



POLICIES, REGULATIONS AND PROCESSES

Wineries in Niagara Region

MHBC Planning
Niagara Region Council Meeting
February 12, 2020

OUTLINE

- 1 Regional and Economic Context
- 2 Legislative and Policy Context
- 3 Case Study Review
- 4 Best Practice Research
- 5 Analysis and Recommendations

1. Regional Economic Context

The Canadian wine and grape industry is a significant contributor to the Canadian economy in terms of employment, revenue and tourism. Ontario is the largest producer of wine grapes and wine in Canada with the most vineyards (90%) being located in the Niagara Peninsula.¹

The economic impact of the the Agri-Food Industry in Niagara includes:²

93% of
Ontario's
Grapes

\$1.4 Billion
Annually

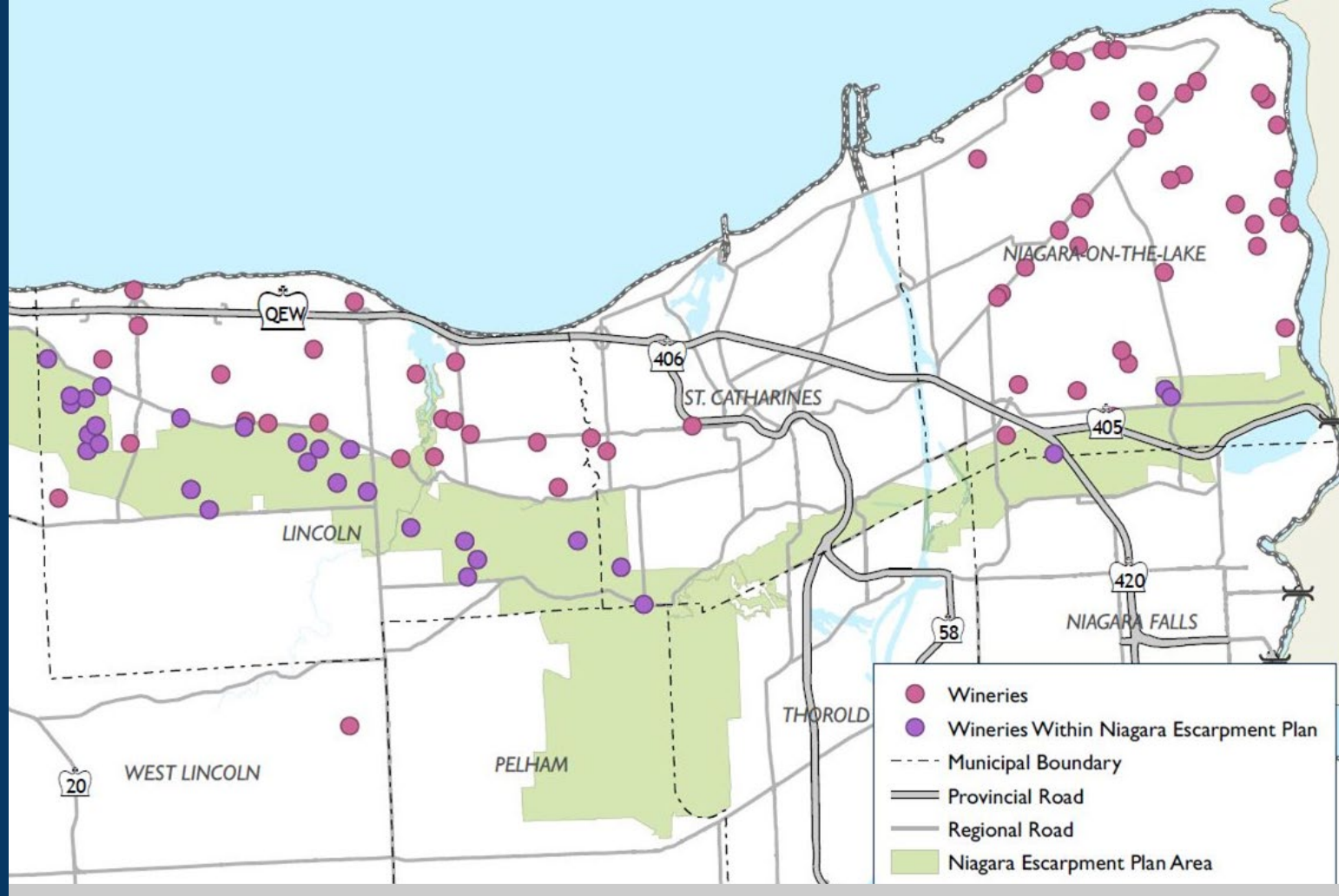
20,000
Associated
Jobs

3.7 Million
Visitors
Annually

1. A. Franke, Rimerman + Co. LLP Report, March 2017.
2. Canadian Vintners, Canada Economic Impact Report, 2015.

Map of Niagara Region wineries within and outside of the Niagara Escarpment Plan area (PDS 1-2018).

Source: Niagara Region, 2017.



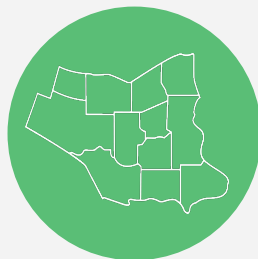
2. Legislative and Policy Context

Wineries and Related Economic Development



PROVINCIAL POLICY

- PPS
- Growth Plan
- Green Belt Plan
- Niagara Escarpment Plan
- OMAFRA Guidelines



REGIONAL POLICY

- Regional Official Plan



LOCAL POLICY

- Local Official Plans
- Zoning By-laws



DEVELOPMENT CONTROLS

- Niagara Escarpment Commission

