

In 2015 Cambium Farms endured an official plan and zoning by-law site specific amendment to permit a venue for the purpose of hosting events as a place of assembly with a gross useable floor area of 630 m<sup>2</sup> (6,782 ft<sup>2</sup>) to operate between May 15 and September 30 each calendar year. A traffic and a noise impact study were both required as part of the applications. Through the public processes neighbours complained about the noise of the existing venue. The approvals outlined noise mitigation measures as part of the approval. No conditions were required for parking or traffic (The Corporation of the Town of Caledon, 2015a, 2015b & 2015c).

Cambium Farms then increased their maximum gross useable floor area for a place of assembly from 630m<sup>2</sup> (6,781 ft<sup>2</sup>) to 820m<sup>2</sup> (8,934 ft<sup>2</sup>) in order to create washrooms and an ancillary space in 2017 through a minor variance application and an addition to their approved site plan (The Corporation of the Town of Caledon, 2017).

Then in 2018 Cambium Farms sought another zoning by-law amendment to expand the event venue and to permit the lower level venue space of 420 m<sup>2</sup> (4,520 ft<sup>2</sup>) to operate year round. The amendment clarified the total useable gross floor area of 1,365 m<sup>2</sup> (14,692 ft<sup>2</sup>) for a place of assembly including the main floor of the barn, carriage house, lower level barn, washroom addition, rear barn entrance and silo. This equates to a total requirement of 137 parking spaces (The Corporation of the

Town of Caledon, 2018). It should be noted that this site plan approval included paved accessible parking spaces.

There was no mention of OMAFRA's guidelines in the municipal planning approvals (The Corporation of the Town of Caledon, 2017 & 2018).

When interviewed Cambium Farms identified they were renting out their farm land and utilizing the property as an investment opportunity with their main income from the event barn. It was also outlined that they could not conduct the event barn as is on 0.4 ha (1 ac) of land (Duesling & Sousa, 2021b & Duesling, 2021).

### ***Lessons Learned from Stonewall Estates, Lincoln, Niagara Region***

Stonewall Estates was the largest family farm example at 40 ha (120 ac) in size and grows grapes and fruit. The Town of Lincoln has Official Plan policies related to agriculture related and on-farm diversified uses and therefore only a zoning by-law amendment and site plan were required in 2016 to allow the development of a 605 m<sup>2</sup> (6,512 ft<sup>2</sup>) estate winery/micro-brewery; 235 m<sup>2</sup> (2,530 ft<sup>2</sup>) banquet facility and 200 m<sup>2</sup> (2,153 ft<sup>2</sup>) hospitality room/retail store and a four bedroom bed and breakfast establishment (The Corporation of the Town of Lincoln, 2016a & 2016b). The then official plan for the Town of Lincoln outlined that larger scale agri-tourism uses accessory to estate wineries, such as banquet facilities where the total useable floor areas exceeded 235 m<sup>2</sup> (2,529 ft<sup>2</sup>) would require an official plan amendment. In addition to these policies, the current official plan also outlines that the establishment of small-sale on-farm diversification uses, agriculture-related uses, agri-tourism uses and farm wineries involving 500 square meters or less are permitted as of right in the zoning by-law (The Corporation of the Town of Lincoln, 2016b).

The zoning by-law report specified that "Planning staff have reviewed the size of the proposal in comparison to existing wineries in the Town and note that the proposal is of medium size when considered in context to the size of the farm parcel is appropriately scaled. On this basis, staff is of the

opinion that the winery and micro-brewery and associated accessory uses are proposed at an appropriate scale of this vineyard operation” (The Corporation of the Town of Lincoln, 2016b).

There were no mention of the OMAFRA Guidelines in the zoning report; however the guidelines also came into effect at the same time in 2016. According to the OMAFRA Guidelines 2% of the 40 ha (120 ac) would equate to 0.8 ha (1.98 ac) of land and 20% of this 2% would equate to 1,600m<sup>2</sup> (17,222 ft<sup>2</sup>) maximum floor area. It should be noted that these suggested sizes are only for the on-farm diversified uses and not the agriculture-related (example winery) uses. It is unclear in the zoning report what land area is used for the winery/ micro-brewery and what area is used for the on-farm diversified uses. It is also unclear what the total cumulative lands used for on-farm diversification including the event barn, amenity space and associated parking are. It was identified that approximately less or equal to the 0.8ha (1.98 ac) is being utilized for the event barn, amenity space and parking (Duesling, 2021). The amenity space is very tight to the event barn structure and the parking area is condensed and functions well within the agricultural use of the vineyard. There is definitely a farm first feeling to the property. However, it should be noted that the additional uses of a winery/ micro-brewery and hospitality room/retail store are not yet built out.

