



Subject: Public Meeting Report for Proposed Zoning By-law Amendment at 1498 Wilhelm Road

To: Council

From: Development and Legislative Services Department

Report Number: 2022-127

Meeting Date: June 14, 2022

Recommendation:

That Planning and Development Report 2022-127 be received for information.

Purpose:

The purpose of this report is to provide Council with information regarding a Zoning By-law Amendment application initiated by the agent Christopher Wilson on behalf of the owner Andy Veenstra for the property legally known as Lot 5 on Concession 2 in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 1498 Wilhelm Road.

Background:

The application for Zoning By-law Amendment proposes to change the zoning from Agricultural (A) to Agricultural Purposes Only (APO) and Agricultural Residential (AR). The Zoning By-law Amendment is being sought to satisfy an anticipated condition of a farm-consolidation severance under consent application B09-22-PC. Appendix A shows the proposed severance sketch. Part One is to be rezoned AR while Part Two is to be rezoned APO. A special provision of the Zoning By-law is being sought to address a deficiency in the proposed lot frontage of the property that is to be zoned AR. The AR zone requires a minimum lot frontage of 45m whereas the applicant has proposed 14.15m for Part 1.

The area that will be rezoned APO is approximately 69 ha in size and is currently used for agricultural purposes.

The area that will be zoned as AR is approximately 1 ha in size and is currently occupied by a single detached dwelling and accessory structure. No new development is proposed as a result of this application.

Internal Consultations:

Notice of Public Meeting was circulated on May 25, 2022, to internal departments and agencies and the following comments have been received as of the time this report was prepared.

Port Colborne Fire Department

No objection to the proposed application.

Drainage Superintendent

The parcels are within the watershed of the Peter Storm Drain. This report is in the process of being updated. Any changes will be corrected within the new report.

Public Engagement:

The Notice of Public Meeting is required to be sent to properties within a 120m radius of the subject property, as per Section 34 (13) of the Planning Act. Notice was circulated on May 25, 2022, and no comments from the public have been received as of the date of preparing this report.

Discussion:

This application will be reviewed with consideration of applicable policies in the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, *the Regional Official Plan*, *the City of Port Colborne Official Plan* and the *City of Port Colborne Comprehensive Zoning By-law 6575/30/18*.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a “prime agricultural area” according to the PPS. The PPS states that prime agricultural areas shall be protected for long-term use for agriculture.

The Growth Plan also states that prime agricultural areas are to be protected for the long-term use of agriculture.

The Regional Official Plan (ROP), designates the subject lands as within the “Good General Agricultural Area”. Policies within the ROP permit the conveyance of agricultural land for a residence surplus to a farming operation as a result of a farm consolidation. Section 5.B.8.1 will be used to assess the application when a recommendation report is brought forward at a future date. The policies under this section are used to assess the conveyance of agricultural land.

City of Port Colborne Official Plan

According to Schedule A: City Wide Land Use, the City of Port Colborne’s Official Plan (OP) designates the subject property as **Agricultural**. Land uses in the Agricultural designation include but are not limited to, the cultivation of crops, storage and processing of produce, raising of livestock, greenhouses, small-scale agri-tourism, value added agricultural activities, specialty agricultural uses and agricultural-related accessory uses.

Sections 3.5.3 of the OP will be used to assess the application when a recommendation report is brought forward at a future date. This section provides policies on the severance of agricultural land. The Official Plan designation is not proposed to be changed as a result of this application.

City of Port Colborne Zoning By-law 6575/30/18

The subject lands are currently zoned Agricultural (A). The application for Zoning By-law Amendment proposes to change the zoning to Agricultural Purposes Only (APO) and Agricultural Residential (AR). The APO zone permits agricultural uses, conservation uses, and uses, structures and buildings accessory thereto including greenhouses. The AR zone permits a detached dwelling and uses, structures and buildings accessory thereto.

Adjacent Zoning and Land Use

The surrounding lands are zoned Agricultural to the north, east, south and west. The land uses surrounding the subject parcel consist of vacant agricultural land to the north, and east with vacant agricultural land and detached dwellings to the south and west.

Financial Implications:

There are no financial implications.

Conclusion:

Planning Staff are not providing a recommendation on the proposed Zoning By-law Amendment at this time to allow all agency, public and Councillor comments to be received and considered prior to a decision being made. The recommendation report will return to Council at a future meeting.

Appendices:

- a. Survey Sketch

Prepared by,

Chris Roome, BURPI
Planner
905-835-2900 ext. 205
Chris.roome@portcolborne.ca

Respectfully Submitted,

Denise Landry, MCIP, RPP
Manager of Planning
905-835-2900 ext. 201
Denise.landry@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.