Evolution of NEP Policy Scope

Agricultural uses

*Small scale comm. uses
accessory to agriculture*

*Small scale comm. and
industrial development
servicing agriculture*

Wineries and cideries

Winery incidental facilities

Winery events

On-farm diversified uses

Agriculture related uses

1985 NEP								
1994 NEP								
2005 NEP								
2017 NEP								

Niagara Escarpment Plan

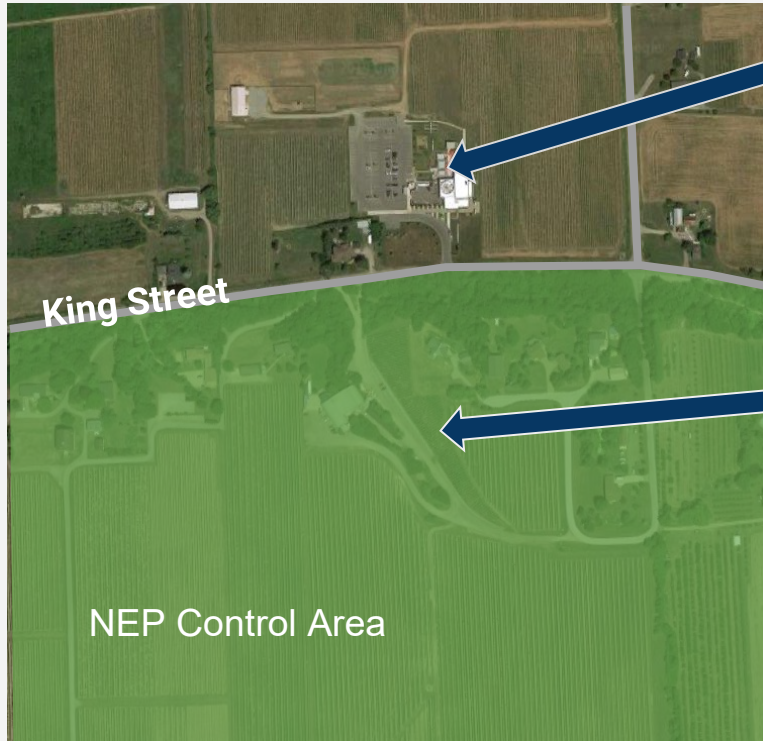
Accessory Agricultural Designations

Agricultural -Related Uses	On-farm Diversified Uses	Wineries
<ul style="list-style-type: none">• Compatible with surrounding agricultural operations• Appropriate to available rural services• Use existing buildings, structures and facilities• Buildings compatible with open landscape character• The gross floor area shall not exceed 3,200 square metres	<ul style="list-style-type: none">• Located on an active farm• Limited impact in prime agricultural areas• Limited to up to 2% of a farm lot to a max. of 10,000 square metres• GFA limited to 20% of the maximum area allowed for on-farm diversified uses• Land shall not be severed from the farm lot	<ul style="list-style-type: none">• May be agriculture-related use or on-farm diversified use• Single accessory facility to sell wine with limited food service within winery building (no expansions to parking or vehicle access)• Permitted uses accessory to winery include retail sales and tasting area and sale of gift/promotional products

