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To: Mayor and Council

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RE: Greenhouse Policy Update – Zoning By-law Amendment & Official
Plan Policies

Report No.: PS 2020-003

AIM

To provide the Mayor and Council with follow-up information on the proposed Greenhouse Policy Review Zoning By-law amendment update and Official Plan policies.

BACKGROUND

At the October 15, 2019 meeting of Council the proposed policy update to the Kingsville Zoning By-law and Official Plan were presented. These policies were the result of six months of consultation with the Greenhouse Policy Review Committee (GPRC) and public feedback. Public comment during the October 15th meeting was varied from the policy being a good first step toward improved regulations for greenhouse development to calls for a moratorium on any further greenhouse development in Kingsville.

Greenhouse policy development is a unique item in the context of planning. The industry represents a very small percentage of the agricultural industry in Ontario but has a very significant impact because of the concentrated nature of it. There are very few municipalities that face the issues on the scale that both Leamington and Kingsville do. Both Municipalities are often on the forefront of policy development purely on the basis of necessity. Many of the issues that have been raised in the last couple of years are not new items but have become more prevalent because of the introduction of cannabis as an alternative crop in the greenhouses.

As part of the consultation process by the GPRC and public comment we have continued to look to OMAFRA and their agricultural guidelines as to what is considered an agricultural use, agriculture –related use and on-farm diversified use. Greenhouses continue to fall under all of these criteria regardless of scale.

This work represents the first comprehensive review of greenhouse development in several years and provides the initial framework on which to build in the future. The policy attempts to capture many of the principle concerns that exist today and give the Town the ability to review new development in greater detail.

The establishment of the GPRC was based on concern for greenhouse development moving west of Division Rd. North and what appeared to be outdated policy. The Committee reviewed, developed and agreed on an updated set of Official Plan Policies and implementing new zoning requirements. These will provide a much improved structure to assess future growth and individual development details.

Two main topics of discussion at the October 15th meeting of Council centered on changes to the servicing requirements for development in the Official Plan and the definition of sensitive land use proposed in the zoning by-law. Council directed that the GRPC review these items and provide direction back to Council.

DISCUSSION

The GPRC held an additional meeting on November 5, 2019, open to the public, to discuss and review the two main issues presented at the October 15th meeting of Council.

Site Suitability Criteria

Item one was the revision of the first site suitability criteria which read as follows:

“Development shall be located in areas of the Town with existing, future or planned service capacity for hydro, natural gas and municipal water.”

The request from Councilor Neufeld was that the words *“future or planned”* be removed. The issue with this change to the wording is that the proposed site suitability criteria that are suggested apply to all development, not just greenhouses. This would prevent all future development where services may be planned or needed to accommodate growth such as residential, commercial, industrial or institutional.

This would negatively impact lands where these types of properties are designated for growth. Examples of this would include the Valente lands, Kingsville Golf Course project, the Conklin Lands and even the vacant lands across from Kingsville High School. As such, the suggestion is to return the wording to what was in the original site suitability criteria,

“development has demonstrated that all necessary services are available to adequately accommodate the proposal.”

This wording would have a similar affect as it would allow the Town to question any development where servicing is not currently available.

Infrastructure Limitations

While improved assessment criteria is a key part of moving forward, it is important to keep in mind other current limitations on the industry. There are substantial servicing limitations in most areas of Kingsville. Much of the Town's water distribution system is for domestic supply and cannot support large users. Although there have been requests for the extension of water supply these represent very limited opportunities, and only where the larger infrastructure is in place to support such extensions. Developer funded expansion is also limited to individual economic feasibility.

Greenhouse development is also highly dependent on hydro and natural gas supply and while recent upgrades have been completed the majority of this upgrading was for supplying existing needs and has limited ability to support more significant expansion without additional investment from Hydro One and Enbridge.

Most development of greenhouses over the last five years in Kingsville have been expansions to existing operations, many of which had this approval in place from the initial stage of development. New greenhouse development has been limited to approximately one site per year ranging from 15 to 30 acres. This represents about a 2% to 3% increase per year with a similar level of increase to existing operations.

Sensitive Land Use Zoning Amendment

The second request at the public meeting was the changing of the definition of sensitive land use proposed for the zoning amendment. The wording of this needed to be clearer as it was intended to supplement the existing definition in the zoning by-law. The intent was to outline what would be considered sensitive land uses in the context of greenhouse development. The definition has been reworked to clarify this however unfortunately does not incorporate the comprehensive definition suggested by the public comment. The reworked definition is suitable with the Ministry of Environment, Conversation and Parks (MECP) definition of sensitive land use.

LINK TO STRATEGIC PLAN

Manage growth through sustainable planning.

FINANCIAL CONSIDERATIONS

There are no financial implications related to this policy update.

CONSULTATIONS

Greenhouse Policy Review Committee

The statutory public meeting portion of the proposed zoning amendment was completed at the October 15, 2019 meeting of Council. The revised amendment was reposted to the Town website and staff provided notification to the individuals who attended the follow-up meeting of the GPRC.

RECOMMENDATION

It is recommended that Council:

Approve zoning by-law amendment ZBA/17/19 to update the current zoning by-law standards for greenhouse development as established by the Greenhouse Policy Review Committee and adopt the implementing by-law, and

Endorse the outlined Official Plan policies in Appendix A, established by the Greenhouse Policy Review Committee, for inclusion in the 5-year Official Plan review process and associated amendment.

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Peggy Van Mierlo-West

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