Halton Region Official Plan Guidelines

The **Regional Official Plan (ROP)** is Halton’s guiding document for land use planning. It contains policies that guide decisions related to, among other things, managing growth and its effects on Halton’s social, economic and natural environment.

The **ROP Guidelines** are a set of documents that clarify, inform, and aid in the implementation of the Plan’s policies.

The Guidelines have been prepared in accordance with Section 192 of the ROP. They provide direction and outline approaches that can be used to satisfy the relevant policies of the Plan.

The Guidelines may be updated from time to time as required through a report to Regional Council.

For more information, visit halton.ca/ROP or halton.ca/ROPguidelines or call 311.

“This Plan calls for the preparation of certain guidelines or protocols to provide more detailed directions in the implementation of its policies.”

Halton Region Official Plan – Section 192 as adopted by Regional Council, December 16, 2009
**On-Farm Business Guidelines**

The On-Farm Business Guidelines provide clear direction on how all types of on-farm businesses can be accommodated in the rural areas of the Region, in accordance with Regional Official Plan policies.

### Purpose

The purpose of the **On-Farm Business** Guidelines is to:

- identify on-farm business uses
- provide sample development criteria used to guide siting of on-farm businesses
- illustrate best practices

### Application & Use

Applies to properties designated as ‘Agriculture’ and zoned for ‘agriculture use’ that operate ‘normal farm practices’.

Use as information for local municipalities, local official plan ‘on-farm business’ development criteria policies and local on-farm business guidelines.

### Supporting Documents

- Provincial Policy Statement 2005
- The Niagara Escarpment Plan, 2005
- The Greenbelt Plan, 2005
- Growth Plan for the Greater Golden Horseshoe, 2006
- Local Official Plans & Zoning By-laws

### Version

**Version 1.0** | This version of the On-Farm Business Guidelines was brought before the Inter-Municipal Liaison Committee on June, 18 2014 through Report No. IMLC01-14.

**Notes:**

*This version of the Guidelines is based on the Halton Region Official Plan as amended by Regional Official Plan Amendment (ROPA) No. 38, adopted by Regional Council on December16, 2009. Many of the pertinent ROP policies are currently under appeal at the Ontario Municipal Board. The Guidelines may be updated to address any changes that may occur as a result of the hearing once it is complete.*

*This version of the Guidelines is consistent with the Provincial Policy Statement, 2005. A review and update, if necessary, to ensure consistency with the Provincial Policy Statement, 2014 is forthcoming.*
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1.0 Introduction

1.1 Background

The Guideline is based on Provincial Plans, the Region Official Plan and the Niagara Escarpment Plan (NEP), and various land use studies conducted by the Region.

The Region’s Official Plan land use policies were developed to:

• support farm business opportunities;
• encourage entrepreneurship in the farming industry;
• maintain or increase farm size to maintain productivity; and,
• provide reasonable limits to existing on-farm businesses and identify land use criteria for establishing new on-farm businesses.

This guideline is framed into three parts. Part 1.0 of this document provides general background information, Part 2.0 describes sample development criteria for on-farm uses in Agriculture designated areas, and Part 3.0 provides implementation information.

1.2 Purpose

This On-Farm Business Guideline provides clarification on the types of uses that may be considered as on-farm businesses under Section 100(21)d)[iv] of the Regional Official Plan. It explains the criteria that may be used in developing local official plan policies, zoning by-laws, guidelines or informational brochures to identify best practices in the lot siting and scale of on-farm businesses.

The Guideline provides ‘best practice’ tools in accommodating on-farm businesses on properties designated and zoned for ‘Agriculture’ uses in local official plans. The Guideline illustrates approaches that could be used to manage the use to protect the agricultural land base, respect the character of the rural area and mitigate potential negative impacts on neighbouring land uses, including other agricultural operations.

1.3 Provincial Policy Context

The Province of Ontario has three policy plans that direct land use throughout the province. They include: the Provincial Policy Statement 2005; the Growth Plan for the Greater Golden Horseshoe 2006 (Growth Plan); and the Greenbelt Plan 2005. The following provides an overview of the relevant policies directing agriculture land uses.