Difference Among Policies

	OMAFRA Guidelines	Niagara Escarpment Plan
Agriculture-related Use Size Limits	No limits on size	Maximum 3200 sq. m. GFA
On-Farm Diversified Use Size Limits	2% up to 10,000 sq. m. total site area	2% up to 10,000 sq. m.
	20% up to 2000 sq. m. (of 2%) of total floor area.	20% up to 2000 sq. m. (of 2%) of total floor area.
	50% discount on footprint for existing building (built prior to 2014).	No discount for existing buildings.
Winery Use Type	Winery is considered agriculture-related use when using grapes from the local area	No clear criteria to determine winery classification
	Winery is considered on-farm diversified use when using either local or imported grapes	

3. Case Study Review



Redstone Winery, 4245 King Street, Beamsville

Lot Area:	14.7 ha
Building GFA:	1,498m ²
Retail/Hospitality GFA:	645m ²

Malivore Winery, 4260 King Street, Beamsville

Lot Area:	15.3 ha
Building GFA:	413m ²
Retail/Hospitality GFA:	129m ²

Comparison of Permitted Uses

Outside of NEP

- Agriculture
- Agricultural conservation use
- Agriculture produce processing accessory to an agricultural use
- Agriculture produce stand accessory to an agricultural use
- Agriculture produce warehouse and/or shipping accessory to a greenhouse
- Agricultural research accessory to an agricultural use
- Conservation use, save and except any buildings
- Equestrian facility
- Farm winery accessory to an agricultural use
- Estate winery
- Accessory amphitheater
- Greenhouse
- Hobby farm
- Kennel accessory to an agricultural use or residential use
- Large animal veterinary clinic
- Private grain storage and drying facility accessory to an agricultural use
- Single detached dwelling
- Bed and breakfast establishment
- Farm help house
- Group home
- Home occupation
- Private home daycare

Within NEP

- Agricultural uses
- Agriculture-related uses and on-farm diversified uses, in prime agricultural areas.
- Existing uses.
- Single dwellings.
- Mobile or portable dwelling unit(s) accessory to agriculture.
- Forest, wildlife and fisheries management.
- Licensed archaeological fieldwork.
- Infrastructure.
- Accessory uses (e.g., a garage, swimming pool, tennis court, ponds or signs).
- Home occupations and home industries.
- Recycling depots for paper, glass and cans etc., serving the local community.
- Bed and breakfast.
- Nature preserves owned and managed by an approved conservation organization.

4. Best Practice Review

Approaching Wineries in Other Jurisdictions

	Prince Edward County	Napa County	Okanagan Valley	Niagara Region (within the NEP)
Maximum GFA for retail and tastings	Lesser of 75m ² or 25 % of the total winery floor area (Farm) 400 m ² (Estate)	No regulations	5% of total parcel area	0.004% of total parcel area (NEP)
Food service facilities	No regulations	No regulations	No regulations	Limited food service facilities only (NEP)
Development of new buildings	No regulations	No regulations	No regulations	Existing buildings should be used where possible (NEP)

Best Practice Review

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5. Analysis

Key Findings on Impact of NEP Policies and Regulation

1. Harmonize definitions of agricultural -related uses and on-farm diversified uses with the PPS, 2014.
2. Remove winery-specific policies.
3. Remove policies regulating the size, scale and operation of accessory retail and restaurant uses on wineries.
4. Remove limitations on the size of all accessory uses on wineries in the NEP.
5. Limit conditions of NEC permits to those which address land use and not operational matters outside of the NEC's jurisdiction .

Recommendations

Harmonizing NEP Policies to Support Economic Development

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THANK YOU



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& L A N D S C A P E
A R C H I T E C T U R E



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