

**Municipality of Chatham-Kent**

**Community Development**

**Planning Services**

**To:** Mayor and Members of Council

**From:** Ryan Jacques, MCIP, RPP  
Director, Planning Services

**Date:** April 11, 2023

**Subject:** Zoning By-law Amendment – Large Scale Greenhouses

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**Recommendation**

It is recommended that:

1. The proposed Zoning By-law Amendment to regulate the location of Large Scale Greenhouses between 300 metres and 1,500 metres from Residential Low Density (RL), Residential Medium Density (RM), and Residential High Density (RH) Zones, be approved, and the implementing by-law be adopted.

**Background**

Planning for the modern Greenhouse sector began in the early 2000s. In developing the current land use strategy, planning and public consultation was undertaken. These efforts produced a Greenhouse Development Feasibility Study (2001) and an Agricultural Economic Impact Study (2002). These studies informed land use policy direction adopted in the first Chatham-Kent Official Plan (2005).

Agriculture is a high municipal priority. The Official Plan promotes the long-term protection of the agricultural industry in Chatham-Kent. Local land use policies affirm that agriculture is a predominant activity in the Municipality. Agriculture is a cornerstone of Chatham-Kent's economy.

The Official Plan sets out that it shall be the objective of Chatham-Kent to:

- Support a healthy and viable agricultural industry as a cornerstone of the Municipality's economy.
- Ensure that non-agricultural uses that may result in conflicts with agriculture are directed to growth centres and less productive farming areas.
- Support Chatham-Kent's agricultural industry, including local food production and distribution systems, farmers' markets and farm-gate sales, to provide healthy and accessible foods that serve the needs of Chatham-Kent residents.

The greenhouse sector generates significant economic activity and employment. This sector is well positioned to succeed in Chatham-Kent, in part due to:

- Access to good infrastructure services.
- Access to professionals with expertise in the development of new products and markets.
- Access to well-trained, skilled workers.
- Access to municipal government.
- Access to specialized training on management practices.

At its May 10, 2021 meeting, Council received a Report titled [“Planning for Large Scale Development”](#). The Report proposed focusing on adopting regulations for greenhouse lighting abatement (addressed in a separate report on the April 24, 2023 Council meeting agenda), and optimizing land-use policies related to large-scale greenhouse development (the subject of this report).

At the May 10, 2021 meeting, Council approved an Interim Control By-law to control large-scale greenhouse development in proximity to urban settlement areas (By-law 77-2021). At its May 9, 2022, the Interim Control By-law was extended to May 10, 2023. No further extensions of the Interim Control By-law are permitted.

### **Comments**

The Chatham-Kent Zoning By-law contains General Provisions to regulate the development of Large Scale Greenhouses on private property. The regulations are set out in Section 4.11 – Greenhouse Farms (Large Scale). A ‘Large Scale Greenhouse’ is defined as any greenhouse over 5 acres in area.

Since Large Scale Greenhouse zoning regulations were adopted in 2003, the setback for all large scale greenhouse farm building and structures from all Residential and Deferred Development Zones is 300 m.

The proposed amendment would introduce new land use regulation applicable to large scale greenhouses proposed to be located between 300 meters and 1,500 metres from the Residential Low Density (RL), Residential Medium Density (RM), and Residential High Density (RH) Zones. These residential zones are located in Primary and Secondary Urban Centres, as identified in the Official Plan.

Primary Urban Centres are Wheatley, Tilbury, Blenheim, Chatham, Ridgetown, Dresden, and Wallaceburg; Secondary Urban Centres are Merlin, Charing Cross, Pain Court, Mitchell’s Bay, Thamesville, and Bothwell.

The regulated area for all large-scale greenhouse farm buildings and structures from all other Residential and Deferred Development Zones outside of Primary and Secondary would continue to be 300 m. Other residential zones include, Rural Residential (RR), Estate Residential (ER), Village Residential (VR), Mobile Home

Park (MH), Seasonal Residential (SR), and, Recreational and Lakeside Residential (RLR).