1.3.1 Provincial Policy Statement 2005 (PPS 2005)

Section 2.3.3.1 of the PPS recognizes “secondary uses” and “agriculture–related uses” as permitted uses in “prime agricultural areas”. These uses are defined as:

**Agriculture-related uses:** means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

**Secondary uses:** means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.
1.3.2 Growth Plan for the Greater Golden Horseshoe 2006 (Growth Plan)

The Growth Plan contains policies related to Prime Agricultural Areas which are general in nature and provide support for agricultural activities. There is nothing specific in the Growth Plan that would either help or hinder consideration of value added uses. The Growth Plan references the Greenbelt Plan and the PPS with regard to managing agricultural uses.

1.3.3 Greenbelt Plan 2005

The Greenbelt Plan provides support for agriculture and supports value added uses necessary for agriculture to be sustainable in Halton. In both Prime Agricultural Areas and rural areas normal farm practices and a full range of agricultural, agriculture-related and on-farm diversified uses are supported and permitted.

1.4 Niagara Escarpment Plan (NEP)

Under Part 2.10 Agriculture, an objective of the NEP is to “encourage agricultural uses in agricultural areas, to protect agricultural areas, to permit uses that are compatible with farming and to encourage accessory uses that directly support continued agricultural use.”

Part 2.10.1 requires that “development (…) should maintain and protect agricultural areas from uses considered incompatible with sustaining the agricultural use and/or land base.”

The NEP recognizes various permitted uses depending on the land use designation (Escarpment Natural Area, Protection Area or Rural Area), and subject to Development Criteria. Control of these uses is implemented through a development permit system administered by the Niagara Escarpment Commission (NEC).

The NEP contains policy provisions for agriculture-related and secondary uses. The NEP limits these uses to small scale only and exclusively devoted to the principal agricultural use carried out on the farm property. This regulatory regime takes precedence for lands within the NEP Area. The Region’s Official Plan policies will only be applied in the NEP Area when the policies are more restrictive or rigorous than the NEP and if they do not conflict with NEP policies and regulations.

1.5 Halton Region Official Plan

The Halton Region Official Plan contains the goal “to maintain a permanently secure, economically viable agricultural industry”. In support of this goal, policies permitting on-farm uses are included in the Region’s Official Plan policies for the Agricultural Area.

The Plan differentiates between uses permitted as of right and those permitted as an integral part of a commercial farm. Other uses, such as horticultural trade uses are permitted if they are consistent with both the Local and Regional land use policies in effect.

Section 100 of the Plan permits certain uses in the Agricultural Area. These uses include:

- agricultural operations;
- normal farm practices;
- existing uses;
- dwellings accessory to an agricultural operation;
- non-intensive recreational uses;
- forest, fisheries and wildlife management;
- archeological activities;
- transportation and utility facilities;
• *accessory buildings, structures* and facilities;
• *incidental uses*;
• uses permitted in an approved Niagara Escarpment Park and Open Space Master / Management Plan in the NEP area;
• *home occupations and cottage industries* of limited size;
• *bed and breakfast establishments*;
• *veterinary clinics*; and,
• *animal kennels*.

Section 100(21) of the Plan permits certain uses if they are “located on a commercial farm and secondary to the farming operation” including:

a) *home industries*;

b) retail uses;

c) *agriculture-related tourism uses*; and,

d) small-scale businesses that provide supplementary rental income to the farming operation.

Section 100(21)e) of the Plan addresses *horticultural trade uses*. Halton is home to an extensive horticultural trade sector:

e) subject to site plan approval by the Local Municipality, *horticultural trade uses* [are permitted] provided that:

   i. the use meets all the criteria under Sections 100(21)d);
   ii. the farm property accommodating the use is at least 4 hectares in size;
   iii. at least 70 per cent of the arable area of the farm property accommodating the use is dedicated to the growing of horticultural plants;
   iv. the use is located within the existing farm building cluster, with only minor rounding out of the cluster permitted provided that there are no tree removals;
   v. the gross floor area for the use does not exceed 500 sq m;
   vi. the outdoor storage area for the use does not exceed 1,000 sq m;
   vii. the use including buildings, outdoor storage, parking areas, and loading/unloading zones is adequately screened from neighbouring properties and public highways; and,
   viii. the use can be accommodated by the private water supply and waste water treatment systems located on the property.

