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File: Z-8458
Planner: L. Maitland

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CITY OF LONDON REVIEW OF GREENHOUSE REGULATIONS PUBLIC PARTICIPATION MEETING ON JUNE 1, 2015

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of City of London:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 10, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to:
 - i) Add definitions for "Greenhouse" and "Greenhouse Farm" to Section 2 – Definitions;
 - ii) Amend Section 4.1 to add greenhouses to the list of farm buildings exempted from the coverage limit for accessory uses;
 - iii) Add a parking provision to apply to Greenhouse Farm in Section 4.19 – Parking Standards;
 - iv) Add "Greenhouse Farm" as a permitted use in the Agriculture AG1 zone variation.
 - v) Remove use "Commercial Greenhouse" from the list of permitted uses in the Agriculture AG2 zone variation and add "Commercial Greenhouse" to the list of permitted uses in the Agriculture AG3 zone variations; and
 - vi) Add regulations to Section 45.3 to address the specific features of a "Greenhouse Farm".

- (b) that Civic Administration be directed **TO REVIEW** the Site Plan Control Area By-law to evaluate the possibility of removing greenhouse farm from the list of exempted uses and developing the necessary regulations to address such matters as stormwater management, access, employee accommodation, parking and storage of materials.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the requested Zoning By-law amendment is to provide regulations regarding greenhouses and the greenhouse coverage limit. The proposed zoning by-law amendment would be to increase the lot coverage for greenhouse uses beyond the 10% (maximum) lot coverage currently permitted for commercial greenhouses. The direction would also have the effect of ensuring proper site design for large scale greenhouse operations through the site plan process.

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RATIONALE

- The Provincial Policy Statement (2014) calls for the promotion and support of all normal farm practices within prime agricultural areas.
- The Official Plan supports a healthy, diverse and financially viable agricultural sector of the local economy.
- Greenhouse farms constitute a distinct agricultural use
- Regulations are to be provided through a zoning by-law amendment to address the unique impacts of greenhouse farms.

Date Application Accepted: February 20, 2015	Agent: N/A
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PLANNING HISTORY

On September 30, 2014 Municipal Council resolved:

That, the Civic Administration BE REQUESTED to look at all regulations, including zoning regulations that limit the lot coverage of greenhouse uses to 10 percent of the lot area and to include this request on the Planning Departments Work Plan.

This direction provided the basis for the review.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Wastewater and Drainage Engineering: No comment

London Hydro: No objections

Upper Thames River Conservation Authority: No comment

Agricultural Advisory Committee: Resolution provided in Appendix i

Ontario Ministry of Agriculture Food and Rural Affairs: Full response to draft policies is provided in Appendix ii.

PUBLIC LIAISON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on March 5, 2015	No responses
<p>Nature of Liaison: City-Wide – The purpose and effect of the requested Zoning By-law amendment is to provide regulations regarding greenhouses and the greenhouse coverage limit. The purpose and effect of the proposed zoning by-law amendment would be to increase the lot coverage for greenhouse uses beyond the 10% (maximum) lot coverage currently permitted. Possible change to Zoning By-law Z.-1 to amend Section 2 – Definitions, Section 4 – General Provisions, Section 45 - Agricultural (AG) Zone, and Section 46 Agricultural Commercial (AGC) Zone to provide regulations for greenhouses. File: Z-8458 Planner: L.Maitland.</p>		
Responses: None		

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ANALYSIS

The September 2014 direction from municipal council provided for a review of “*all regulations, including zoning regulations that limit the lot coverage of greenhouse uses to 10 percent of the lot area*”. The direction from municipal council indicated that a review of greenhouses larger in scale than 10% of an agricultural parcel were to be considered through the review. These large scale greenhouse operations are a unique use distinct from others currently present in the City.

Provincial Policy Statement 2014

The Provincial Policy Statement (PPS) 2014 provides guidance on the permitted uses in prime agricultural areas. The definition for agricultural uses provided through the PPS 2014 includes “the growing of crops, including nursery, biomass and horticultural crops ... for food, fur or fibre ... and associated on-farm buildings.” This definition clearly accounts for the large scale greenhouse operation as an agricultural use. Policy 2.3.3.2 of the PPS 2014 specifically directs that “in prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards”. Provincial policy provides clear direction supporting the permission of large scale greenhouses within London’s agricultural area.