For reference, the Village Residential (VR) Zone is applied in Hamlets and Rural Settlement Areas, as identified in the Official Plan. These include the Hamlets of Erieau, Cedar Springs, Shrewsbury, Morpeth, and Highgate. Rural Settlement Areas include, Coatsworth, Port Alma, Glenwood, Dealtown, South Buxton, Fletcher, North Buxton, Jeanette's Creek, Guilds, Bradley, Kent Centre, Palmyra, McKay's Corners, Grande Pointe, Louisville, Duart, Muirkirk, Oungah, Dover Centre, Eberts, Kent Bridge, Wabash, Dawn Mills, Tupperville, Croton, and Bothwell Station.

The policy basis for including the residential zones in Primary and Secondary Urban Centres is due to the urban growth policies that designate these centres as long-term growth areas. The proposed regulation can reduce potential long-term land use conflicts between urban growth areas and large scale greenhouse developments. Greenhouses are not proposed to be prohibited in these areas, however where regulated by the Zoning By-law, a Zoning By-law Amendment initiated by a landowner would be required for the development of a project to proceed.

Below, the proposed amendments are incorporated into Section 4.11 – Greenhouse Farms (Large-Scale), as it will read in the amended Zoning By-law:

#### **4.11 Greenhouse Farms (Large-Scale)**

- a) Large-Scale Greenhouse Farms shall be permitted in an Agricultural Zone (A1) as identified in Section 5.0 of this By-law subject to the following regulations:
  - i. Large-Scale Greenhouse Farm Regulations for all buildings and structures:
  - ii. lot frontage (minimum) – 120 m
  - iii. front yard (minimum) – 30 m
  - iv. side yard (minimum) – 15 m or 30 m from the nearest dwelling on a separate lot, whichever is greater
  - v. rear yard (minimum) – 15 m or 30 m from the nearest dwelling on a separate lot, whichever is greater
  - vi. lot coverage (maximum) – 80%.

Notwithstanding (a) (iii), (iv) and (v), the setback for all large-scale greenhouse farm building and structures from:

- (1) *Residential Low Density (RL), Residential Medium Density (RM), and Residential High Density (RH) zones as set out in Section 5.0 of this By-law shall be 1,500 m*
- (2) *All other Residential and Deferred Development Zones, as set out in Section 5.0 of this By-law, shall be 300 m.*

- b) Greenhouse Farm Employee Accommodation – maximum capacity of 2.5 employees per acre of greenhouse.
- c) Packing, Shipping, Loading Facilities – 15 m minimum setback from all lot lines or 30 m from the nearest dwelling on a separate lot, whichever is greater.
- d) Driveways – 7.5 m minimum setback from any side or rear lot line.
- e) Parking Areas – 7.5 m minimum setback from all lot lines.
- f) Parking and Loading Regulations – no requirements.
- g) Storm Water Management Ponds
  - i. 7.5 m minimum setback from all lot lines or 30 m from the nearest dwelling on a separate lot, whichever is greater.
  - ii. 10 m minimum setback between the top of bank of a municipal drain and the top of bank of a stormwater management pond.
- h) Outdoor Water Reservoirs – 7.5 m minimum setback from all lot lines or 30 m from the nearest dwelling on a separate lot, whichever is greater.
- i) Waste Management Facilities – 7.5 m minimum setback from all lot lines or 30 m from the nearest dwelling on a separate lot, whichever is greater.

### **Areas of Strategic Focus**

This report supports the following areas of strategic focus:

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| <b>Economic Prosperity</b>  | <b>Healthy &amp; Safe Community</b>   | <b>People &amp; Culture</b>  | <b>Environmental Sustainability</b>   |
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### **Consultation**

No consultation was required in the preparation of this report.

**Communication**

Information on Council's action will be posted to the municipal website. All persons who have made a submission regarding this application will receive a notice of Council's decision. Any other person who wishes to receive notice must submit a written request to the Clerk.

**Diversity, Equity, Inclusion and Justice (DEIJ)**

This report does not have implications related to diversity, equity, inclusion or justice.

**Financial Implications**

There are no financial implications resulting from the recommendation.

Prepared by: Ryan Jacques, MCIP, RPP, Director, Planning Services

Reviewed by: Bruce McAllister, MCIP, RPP, General Manager, Community Development

Attachments: By-law to amend By-law 216-2009