This Guideline illustrates the criteria that may be used in local official plan policies, zoning by-laws or guidelines.

### 1.5 Application and Use

Local Official Plans need to be consulted to ensure that on-farm business uses are permitted in the location being considered.

This Guideline applies to rural lands where *agricultural uses* are permitted.
1.5.1 Adaptive Re-use

Any of the four types of uses addressed in this Guideline may include the *adaptive re-use* of existing buildings on the farm and some uses may be located in historic farm buildings that are no longer required as part of the farm operation. When historic buildings are being considered for on-farm uses, further consultations may be required with Local Municipal Heritage Committees.

1.5.2 Non-Agricultural Uses

Unless specifically listed as permitted uses in the Halton Region Official Plan, non-agricultural uses are not permitted in the Agricultural Area.

1.5.3 Regional Natural Heritage System

Section 117 of the Halton Regional Official Plan permits agriculture and associated uses, under certain terms and conditions, within the Natural Heritage System in locations outside of Key Features. These terms and conditions are consistent with the requirements of Section 100.

Within the NEP area, land use and *development* is governed by the NEP and its regulations. The NEP takes precedence over municipal plans. However, where municipal plan policies are more restrictive or rigorous than the NEP, they are considered not to be in conflict and these policies may be applied in the NEP Area.
2.0 On-Farm Business Development Criteria: Examples

2.1 Background
In this section various types of on-farm business uses are identified, categorized and defined in keeping with the policies of the Regional Official Plan. General criteria for addressing the development and siting of on-farm businesses are provided, followed by sample criteria and additional details for each category of use. These criteria may be used in local policy development, guidelines or in establishing new zoning by-law regulations for agriculture zoned lands.

2.2 General Criteria for On-Farm Businesses
In local official plans or guidelines, all on-farm businesses, regardless of type, may include the following as development criteria:

- the on-farm business must be identified as a permitted use in the policies of the Local Official Plan;
- the existing on-site agricultural operation must continue to function and be viable;
- surrounding properties, the natural environment and/or public infrastructure in the area should not be impacted by the on-farm business use;
- all uses must be serviceable by appropriately sized on-site water and wastewater and meet regulatory requirements;
- access to a property should be in accordance with the municipality's applicable by-laws and technical standards;
- lighting should be designed and located to reduce light trespass, for dark sky compliance and for ambient light reduction;
- consideration should be given to locating parking at the rear areas of buildings within the farm building cluster and screened from view from surrounding properties and the public road. Parking areas may be set back from side and rear yard lot lines to minimize any impact to abutting properties; and,
- new buildings should contribute to the area's traditional rural character as identified in the local official plan policies and zoning by-laws.

Agricultural-related or horticultural trade on-farm business may be established on a commercial farm under specific criteria of a Local Official Plan, which may include the following:

- the business will be limited in size through zoning by-law controls on floor area and building or site location or through development control within any NEP area;
- the use is located in close proximity to, or is housed in, existing farm buildings and within the farm building cluster; and,
- where the use has the potential to generate off site impacts, the use of berms, fencing, and landscaping may be considered.
2.3 Types of On-Farm Businesses

On-farm businesses in Halton Region fall under one of four categories as follows:

- **Agricultural**;
- **Agriculture-related**;
- **Secondary**; and,
- **Horticultural trade uses**.

Each category contains subcategories of uses, as described below.

2.4 Agricultural Uses: On-Farm Business

*Agricultural Uses* are either those associated with the business of farming that are integral to a commercial farm operation or uses identified in the Region’s Official Plan or the Local Official Plans.

Agricultural Uses associated with the business of farming include, but are not limited to:

- Value retention uses (such as packing (figure 1), sorting, cleaning and storage facilities and repair facilities for agricultural equipment used in the farming operation); and,
- *Accessory buildings, structures and facilities.*

![Figure 1: Packing Facility](image-url)
2.4.1 Agricultural Uses: On Farm Business

On-Farm business uses permitted in the Agricultural Area of the Halton Region Official Plan include:

- Home occupations;
- Cottage industries;
- Bed and breakfast establishments;
- Veterinary clinics; and,
- Animal kennels.