The Official Plan

Chapter 9 of the Official Plan speaks to the intention for the City’s Agriculture designation. Large scale greenhouses help meet a number of the objectives set out in 9.11 of the Official Plan. As an element of the agricultural economy they “promote and support a healthy and productive agricultural industry,” in accordance with objective ii. Large scale greenhouse operations, through their development, “support a pattern of agricultural land holdings that increases the viability of farm operations and avoids the fragmentation of land ownership,” in accordance with objective iv. The policies of the Official Plan provide support for the inclusion of large scale greenhouse operations within the City’s Agriculture designation.

Section 9.2.1 speaks to permitted uses within the Agriculture designation. Permitted uses include the ‘full range of farming types ... including, but not limited to, general farming, livestock farming, cash crop farming, market gardening, specialty crops, nurseries, forestry, aquaculture and agricultural research’. Large scale greenhouse operations can be understood as accounted for by the list and supported without amendment to the Official Plan.

Issues Raised

Given the supportive policy framework in place a review of appropriate regulations for greenhouses was undertaken. The review undertaken by staff included discussions with the relevant departments who would be tasked with implementing and enforcing the amendments. The review included an examination of other municipal zoning by-laws within Southern Ontario specifically examining the approach taken to address greenhouses. This examination was limited to municipalities with some specific regulations for greenhouses. As part of the review staff discussed greenhouses with staff in the planning department at the Municipality of Leamington and visited the area to see how large scale greenhouses have been developed in that part of the province. The application was also reviewed by the Agricultural Advisory Committee who provided comments. Finally staff at OMAFRA viewed a later draft version of the proposed regulations and provided their input.

Through the review a number of issues were identified to be addressed through the zoning by-law amendment process.

- o Definitions – There are different types of greenhouses developed for different purposes. Definitions should provide for the development of all types of greenhouse and distinguish amongst them.

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- Lot coverage – The council direction to initiate the project was to address the scale of greenhouses in the agricultural area.
- Setbacks – The location of greenhouses on their lot is a consideration. Additional concerns include ancillary components of greenhouse operations, manure storage, packing buildings, and ventilation fans.
- Impacts – The storage of manure creates a number of potential impacts on neighbouring properties. Consideration for lighting, hours of operation and exhaust fan output are required.
- Accommodation – The large agricultural greenhouses developed in Ontario regularly have employee accommodation on site.
- Packing and Loading – Greenhouses require unique consideration to address the truck traffic and packing element of the use required on site.
- Process – The appropriate planning processes to address agricultural greenhouses needs to be determined to address all issues comprehensively.

Definitions

The Zoning By-law currently contains one definition for a greenhouse specifically for a “commercial greenhouse”. The definition reads:

"GREENHOUSE, COMMERCIAL" means a building for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such lot at wholesale or retail.

This definition is intended for greenhouses with a retail element. This definition has been taken up by greenhouse operators who provide flowers, shrubbery and the like to more urban consumers. The need to define large scale greenhouses that are agricultural in nature requires a new definition. In addition to the “Greenhouse Commercial” use, two new greenhouse uses will be defined.

Two new definitions are being proposed for “greenhouse” and “greenhouse farm”. The definitions are to read as follows:

“GREENHOUSE” means a building or structure used for the growing of plants, shrubs, trees and similar vegetation in a climatically controlled environment constructed primarily from a translucent building material. A greenhouse of less than 10 square meters is considered an accessory structure in accordance with Section 4.1 of this by-law.

“GREENHOUSE FARM” means an agricultural use in which the predominant activity is the growing of crops within a greenhouse. A greenhouse farm may include packing, loading, shipping and any other ancillary facilities required to support the growing and wholesale of the crops grown in the facility. A greenhouse farm may include a SECONDARY FARM DWELLING as an accessory use. A greenhouse farm does not include a COMMERCIAL GREENHOUSE on site or any other retail use.

The first definition, for greenhouse, is intended to clarify what structures or buildings constitute a greenhouse. This provides clarity regarding what constitutes an ancillary structure to be permitted across the city and would permit the creation of smaller scale greenhouses on farms following the existing intent of the zoning by-law.

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The second definition, for greenhouse farm, provides for the new use of large scale agricultural greenhouse operations. The proposed definition for greenhouse farm would permit the large scale greenhouse uses intended for the growing of crops, as well as the ancillary uses associate with agricultural operations to ensure that a viable agricultural uses is permitted. In accordance with the Agricultural Advisory Committee response to the application, the greenhouse farm definition prevents a retail use to distinguish this agricultural use from commercial greenhouses that are retail not agricultural uses. This distinction ensures that “Greenhouse Farms” are recognized as viable agricultural uses.

