

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council
From: Aaron Hair, MCIP, RPP, Division Leader – Community Planning
Date: December 19, 2022
Subject: Large Scale Greenhouse Facility Study Update

Recommendation

Receive the draft Large Scale Greenhouse Facility Official Plan and Zoning By-law amendments, appended as Attachments 1 and 2, to this report.

Direct Administration to circulate the amendments for comment and prepare a final version of the Official Plan and Zoning By-law amendments, to be presented at a future Council meeting, as presented at the January 10, 2023 Council meeting.

Background

On March 9, 2021, Council approved By-law 13-2021 being a By-law to establish an Interim Control By-law, respecting Greenhouses in the Municipality of Lakeshore. An Interim control by-law puts a temporary freeze on a land use while the municipality is studying or reviewing its policies. The temporary freeze is for 1 year, but may be extended for an additional year, and on February 15, 2022, Council extended the By-law until March 9, 2023.

In the Spring of 2021 Lakeshore engaged Storey Samways Planning Ltd. (SSPL) to assist with preparing the terms of reference for the study. The purpose of the study was to look at the impacts of greenhouse developments, and to come up with best practices on how to regulate them, not to prohibit them.

In August and September of 2022, Lakeshore hosted 1 virtual and 2 in-person meetings to go over the Draft Greenhouse Study Report prepared by SSPL, with approximately 450 attending the various sessions. After the public open houses, Lakeshore received 77 email comments, 9 written submissions, 21 comment cards, and a petition opposing greenhouses with 1656 signatures. Basically, all the comments from the public opposed greenhouses in Lakeshore, based on the experiences in Leamington and Kingsville.

On October 12, 2022 Council passed a resolution advising that Lakeshore opposes large commercial greenhouses in rural areas, and that the province consider reclassifying greenhouses to an industrial use.

At the December 13, 2022 Council meeting, Council approved the following motion;

Request the Mayor to send a follow up letter to the Minister of Agriculture, Food, and Rural Affairs outlining Council's ongoing concerns with large scale greenhouse development; and

Direct Administration to proceed with Option 2, to revise the Official Plan policies, Zoning By-law regulations pertaining to Large Scale Greenhouse Facilities, and Design Guidelines for Large Scale Greenhouse Facilities as outlined in Attachment 1, titled Lakeshore Greenhouse Study Final Report, as presented in the report entitled Greenhouse Study Update presented at the December 13, 2022 Council meeting.

Option 2 – Proceed as Presently Directed by the terms of reference
(Administration's Recommendation)

Through Option 2, the existing Official Plan policies and Zoning By-law regulations are modernized based on the most up-to-date information, widespread agency consultation and public consultation submissions.

As part of this approach, it is also proposed that the Lakeshore Zoning By-law be amended so as to remove Large Scale Greenhouse Farms ("LSGF") as a permitted use: i.e., they would no longer be permitted as-of-right as they currently are under the zoning regulations. A site-specific Zoning By-law amendment would be required to establish a LSGF along with a site plan agreement.

In addition, visual design guidelines would be developed for Council approval that would deal with setbacks, landscaping and screening requirements, arrangement of buildings, pedestrian and vehicle movements, along with the rules governing the location and built form of worker housing. These costs are built into the Draft 2023 Budget.

Comments

The Official Plan amendment proposes to define what a large-scale greenhouse farm is, and add policies requiring a site-specific zoning amendment, and site plan control for LSGF (Attachment 1). In addition, the proposed Official Plan amendment contains policies regarding the locations of supporting buildings, structures, loading, packing, water storage, housing, stand-by power systems, chillers, CO² systems and waste disposal containers, etc., and directs them away from sensitive land uses. The proposed amendment also requires the impacts of lighting, noise, odors, traffic, storm water to be mitigated.

At some point in the future, Lakeshore could consider amending the comprehensive zoning by-law to permit Large Scale Greenhouse Farms as of right. However, at this time further information is required. Prior to Large Scale Greenhouses Farms being permitted the following four items needed to be addressed, as set out in the draft Official Plan amendment:

- Regional stormwater study to identify a common release rate on the various watersheds;
- Implementation of a stormwater discharge quality monitoring program similar to the Kingsville/Leamington nutrient program;
- Receipt of a best practice study from the province regarding greenhouse lighting abatement and other general adverse effects, and
- A municipal financial impact analysis.

Large Scale Greenhouse Farms are also proposed to be prohibited north of County Road 42 between Manning Road and the north/south leg of County Road 22. This is to provide a buffer area between large scale greenhouse farms and the urban settlement areas. In addition, it will protect settlement areas from the girdling effect of greenhouse development and allow for extension of services in the future.

The Zoning By-law amendment will add a new definition of Greenhouse Farm, Large Scale, but it will not be added to Table 7.1 – Permitted Uses of the Zoning By-law (Attachment 2). This would then require a site-specific zoning amendment to add the use to a parcel of land.

The attached draft Official Plan & Zoning By-law Amendments will be placed and advertised for a Public Meeting targeting the **February 14, 2023** Council meeting. The Public Meeting will be advertised in the local newspaper, the municipal website Lakeshore.ca. and Lakeshore's Social Media Accounts. The draft by-law amendments will be placed on Lakeshores Greenhouse Study Open House webpage, for public review.

Others Consulted

In advance of the public hearing the draft amendments will be circulated to the County of Essex, and the two local Conservation Authorities as well as other agencies and adjacent municipalities, as required under the regulations under the Planning Act. The County of Essex will be requested to circulate the amendments to the provincial Ministry of Municipal Affairs and Housing and the Ministry of Agriculture, Food and Rural Affairs, as per the Provincial-County protocol on land use planning review.

Financial Impacts

The total cost of the study is \$53,000 and is funded from the approved Department's Consulting Services budget. To date, the study is projected to be on budget.

Attachments

Attachment 1 – Draft Official Plan Amendment

Attachment 2 – Draft Zoning By-law Amendment

Report Approval Details

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| Document Title: | Large Scale Greenhouse Facility Study Update.docx |
| Attachments: | - Attachment 1 – Draft Official Plan Amendment.docx - Attachment 2 Draft Zoning By-law Amendment.docx |
| Final Approval Date: | Jan 5, 2023 |

This report and all of its attachments were approved and signed as outlined below:

Prepared by Aaron Hair

Submitted by Tammie Ryall

Approved by Justin Rousseau and Truper McBride