It should be noted that various public comments were received in opposition to the proposal including concerns related to noise, parking, traffic, light, sewage and water and future expansions. A traffic brief was required as part of the complete application and the property owners were required to enlarge the road for additional traffic volumes (The Corporation of the Town of Lincoln, 2016b).

When interviewed, the Stonewall Estates family farm entrepreneur identified that if she knew what she knew now on how long, frustrating and expensive the development process for creating an event barn was she would probably not have done it (Duesling & Sousa, 2021c).

The three examples of Maple Meadows Farm, Cambium Farms and Stonewall Estates identified that the event barns grosses between -\$350,000 to +\$1,000,000 per year before expenses; but there are many expenses to incur (Duesling & Sousa 2021a, 2021b, 2021c).

### ***Lessons Learned from Graham Creek Country Estate, Clarington, Durham Region***

The final proposed event barn example of Graham Creek Country Estate is the smallest family farm at 16.2 ha (40 ac), with only 10 ha (24 ac) tillable farm land used for growing hay, pasture and housing farm animals.

The planning report outlined “While the on-farm diversified use is to be secondary in scale, it could still be the primary profit centre for the farm. The income derived from the on-farm diversified use has the potential to increase the financial return to the farmer and result in improved viability of the existing farming operation” (Municipality of Clarington, 2017). However, it was difficult to understand how the size and scale of the proposed on-farm diversified uses were cumulatively secondary to the farm. There were no restrictions or conditions that identified how the multiple on-farm diversified uses including the event barn would remain secondary to the principle farm use. For example, seasonality was not defined, the size and scale was questionable and the details of the uses were not clear in the report and did not match the proposed by-law (Municipality of Clarington, 2017 & Local Planning Appeal Tribunal, 2018).

The report stated that the special event space would use 2.2% or 0.35 ha (0.87 ac) of the property. This figure included 65 parking spaces, a 280 m<sup>2</sup> (3,013 ft<sup>2</sup>) existing quonset-style building to be used as the event barn, a 61 m<sup>2</sup> (656 ft<sup>2</sup>) portion of the barn dedicated to meat preparation and sales, a 26m<sup>2</sup> (300 ft<sup>2</sup>) temporary portable washrooms and a 22m<sup>2</sup> (237 ft<sup>2</sup>) portable kitchen. The proposed zoning by-law amendment for the seasonal event venue included a maximum total lot area of 2.5% 0.40 ha (1 ac), maximum total floor area of 340 m<sup>2</sup> (3,659 ft<sup>2</sup>) and 65

parking spaces. The report also referenced a large outdoor event space which was not clarified or quantified (Municipality of Clarington, 2017).

It should also be noted, that according to the OMAFRA Guidelines 2% of the Graham Creek Country Estate would have been 0.34 ha (0.8 ac). Furthermore 20% of this 2% would equate to 680 m<sup>2</sup> (7,319 ft<sup>2</sup>) for the cumulative maximum total floor area for on-farm diversified uses. Again, the 50% building floor area discount for existing farm buildings could have been utilized to justify a 1,360m<sup>2</sup> (14,638 ft<sup>2</sup>) maximum total floor area. In terms of the OMAFRA calculations, the application may have been twisted in that the land area was too large and the cumulative maximum total floor area of the on-farm diversified uses including the event quonset-style building were proposed much less. Overall, this was a confusing application with many uncertainties regarding size and scale.

An option could have been to permit a temporary zoning with clear details in terms of size and scale to see if the proposed use could have worked as a secondary use on the property. This may have been an expensive venture for the family farm entrepreneurs on a temporary basis.

It should also be noted that the Building Division outlined that there would be future requirements for assembly occupancy of the barns (Municipality of Clarington, 2017). It is not clear if the family farm entrepreneurs understood all additional building permits, health unit requirements (especially with processing and preparing meat on site), development charges, future municipal tax's and overall forthcoming expenses after any planning approvals.

The family farm entrepreneur outlined that the planning application processes was complex and costly with no event permission allowed in the end. The family farm entrepreneurs were looking for guidance from consultants, economic development officers, planners and OMAFRA. The property owners expressed frustration of being a small farm and outlined that 2% of the family farm was insufficient for a secondary use (Caldwell et al., 2021).