The new definitions require further amendments to ensure greenhouses are permitted in the appropriate portion of the City’s agricultural area. Greenhouse farms, as an agricultural use are to be added to the list of permitted uses in the Agricultural AG1 zone variation, permitting them in all of the City’s agriculturally-zoned areas, consistent with other crop-centric agricultural uses. Commercial greenhouses are proposed to be removed from the list of permitted used in the Agricultural AG2 zone variation and added to list of permitted uses in the Agricultural AG3 zone variation. Given their retail function, commercial greenhouse are better located in the AG3 zone variation as the uses are commercial in nature.

Lot coverage

The scale of greenhouses in the agricultural area is an important consideration. Under the existing regulations, commercial greenhouses are permitted in the Agricultural AG2 zone variation which limits lot coverage to 10%. All other Agricultural zone variation zone variations allow for a maximum of 20% lot coverage.

The results of the review of lot coverage for greenhouses in other municipal zoning by-laws is provided in Table 1 below. The table indicates a wide variety of limits ranging from 10% to 80%. The recommendation from the Agricultural Advisory committee was for a lot coverage limit of 60%. It is important to note the 80% coverage limit in the Leamington-Kingsville area. Municipalities which have no specified limit are primarily rural.

Table 1: Coverage Limit for Greenhouses by Municipality

Municipality	Coverage limit for Greenhouses
Amherstburg	10%
Bradford West Gwillimbury	50%
Brant	40%
Centre Wellington	30% or 70% depending on zone
Chatham-Kent	80%
Dutton-Dunwich	20%
Essex	25%
Grimsby	Lots less than 5 ha: 70% Lots 5 to 20 ha: 50% Lots over 20 ha: 25%
Huron East	2 acres of ACCESSORY greenhouse in the Agricultural zone OR 30% and up to 2 acres of PERMITTED greenhouse in the Agricultural-Industrial zone
King Township	60%
Kingsville	80%
Lakeshore	80%
Lambton Shores	30%
Leamington	80%
Lincoln	No specified limit
Mapleton	30%

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Norfolk County	No specified limit
Pelham	60% alone, 70% when combined other permitted use
Port Colborne	No specified limit
Wainfleet	50% for lots less than 20 hectares 25% for lots greater than 20 hectares
West Lincoln	70%

The recommended lot coverage is 70%, including all accessory uses for greenhouse farms. This limit is consistent with municipalities in the Niagara area. It also allows a scale that would support greenhouse farms as an agricultural use while allowing for sufficient area on site to accommodate stormwater storage.

Setbacks

The location of a greenhouse on the site is also a consideration. Setbacks need to be sufficient to address off-site impacts and maintain the agricultural viability of the operation. Table 2 below indicates the setbacks provided for in other Southern Ontario municipalities.

Table 2: Setbacks for Greenhouses by Municipality

Municipality	Setbacks (m)			
	Front Yard	Exterior Side Yard	Interior Side Yard	Rear Yard
Amherstburg	25	15	25	30
Bradford West Gwillimbury	15	15	3.6	7.5
Brant	25	25	15 (25 if there are fans)	15 (25 if there are fans)
Centre Wellington	7.5 or 12	6 or 12	3 or 6	7.5
Chatham-Kent	30	15	15	15
Dutton-Dunwich	10 or 18	3 or 15	3 or 15	7.5 or 15
Essex	15	15	3	15
Grimsby	30	10	10	15
Huron East	17 or 20	17 or 20	7.5 or 15	7.5
King Township	15	4.5	4.5	12
Kingsville	15	4.5	3	5
Lakeshore	30	15	15	15
Lambton Shores	20	20	3	7
Leamington	15	15	15	15
Lincoln	15	15	6	15
Mapleton	6	6	6	7.5
Norfolk County	3,6 or 13	3,6 or 13	3 or 6	9
Pelham	20	20.5	15 (25 if there are fans)	15 (25 if there are fans)
Port Colborne	30	30	23	30
Wainfleet	15	15	15	15
West Lincoln	30	15 (25 if there are fans)	15 (25 if there are fans)	15 (25 if there are fans)

It is recommended that the current 15m setback for all yards in the Agricultural AG1 zone variation be maintained. This regulation is consistent with the regulations of the municipalities reviewed. Further regulations are proposed to address the specific impacts greenhouse farms create. This ensures that greenhouses as an agricultural use are able to avail of the same building envelope as other agricultural uses and that any greenhouse farm development fits with

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the rest of the agricultural area. The setback requirements currently in place are appropriate.

To further clarify the function of these setbacks, a regulation is proposed to ensure that the external yards (front and exterior side yard) are not used for storage.

- c) The outdoor storage of goods, materials or supplies is only permitted in rear yards and that part of the front yard or side yard which is not part of the required front yard or side yard setback.

