



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: February 21, 2020

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Service

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

Report No.: PS 2020-014

AIM

To provide the Mayor and Council with information on the addition of a definition of adverse impact to the proposed greenhouse policy update.

BACKGROUND

At the January 27, 2020 meeting of Council information was presented that partially addressed the concern with the proposed definition of a sensitive land use. As part of the discussion with Council and the public feedback additional concern was expressed that adverse effects noted in the updated Official Plan policies for Site Suitability was also not defined.

DISCUSSION

Official Plans, unlike a comprehensive zoning by-law, do not contain definitions of terminology. They rely on either reference to the zoning by-law for clarification or look to the dictionary definition. Adverse impact is currently included in the Official Plan site suitability criteria policies but not defined. In order to provide clarity and comfort moving forward the policy wording has been updated to reference the Provincial Policy Statement (PPS) definition of adverse effect, which reads as follows:

Adverse Effect: as defined in the *Environmental Protection Act*, means one or more of:

- a. impairment of the quality of the natural environment for any use that can be made of it;
- b. injury or damage to property or plant or animal life;
- c. harm or material discomfort to any person;
- d. an adverse effect on the health of any person;
- e. impairment of the safety of any person;
- f. rendering any property or plant or animal life unfit for human use;
- g. loss of enjoyment of normal use of property; and
- h. interference with normal conduct of business.

The greenhouse policy (Appendix A) has been updated accordingly to refer to the PPS definition of adverse effect moving forward. The zoning by-law policy updates remain as presented at the January 27th meeting.

LINK TO STRATEGIC PLAN

Manage growth through sustainable planning.

FINANCIAL CONSIDERATIONS

There are no financial implications related to this policy update.

CONSULTATIONS

CAO

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 amended through Council and public feedback and adopt the implementing by-law, and

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

Robert Brown

Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services