2.4.2 Criteria

2.4.2.1 Criteria for On-Farm Businesses in Agricultural Use designations:

- The preferred location for a new on-farm business is within the existing farm building cluster.
- Where a new building site is required external to the cluster, vegetation screening is recommended as a buffer to abutting properties.
- Where parking areas and large uniform building facades are visible to adjacent properties similar vegetation screening is advised to break up the visual ‘open space’ of the parking area and the massing of the building facades.
2.4.2.2 Specific Criteria Examples of On-Farm Business within Agricultural Use

Home Occupations and Cottage Industries’ Criteria:
- Maximum gross floor area of 100 m² or 25% of the residential living area, whichever is less.
- One or more of the residents living on the farm property must be employed in the business.
- Can be located in a detached dwelling, an addition to a dwelling or in an accessory building.
Bed and Breakfast Establishments’ Criteria:
- Limited to three or fewer guest rooms.
- The operator must also reside in the house where the guest rooms are located.
- All required parking and water and waste water servicing must be accommodated on-site.
- Roadway signage identifying the bed and breakfast location should be discreet.

Veterinary Clinics’ Criteria:
- Limited to businesses that primarily service the agricultural community.
- Adequate parking to accommodate clients and be located adjacent to the business.
- Minimize the visual impact of the parking areas to adjacent residential dwelling unit’s properties;
- Visual screening of the parking areas through use of berming or vegetation screening.
Animal Kennels’ Criteria:

- Site must have sufficient land area to accommodate use.
- Kennel should be sited close to property owner’s residential dwelling unit.
- Maximums provided on animals to be accommodated in kennels at any one time.
- Owner must reside on property.
- Sufficient minimum kennel setbacks from any abutting residential dwelling units.

2.4.3 Agriculture Use: On Farm Business Implementation Tools

Implementation Tools may include the following:

- Official Plan policies pertaining to Agriculture Uses
- Official Plan Schedules: Agriculture land designations
- Zoning By-laws (Development Permits)
  - General Regulations:
    - Definitions: Home Occupations and Cottage Industries; B&Bs; Veterinary Clinics; Animal Kennels
    - Parking Regulations (number of stalls, aisles, access/egress)
    - Outdoor Storage
    - Bed & Breakfast
      - Definition
      - General regulations
    - Agriculture Zone/Development Permit Zone Regulations
      - Minimum front, rear, and sideyard setbacks
      - Lot Coverage
      - Building Height
      - Landscaping Requirements: screening, vegetation, berms
      - Maximum floor areas for On-Farm Business
      - Employees: number of non-resident employees permitted
- Local Guidelines or Information Brochures:
  - Home Occupations and Cottage Industries
  - Bed & Breakfast Establishments
  - Veterinary Clinics
  - Animal Kennels
2.5 **Agriculture-Related Uses: On Farm Business**

*Agriculture-related uses* are small scale on-farm uses that are related to the on-site *commercial farm* operation and benefit from being in close proximity to it. These uses may also service the agricultural community at large.

2.5.1 **On Farm Business Uses**

*Agriculture-related uses* form part of a *commercial farm operation* and include (but are not limited to) the following:

- retail uses (sale of farm product);
- *agriculture-related tourism uses* (tours, mazes, farm vacations, educational tours, agricultural festivals, socials or equine shows);
- *agriculture-related home industries* (blacksmith shops, metal working shop); and,
- small scale *agriculture-related* businesses (equine training, processing).

2.5.2 **Criteria**

2.5.2.1 **Criteria for all Agriculture-Related Uses:**

The following criteria may be added to Local Official Plan sections that deal with agriculture-related uses:

- Must be located on a *commercial farm* within the *farm building cluster* and clearly associated with the *commercial farm operation*.
- The use should be small scale and should not change the appearance of the *farming operation*.
- Signage should be minimal and not detract from the rural character. This may be achieved through size restrictions.
- Impacts on surrounding properties should be minimal.
- Overnight accommodation is limited to *bed and breakfast* establishments. Overnight camping is not permitted.
- Appropriate building setbacks and buffering from abutting properties.
- All uses must be serviceable by appropriate on-site water and wastewater facilities.
2.5.2.2 Specific Criteria for Agriculture-Related Uses

**Retail Uses’ Criteria**
- Majority of the sales inventory must be from the on-site farm.
- One or more residents must be employed in the retail use.