Some municipalities provide a setback for specifically residential uses to separate them from greenhouses. These regulations vary enormously (from 10m to over 120m) and the current regulations to address impacts on residential uses are appropriate.

Impacts

Three potential impacts greenhouses have on neighbouring properties relate to exhaust fan output, odour, and lighting. Regulations are proposed for the Agricultural AG zone to address these.

Exhaust Fan Output

In order to maintain and operate large scale greenhouses ventilation systems, are used to circulate air through the buildings. These systems maintain humidity and temperatures ideal for growing within the greenhouse. The output from these fans tends to be concentrations of the higher temperature and higher humidity air from inside the greenhouse. The images below show the effect of the output from exhaust fans at greenhouses in the Leamington-Kingsville Area.



Both images demonstrate the effects of the fog created by the exhaust fans. In addition to noise impacts, this output could have impacts on traffic. To address this concern, a regulation is proposed to add an additional 10m to the setback on the side where exhaust fans are located.

The proposed regulation is to read:

- b) Where ventilation fans are used, the setback requirement shall be 10 meters in addition to the required yard depth otherwise set out in Table 45.3 for the yard where the fans are located.

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This would have the effect of providing a 25m setback within the Agricultural AG1 zone variation where exhaust fans are located.

Odour

Growing of crops in greenhouses requires fertilization and a growing medium, which often includes manure. Some greenhouses use anaerobic digesters to provide heat and power to a greenhouse. In many instances compost, both to assist in growing and as a way of processing plants that are no longer producing food, is part of a greenhouse operation. Manure leaching into water has also been identified as an issue.

The following regulations are proposed to address compost, manure and related issues.

- d) If provided, manure storage and anaerobic digesters shall meet the MDS II setbacks as determined by the appropriate Minimum Distance Separation (MDS) formula.
- e) No storage of manure, compost or other odoriferous and combustible materials is permitted within 30 metres of a road allowance, a watercourse, stormwater facility, a neighbouring residential use or a residential use on the site including a secondary farm dwelling.

The first regulation uses the Minimum Distance Separation formula provided by OMAFRA to ensure manure odour is located at an appropriate distance from sensitive uses. This requirement is province-wide and used for other livestock uses within the City.

The second regulation is proposed to ensure the impact of on-site issues can be reduced through buffering. This reduces the possibility of leachate issues from storage ponds and provides a buffer for the odour impacts.

Lighting

Although not all greenhouses use lighting, when they do the light 'pollution' effect at night is significant. The Agricultural Advisory committee indicated that this was a concern to be addressed through the zoning by-law amendment. The following proposed regulation addresses lighting:

- g) A greenhouse farm that uses artificial lighting for growing purposes shall locate the lighted portion of the greenhouse a minimum distance of 150 metres from any residential use on an adjacent lot and 300 metres from any residential zone.

This regulation is consistent with Brant County and the Town of Amherstburg. Both include a regulation of 150m as the minimum distance to a residential use for a lighted greenhouse. Discussions with OMAFRA indicated that the use of black-out curtains should be encouraged as a best practice to mitigate the impacts when greenhouses use lighting.

Accommodation

The large agricultural greenhouses developed in Ontario often have employee accommodation on site. Discussions with staff in Leamington indicated this element was an important consideration when considering the Greenhouse Farm as a use. This was confirmed in the site visit to the Essex County, where the prevalence of dwellings to accommodate labour co-locating with large greenhouse operations was observed.

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To provide for this use secondary farm dwellings are permitted with a greenhouse farm use. An additional regulation will ensure that the secondary farm dwelling is accessible in case of fire.

- f) The secondary farm dwelling on the site shall be located in a front or exterior side yard.

Packing and Loading

Greenhouse farms are unique in terms of their packing and loading requirements as an agricultural use. Discussions with staff at the Municipality of Leamington and the Agricultural Advisory Committee identified these impacts. In particular the truck traffic implications were clearly visible during the visit to the Kingsville-Leamington area.

Regulations to address parking of both vehicles and trucks are recommended. The parking regulation for the greenhouse farm use is 1 per 20,000m². This regulation acknowledges the presence of both on-site employee accommodation and employment within a greenhouse farm.

- h) Packing, Shipping and Loading Facilities
 - i. Packing, shipping and loading facilities are not to exceed 5% of the size of the growing portion of a greenhouse farm.
 - ii. Packing, shipping and loading facilities are to have 30 m minimum setback from all lot lines or 45 m from the nearest residential use on a separate lot whichever is greater.
 - iii. Additional parking for tractor trailers is to be provided at a rate of 1 spot per packing bay.

