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**Date:** November 18, 2020

**To:** Mayor and Council

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

**RE:** Application for Zoning By-law Amendment ZBA/15/2020 by  
Golden Acres Farms Inc. & 5021103 Ontario Inc.  
1999 & 2011 Graham Side Road  
Part of Lot 6, Concession 2 ED  
Part 1 & 2, RP 12R 20174

**Report No.:** PS 2020-066

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## **AIM**

To provide the Town of Kingsville Mayor and Council with information regarding a proposed Zoning By-law Amendment for lands owned by Golden Acres Farms Inc. and 5021103 Ontario Inc., located at 1999 and 2011 Graham Side Road, in the Town of Kingsville.

## **BACKGROUND**

The subject lands consist of two farm lots 1999 and 2011 Graham Side Road. The easterly parcel was developed with a greenhouse and support facilities starting in 2010 with an expansion in 2013. The plan was later amended to add the greenhouse development on the westerly parcel however was amending again in 2020 prior to starting construction.

Each of the greenhouses are located on separate lots but will be operated as one facility. In order to improve operational efficiency on the site a connecting link is needed to provide an enclosed, climate-controlled environment for the movement of produce from the new greenhouse to the existing packing and shipping area.

To permit the connecting link while maintaining separate ownership of the two parcel it was suggested that the owners rezone the property in such a way to treat both lots as one for the purpose of zoning only. This would then permit a connecting link and allow the operation to continue in an efficient manner.

## **DISCUSSION**

### **1) Provincial Policy Statement (PPS), 2020:**

The proposed zoning amendment is a technical matter that raises no issues of Provincial significance.

### **2) Town of Kingsville Official Plan**

The subject lands are designated Agriculture which permits the uses currently on the properties. The proposed zoning is a technical matter to permit the connecting link which does not raise any issues relevant to the Official Plan.

### **3) Comprehensive Zoning By-law**

The subject properties are zoned Agriculture, "A1" which permit the current uses. The greenhouse operation is subject to an existing site plan agreement which is not impacted by the suggested zoning amendment. The proposed amendment would rezone all three parcels to a site-specific Agriculture Exception 81, "A1-81" to add a special provision that would consider both properties to be a single lot for the purpose of zoning regulation only. This would not permit any type of additional development nor does it reduce or increase any of the existing regulations applicable to the subject lands. However, it does address the proposed connecting link between the two greenhouses.

This practice is generally more common on large commercial-retail complexes where one would see multiple commercial buildings such as big box retail. Often tenants want long-term leases or the creation of individual lots both of which require consent under the Planning Act. The purpose of zoning the complex to be treated as a lot for the purpose of zoning permits the subdivision of the complex but creates fewer issues with setbacks, access and frontage while continuing to require the multiple buildings to function as a collective development sharing parking, main access, services, etc..

In the case of the subject property by permitting an enclosed connecting link it improves efficiency for the operation, reduces truck movements between the greenhouses, and assists the owners in maintaining quality control and safety for their product.

### **Public Consultations**

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Public Meeting by mail. No comments have been received as of the date of writing of this report.

## **LINK TO STRATEGIC PLAN**

Support growth of the business community.

## **FINANCIAL CONSIDERATIONS**

There are no financial implications related to the proposed zoning amendment.

## **CONSULTATIONS**

Technical Advisory Committee

ERCA

## **RECOMMENDATION**

That Council:

Approve zoning by-law amendment application ZBA/15/2020 to amend the zoning on the subject parcels from Agriculture, "A1" to a site-specific Agriculture, "A1-81" to consider both properties a single parcel for zoning purposes only and adopt the implementing by-law.

Prepared by:

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Reviewed by:

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