### **City of Ottawa Size & Scale Best Practice**

As a best practice, the City of Ottawa has recently updated their on-farm diversified use policies and provisions to include zoning that regulates principally on the basis of scale. In addition to a maximum lot coverage, the policies limit building floor areas under a couple of broad categories to meet the intent of provincial legislation. This ensures a size and scale of uses that is intended to limit negative impacts and maintain such uses as secondary to a principal farm use.

The zoning by-law limits the total floor area occupied by on-farm diversified uses to 20% of the permitted lot coverage (2% of land area as suggested by the province) for on-farm diversified uses. A maximum of 300 m<sup>2</sup> (3,229 ft<sup>2</sup>) for new builds is permitted, with additional floor area permitted if retrofitting existing buildings (cumulative total of 600 m<sup>2</sup>.). It also outlines a separate and smaller total floor area of 150 m<sup>2</sup> (1,614 ft<sup>2</sup>) for assembly type uses where larger gatherings are proposed, including a place of assembly (example event barn), instructional facility and restaurant, whether located in a new or existing building. This is thought to prevent occupancies that would lead to significant building code requirements or significantly high occupancies. Places of assembly are considered higher impact uses, and at a large scale, better suited to locations outside of prime agricultural areas. The intent is to keep occupancy below 100 people as large group gatherings may be incompatible with surrounding farm uses due to high traffic volumes, parking, and noise (City of Ottawa, 2021).

Requests to increase these maximum floor areas require a zoning by-law amendment application under the official plan provisions. It should be emphasized that the size is what defines the use in this example. In other words, an increase to the permitted size is considered a change of use under the zoning by-law from a secondary to a principle use of the land. It may however still be possible to propose a use at a scale larger than permitted in the zoning by-law if it can be demonstrated to be in conformity with the intent of the provincial legislation for on-farm diversified uses. The City of Ottawa identified that adopting limitations according to size and location on a lot are believed to best address

potential compatibility issues, while permitting the desired opportunities for innovation. This municipality focuses on supporting flexibility in use rather than flexibility in size.

***Brussels Four Winds Wedding Event and Barn, Huron East, Huron County Best Practice***

As per the OMAFRA Guidelines, event barns that are too large should be directed to urban areas where there are services and amenities and fewer land use conflicts with neighbours (OMAFRA, 2016). Although outside the Golden Horseshoe, an example of an event barn located in a settlement area is the Brussels Four Winds Wedding Event and Barn located in Huron County in the municipality of Huron East.

The banquet hall and farmer’s market is in a barn which was moved from an area farm and reconstructed on site.

The subject property was designated and zoned appropriately for the use and only required a minor variance application to increase the height for the silo and windmill and



reduce the setbacks and parking requirements from 51 to 46 parking spaces was required. The banquet hall permits 120 people on the upper level and 60 people in the lower level for the farmers market. This event barn is located on full municipal water and sewer services. Brussels Four Winds Wedding Event and Barn is a community gem and supports economic development growth in the downtown such as second floor downtown overnight accommodations.

Overall, it is the planning profession who must be accountable to best direct municipal councils, to approve responsible as of right policies and provisions and site specific developments that are an

appropriate size and scale to confirm that event barns remain secondary to the principle use of the farm and therefore providing opportunities for on-farm diversification while also preserve agricultural lands.

### **3) Expensive and Timely**

Event barns are expensive and take time to create. Family farmer entrepreneurs are encouraged to conduct research and have a fiscal business plan to support the establishment of an event barn. As identified earlier in this paper, there can be significant financial costs to land use planning approvals including consultant costs, application fees, various studies and securities. Planning processes can be confusing, are open and transparent to the public for input, can be subject to the OLT for appeals and processes can be time consuming.

Building permit costs including fire code regulations can be the most expensive part of creating an event barn. Engineering drawings and consultant fees can add up quickly not to mention the construction costs of various renovations and improvements to prepare the building for assembly permit and occupancy. Servicing for septic and well can also be expensive and again time consuming especially if provincial approvals are required.

Also, if a barn in whole or part is designated under the Ontario Heritage Act there may be strict rules and regulations regarding development opportunities. The Ontario Heritage Act provides a framework for the protection of cultural heritage resources. Municipal clerks are required to keep a register of properties designated by a Council. Municipalities can also include properties to be of cultural heritage value on a municipal register. (Ministry of Heritage, sport, Tourism and Culture Industries, 2017).