**Home Industries Uses’ Criteria**
- Maximum floor area
- Preferred location is within existing farm building cluster
- Avoid prime agricultural lands
- One or more residents resides on site and is employed in the home industry
Agriculture-Related Tourism Uses’ Criteria

- Adequate vehicular access/egress and parking to be provided on site
- Maximum floor area
- Appropriate scale of the use

2.5.3 Agriculture-Related Use: On Farm Business Implementation Tools

Implementation Tools may include:
- Official Plan policies pertaining to Agriculture Uses
- Official Plan Schedules: Agriculture land designations
- Zoning By-laws (Development Permits)
  - General Regulations:
    - Definitions: Retail Use; Home Industries; Agriculture-Related Tourism
    - Parking Regulations (number of stalls, aisles, access/egress)
    - Outdoor Storage
  - Agriculture Zone Regulations
    - Minimum front, rear, and sideyard setbacks
    - Lot Coverage
    - Building Height
    - Landscaping Requirements: screening, vegetation, berms
    - Maximum floor areas for On-Farm business
    - Employees: number of non-resident employees permitted
- Local Guidelines or Information Brochures:
  - Agriculture Retail Use
  - Agriculture Home Industries
  - Agriculture-Related Tourism
2.6 On-Farm Diversified Uses

On-Farm Diversified uses are those uses that are not related to the primary agricultural use of the property and must be clearly secondary to it. These uses should be limited in scale and compatible with the normal use of neighbouring properties.

2.6.1 On-Farm Diversified Uses

Permitted on-farm diversified uses include:

- Home occupations;
- Cottage industries;
- Bed and breakfast;
- Home industries; and,
- Small scale businesses (examples include carpentry shop, equipment repair, etc.).

2.6.2 Criteria

2.6.2.1 Criteria for all On-Farm Diversified Uses

- On-farm diversified uses are located on an operating commercial farm.
- Minor in scale through zoned maximum gross floor area
- Accessory to the primary, permitted use
- Outdoor storage, if permitted, should be limited in size and screened from view from adjacent properties
- The number of employees should be limited in accordance with local zoning by-laws.
- Employee parking should be located to the rear of buildings and screened from view from adjacent properties.
- Sufficient land area within the farm building cluster should exist to accommodate parking.
- Parking areas should also be setback from side and rear lot lines and be buffered.
2.6.2.2 Specific Criteria for On-Farm Diversified Uses:

**Home industries**
- Maximum gross floor area of 200 m²

**Home occupations and cottage industries**
- Maximum gross floor area of 100 m² or 25% of total dwelling unit living area, whichever is less
- May be located within a detached dwelling, an addition to a dwelling, or in an accessory building located near the main dwelling.

**Bed and breakfast establishments**
- limited to three or fewer guest rooms;
- B&B operator must reside in the house;
- required parking and water and waste water servicing must be accommodated on-site; and,
- road signage should be small scale and not detract from the character of the area.

**Small scale businesses**
- Must be secondary to the primary and permitted use of the land; and,
- Impacts should be minimal and must not negatively impact surrounding properties

![Diagram of Home Industry with Retail within Farm Cluster](image)

Home Industry with Retail within Farm Cluster
2.6.3 Diversified On-Farm Use: Implementation Tools

Implementation Tools may include:

- Official Plan policies pertaining to Agriculture Uses
- Official Plan Schedules: Agriculture land designations
- Zoning By-laws (Development Permits)
  - General Regulations:
    - Definitions: B&B; Home Occupations; Cottage Industries; Small-Scale business
    - Parking Regulations (number of stalls, aisles, access/egress)
    - Bed & Breakfast
      - Definition
      - General regulations
    - Home Occupations
    - Outdoor Storage
  - Agriculture Zone Regulations
    - Permitted Uses: Home Industries; Home Occupations and Cottage Industries; B&Bs; Small-Scale Business
    - Minimum front, rear, and sideyard setbacks
    - Lot Coverage
    - Building Height
    - Landscaping Requirements: screening, vegetation, berms
    - Maximum floor areas for On-Farm business
    - Employees: number of non-resident employees permitted
- Local Guidelines or Information Brochures:
  - Home Industries
  - Home Occupations and Cottage Industries
  - Bed & Breakfast Establishments
  - Small-Scale Businesses
2.7 Horticultural Trade Uses

2.7.1 Permitted Uses

Horticultural trade uses are defined in the Regional Official Plan as “a non-farm business associated with the growing, sale, supply, delivery, storage, distribution, installation and/or maintenance of horticultural plants and products used in landscaping” but does not include uses that are normally associated with the principal agricultural use.