Building approvals eventually lead to development charges. It is important for municipalities and regions to outline the cost of development charges to a family farm entrepreneur at the beginning of a development process so there are no surprises at the end of the process. As outlined in this paper

development charges can be incredibly expensive for property owners and may be the deciding factor in a financial business plan to peruse an event barn venue or not.

Planning and Building approvals will inevitably trigger MPAC review and ultimately an increase in municipal taxes. These taxes are considered on an individual basis but the costs should be considered as part of the overall expenses.

Finally most event barns will include meals/ food and alcohol. A food premise permit/ license could also be required from a local health unit as per *Ontario Regulation 493/17 Food Premises*. A Special Occasion Permit may also be required from the Alcohol and Gaming Commission of Ontario to sell and or serve alcohol in an event barn. It is the responsibility of the operators to peruse all these permits.

Overall, it is unlikely that many family farm entrepreneurs will be able to afford the significant costs or time and frustration associated with various land use approvals, building permits and develop charges to create an event barn. For those family farm entrepreneurs who do desire to create an event barn they should be small in size and scale as determined by a local municipality and located as a secondary use on a farm which would inevitably create less expensive processes in a more timely fashion.

Overall, it is unlikely that event barns will be proposed by family farm entrepreneurs at a size and scale that identifies them as a secondary use on the property. It is understood that in order for an event barn business plan to be fiscally advantageous most family farm entrepreneurs will require event barns to be a size and scale that is too large and not secondary to the agricultural use. In addition, the expensive and timely government processes to create an event barn will most likely deter many family farm entrepreneurs from establishing event barns in the Golden Horseshoe and in Ontario.

## **NEXT STEPS**

There are various tools that government staff can put in place to assist family farm entrepreneurs through the complex process and decision making of creating event barns. There are also new

municipal enforcement tools to assist municipalities in directing farmers to conform to all government regulations and permits for event barns. Here are a few suggestions and tips:

### **1) Municipal Planners / Economic Development Officers Work Together**

The first place family farm entrepreneurs look for guidance on rules and regulations to establishing event barns is through municipal economic development and ultimately planning staff. It is imperative that these municipal staff work together to provide collective and valuable information to family farm entrepreneurs so that they can make well educated decisions about proceeding. Before any applications are submitted, pre-consultation meetings are a great way to outline all the requirements from land use provisions and planning applications to building permit requirements including septic and water requirements and fire code separations and development charge costs up front. It would also be a good idea to invite conservation authorities, health units and any other municipal staff or agencies to ensure all players are on the same page. If a farm is located in the vicinity of the Niagara Escarpment Plan than good connections and communication with the Niagara Escarpment Commission is also suggested. Simple and easy to understand checklists of next steps and requirements can be useful for family farm entrepreneurs.

It should be noted that event barns could be in direct competition with other urban area banquet halls. Economic development staff may have strategies and tools on how to assist, differentiate and promote all businesses within a municipality.

### **2) Training & Education for Planners and Economic Development Staff**

Both municipal and private planners need to be well educated on the responsible requirements for event barns including that event barns should be secondary to a farm and be of a small size and scale. OMAFRA training could be provided similar to Minimum Distance Separation (MDS) training that would allow planners to understand the land use calculations and utilize best practice examples in terms of official plan policies, zoning by-law provisions, site plan processes and enforcement opportunities. In

particular training for Planners should be devoted to crafting appropriate wording and maps in by-laws to ensure the size and sale of an event barn is enforceable. Training for Economic Development staff could also be provided to assist planners with responsible messaging and a larger understanding of preserving agricultural lands in Ontario. Economic Development staff could also provide resources to family farm entrepreneurs on first and foremost creating appropriate business plans.

### **3) Update the OMAFRA Guidelines with Maximum Floor Area Thresholds for Event Barns**

Through the examples in this paper it is clear to understand that various municipalities across the Golden Horseshoe are utilizing different thresholds in relation to size and scale. Two of the three current event barns examined in this paper consume more than 2% of the land, and the cumulative uses of the third event barn with the estate winery/micro-brewery and hospitality room/ retail store would most likely utilize more than the maximum 1 ha (2.5 acres). However, it should be noted that some of these planning approvals were issued before the OMAFRA Guidelines.

It was also identified that the discount of 50% of the building floor area for existing barns could substantially increase the land use. Perhaps different tools such as Community Improvement Plans (CIP's) and associated grant programs for encouraging renovations of existing farm buildings financially would be optimal.

The following figure provides a size and scale comparison of the current event barn examples:

**Figure 3  
Comparison of Event Barn Examples - Size & Scale Chart**

<b>Event Barn Name &amp; Location</b>	<b>Size of Farm</b>	<b>OMAFRA On-Farm Diversified Use Suggested Size and Scale 2% farm 20% of 2% gross floor area</b>	<b>Municipally Approved Size &amp; Scale</b>
Maple Meadows Farm & Event Center, Port Colborne, Niagara Region	26 ha (65 ac)	Land 0.5 ha (1.3 ac) On-Farm Diversified Uses 1,000 m <sup>2</sup> (10,764 ft <sup>2</sup> ) 50% Discount Floor Area 255 m <sup>2</sup> (2,745 ft <sup>2</sup> )	Land 2.8 ha (7 ac) Event Barn 510 m <sup>2</sup> (5,489 ft <sup>2</sup> )
Cambium Farms, Caledon, Peel Region	20 ha (50 ac)	Land 0.4 ha (1 ac) On-Farm Diversified Uses 800 m <sup>2</sup> (8,610 ft <sup>2</sup> ) 50% Discount Floor Area 683 m <sup>2</sup> (7,352 ft <sup>2</sup> )	Land 8 ha (20 ac) Event Barn 1,365 m <sup>2</sup> (14,692 ft <sup>2</sup> )
Stonewall Estates, Lincoln, Niagara Region	40 ha (120 ac)	Land 0.8 ha (1.98 ac) On-Farm Diversified Use 1,600 m <sup>2</sup> (17,222 ft <sup>2</sup> ) *Note – no 50% discount as event barn is new construction	Land Approximately 0.8 ha (1.98 ac) Event Barn Approximately 235m <sup>2</sup> (2,530 ft <sup>2</sup> ) *Note – additional on-farm diversified uses and agriculture related uses were also approved but not yet built out

Overall, if the size of the event barns were smaller, less land for amenity space and in particular parking could reduce the amount of agricultural land needed for event barns. An appropriate size and scale could also reduce neighbouring conflicts and lessen some of the building code expenses including sanitary, sewage and development charges respectfully. A standardized square meter best practice or threshold could assist planners in choosing an appropriate size and scale for event barns that could justify the use as a secondary use on the farm and also provide standardizations across municipalities.

#### **4) Municipal On-Farm Diversification Official Plan Policies & Zoning Provisions**

Those regions and/or municipalities that are receiving community pressure to create additional uses on family farms (example near large urban centers or in location of high tourism) or for those regions/municipalities that simply want to be prepared with good planning principles should undertake creating as of right official plan policies and zoning by-law provisions. This will assist family farm entrepreneurs by not creating additional processes for them to endure (official plan amendments and zoning by-law amendments) and also encouraging family farm entrepreneurs to stay within the size and scale requirements for on-farm diversification uses overall resulting in more responsible and managed rural development. Some regions/municipalities that are good examples of this are Grey County, County of Brant and the City of Ottawa (Caldwell et al., 2021). Municipalities need to choose as of right policies and provisions that support their agricultural mandate and work for their specific area.

#### **5) Simplified Site Plan Process**

In addition to as of right policies and provisions municipalities should also consider a simplified site plan process for event barns that include minimal application fees, no engineered drawings, less studies where possible and no agreements or securities. Simpler site plan processes may also allow flexibility around paved and graveled parking surfaces with the anticipation that all agricultural lands can be for farming purposes. Site plan design ensures the farming operation is separate from the place of assembly to keep all visitors to the farm safe. Site plan design is an opportunity that assist neighbours (both farming and non-farming) to be compatible and live together in harmony.

Although site plan applications are an important planning process to confirm appropriate site design, this process should not be overbearing for a family farm entrepreneur. The County of Brant has an excellent site plan process for farmers that is easy to maneuver and guidance material to assist family farm entrepreneurs with on-farm diversification (Caldwell et al., 2021).

## **6) Policy Correction in the Niagara Escarpment Plan**

A development control system is in place for lands located in the Niagara Escarpment Plan. This process involves an application being evaluated based on meeting permitted uses and development criteria. The escarpment protection areas are important because of their visual prominence and their environmental significance. The escarpment protection area policies aim to protect and enhance the natural and hydrological features and the open landscape character of the escarpment and lands in its vicinity. One of the objectives is to encourage agriculture, and protect agricultural lands and prime agricultural areas (Niagara Escarpment Commission, 2017). More specifically policy 1.4.3.2 identifies that agriculture-related uses and on-farm diversified uses, in prime agricultural areas may be permitted. This policy has misinterpreted the intent of the Guidelines as the words “in prime agricultural areas” should be deleted. In essence this policy works in contravention of the OMAFRA guidelines and suggests that agriculture-related use and on-farm diversified uses are not permitted in those lands within the escarpment protection areas that are **not** prime agriculture. Therefore, for the purpose of this paper, the Niagara Escarpment Plan is directing event barns to prime agricultural areas and not permitting them in lower class soils. It is anticipated that the wording of this policy is an error and therefore needs to be corrected.