Greenhouse Operation

2.7.2 Criteria for All Horticultural Trade Uses

- Must be located on a commercial farm, within the existing farm building cluster, and secondary to the farming operation;
- Minimum size of a commercial farm operation where the horticultural trade use is located is 4 hectare (ha);
- Scale of the horticultural trade use must be minor;
- Minimum of 70% of the commercial farm property’s “arable area” where the horticultural trade use is located is dedicated to the growing of horticultural plants;
- Maximum total gross floor area of all buildings associated with the horticultural trade use is 500 m²
- Maximum land area for outdoor storage is 1,000 m² where permitted and is screened from adjacent properties through the use of berms and/or landscaping;
- Roadway signage is small-scale; and,
- All uses must be serviceable by appropriate water and waste water facilities located on site.
2.7.3 Implementation Tools

Implementation Tools may include:

- Official Plan policies pertaining to Agriculture Uses, specifically to horticultural trade uses
- Official Plan Schedules: Agriculture land designations
- Zoning By-laws (Development Permits)
  - General Regulations:
    - Definition: Horticultural trade
    - Parking Regulations (number of stalls, aisles, access/egress)
    - Outdoor Storage
  - Agriculture Zone Regulations
    - Minimum front, rear, and sideyard setbacks
    - Lot Coverage
    - Arable Area lot coverage
    - Building Height
    - Landscaping Requirements: screening, vegetation, berms
    - Maximum land or floor areas for horticultural trade use
    - Employees: number of non-resident employees permitted
- Local Guidelines or Information Brochures:
  - Agriculture Horticultural Trade Use
3.0 Implementation

3.1 Process
Applications for on-farm uses are submitted to the Local Municipalities. Local municipalities may find this Guideline useful when establishing Local Official Plan policies, Zoning By-law regulations or Guidelines for on-farm business uses.

Within the NEP area, land use and development is governed by the NEP and its regulations. The NEP takes precedence over municipal land use policy plans where conflicts occur between them. However, where municipal land use plan policies are more restrictive or rigorous than the NEP, they are considered to not to be in conflict and these policies may be applied in the NEP Area.

3.2 Role of Local Municipalities
The role of local municipalities is to establish land use policies and regulations specific to on-farm business uses within their jurisdiction that are consistent with Provincial and Regional land use policies. While local municipal policies must be consistent with Regional official plan policies, they also have the opportunity to be more restrictive. Local municipalities may also develop on-farm guidelines that provide greater specificity to local land use policies and zoning regulations.

3.3 Examples of On-Farm Business Sites

The following examples clarify how various on-farm businesses may be accommodated on a farm property.

Farm Building Cluster Integration

Integrating on-farm businesses into the farm building cluster and avoiding prime agricultural lands is key to minimizing the impact of new on-farm businesses. The image to the right identifies a typical farm building cluster and the area within which on-farm businesses may be located.
Natural Buffering

The figure illustrates how natural features may be used to define a farm building cluster and provide buffering and screening.
Setbacks, Buffering and Rural Character

Preservation of the rural character of the area may be achieved by establishing setbacks that direct on-farm businesses to areas beyond the rear facades of existing buildings.

Screening is considered an effective tool for mitigating visual impacts of new on-farm business structures.

Normal farm practices do not constitute new development.
Adaptive Re-Use

Adaptive re-use of existing structures for on-farm businesses achieves multiple goals:
- preserves historic buildings such as barns;
- retains the existing rural character; and,
- maintains the existing farm building cluster.

Parking

Managing vehicular access and parking, to minimize visual impacts to surrounding properties, is a worthwhile goal. Integrating parking areas within the existing farm building cluster as shown, helps to achieve this.

The use of berms and landscaping may further reduce visual impacts.