## **7) Opportunities to Lower or Exempt Development Charges**

As the Development Charges Act requires that a background study be prepared no less than every five years some rural municipalities may wish to support family farm entrepreneurs by using local development charges as an incentive for on-farm diversification by reducing or adding exemptions to their development charges by-law. Lowering or exempting development charges for small scale event barns may be a great incentive to keep the on-farm diversified uses an appropriate size and scale.

There may also be an opportunity for the Province to assist in reducing or exemption on-farm diversification development charges if it is an area of provincial interest. From time to time the Province

of Ontario amends the *Development Charges Act, 1997* to promote specific types of development of interest. For example, in 2020 *Bill 108, the More Homes, More Choice Act*, made changes to the Development Charges Act to exempt secondary suites in new homes from development charges to provide more certainty of development costs and to increase the housing supply in Ontario (ERO, 2021).

## **8) Managing Relations with Neighbours & Municipal Enforcement**

According to the OMAFRA Guidelines, on-farm diversified use including event barns must be compatible with and shall not hinder surrounding agricultural operations. Managing relations with neighbouring agricultural property owners can be challenging for event barns. Noise, lighting and traffic are some of the common complaints from event barn neighbours. The Municipality of Clarington has recently imposed a new On-Farm Special Event By-law that captures regulatory components that are difficult to implement through the zoning and site plan approval processes such as operating hours, event frequency and noise levels. An on-farm special event is for any proposed commercial event or activity (for profit) that is not currently allowed on lands where farming is permitted and would be secondary to the principal farming operation or agricultural use of the property. The license is required after appropriate zoning and site plan approvals. The license outlines that no person shall conduct an on-farm special event without a license. The license fee is \$250 and includes proof of a valid Ontario farm business registration number. This ensures that if the farm operation ceases, the on-farm diversified use would also have to be removed. The license is valid for two years and is enforced by set fines for offense of conducting the event without a valid license, contravening a condition of the site plan approval, failure to display the license and failure to comply with any conditions of the license such as maximum number of people. Penalties can include personal fines between \$10,000 - \$25,000 for every occurrence and/or the corporation of not more than \$50,000 for a first offence and not more than \$100,000 for subsequent convictions (The Corporation of the Municipality of Clarington, 2021). This on-farm special event by-law is an excellent tool for municipalities to work with event barn

neighbours and also those existing illegal event barns to move them into conformity once they have obtained zoning and site plan approval.

## **9) Event Barn Cumulative Effects**

Throughout this research it has been realized that additional works need to be conducted on the possible cumulative effects that event barns could have on the Golden Horseshoe agricultural landscape. On-farm diversification is an opportunity for family farm entrepreneurs to create and additional revenue stream to ultimately support the family farm. Although it is not anticipated that every farm in the Golden Horseshoe will want to create an event barn, it is a possibility as the region continues to experience incredible development pressures and investment opportunities are sought by non-farming families. As time proceeds, more research should be conducted on the amount of agricultural lands that are being taken out of production due to the establishment of inappropriate large scale event barns. In the meantime, it is the responsibility of the planning profession to recommend only responsible on-farm diversification.

## **CONCLUSION**

Overall, family farms remain the cornerstone of agriculture and farming in Ontario today and can continue to flourish as an adaptable and efficient form of agriculture production (Brookfield & Parsons, 2007). Capitalizing on the growing demand for event barn venues can be an extremely profitable way for family farm entrepreneurs to create an additional revenue stream and maintain the family farm as agri-tourism is a sector of the larger agricultural industry that will continue to flourish. However, farmers should consider all the requirements as outlined in this position paper and carefully consider a business plan that is financially appropriate. Governments must also be responsible for safe and appropriate scaled event barns that are compatible with neighbours, located on a farm and are an appropriate size and scale. Planning approvals should follow OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. We must think farm first to continue allowing family farm

entrepreneurs opportunities for on-farm diversification while also continuing to preserve Ontario's agricultural lands.

DRAFT

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