The first regulation distinguishes between similar industrial uses include warehousing and food processing. The greenhouse farm use is an agricultural use, and the 5% limit will ensure that the packing, shipping and loading facilities remain ancillary to the growing element of the greenhouse.

The second regulation addresses the impacts from truck traffic which are directly related to the packing and loading aspects of the greenhouse farm operation. The setback is to mitigate the noise and odour impacts associated with the operation on the agricultural area.

The third regulation is provided to avoid traffic impacts on rural roads. The nature of 24-hour-a-day greenhouse operation and just in time shipping means space needs to be provided for trucks to wait before they pick up a shipment. Providing these spots on-sites prevents trucks being forced to park on the side of rural roads.

Process

The additional regulations proposed through the zoning by-law amendment for greenhouse farms reflect the uniqueness of the use. The regulations proposed address impacts on adjacent sites. The Site Plan Control Area By-law currently exempts “agricultural and farm related buildings, building additions, building alterations or structures that are utilized in farming operations”. To address issues such as stormwater management and circulation on greenhouse farm sites the Site Plan Control Area By-law would need to be amended to remove greenhouse farms, from the list of exempted uses.

Site plan control is used as a method in Leamington to address the site-specific issues associated with greenhouse development. The Ontario Ministry of Agriculture Food and Rural Affairs has indicated that site plan control is an appropriate method to address greenhouse development impacts. Site plan control would be an appropriate method to address such matters as stormwater management, access, employee accommodation, parking and storage of materials, which cannot comprehensively addressed through the zoning by-law alone.

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CONCLUSION

Large scale greenhouses, when explicitly limited to the growing of crops, are an agricultural use and one that should be permitted within the prime agricultural areas of London. The proposed amendments ensure that greenhouses which are agricultural in nature are permitted in the appropriate locations within London. The recommended regulations ensure that greenhouses that do locate in London are able to do so without impeding neighbouring farms operations.

Acknowledgements: Danielle Truax, Manager of Planning Services at the Municipality of Leamington for her on-the-ground insight on greenhouse zoning regulations.

PREPARED BY:	SUBMITTED BY:
LEIF MAITLAND PLANNER I, LONG RANGE PLANNING AND RESEARCH	GREGG BARRETT, AICP MANAGER, LONG RANGE PLANNING AND RESEARCH
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

May 5, 2015

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Appendix A: Zoning By-law Amendment

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London
CANADA

Appendix "i"

April 15, 2015

L. Maitland
Planner I

Re: Zoning By-law for Greenhouses

At its meeting held on March 18, 2015, the Agricultural Advisory Committee (AAC) asked that the Civic Administration **BE REQUESTED** to consider the following comments from the AAC with respect to a Notice dated March 5, 2015, from L. Maitland, Planner I, submitted by the City of London, relating to an application to amend the Zoning By-law for greenhouses:

- a) all uses within greenhouses should relate to agricultural use and not include package/shipping and/or production areas;
- b) the zoning by-law amendment should also include:
 - lighting restrictions at night;
 - hours of operation restrictions;
 - consideration of traffic flows; and,
 - an increase to the allowable greenhouse lot coverage to 60%. (2/9/AAC)

Betty Mercier
Committee Secretary

Cc: G. Barrett, Manager, Long Range Planning and Research

**CITY OF LONDON
PLANNING SERVICES**

RECEIVED APR 16 2015

FILE NO _____
 REFERRED TO _____
 SUBSEQUENT REFERRALS _____
 FOR ACTION FILE
 FOR INFORMATION B.F.
 FOR REPORT OTHER

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Appendix "ii"

Email from Drew Crinklaw (OMAFRA) April 13

Thank-you for circulating your draft ZBLA policies Leif. I have CC'd MMAH so they are aware of my response and our greenhouse specialist should he have any further comments on what is proposed.

Here are a few thoughts to consider:

- The definition of 'Greenhouse Farm' as currently drafted excludes floriculture (flowers are often grown in greenhouses) as well as medical marijuana and other pharmaceutical or nutraceutical crops. Because of that, it is recommended that the City not specify the types of crops in this definition, but simply state: "*means an agricultural use in which the predominant activity is the growing of vegetables, fruits, field crops and berries within a greenhouse.*"
- OMAFRA is seeking clarification as to how the City differentiates between the two terms 'Greenhouse Farm', versus 'Greenhouse Commercial'. On the surface, it appears as though the only difference is that a commercial greenhouse definition allows the retailing of the crop on-site; whereas a farm greenhouse would only allow the crop to be packaged and shipped off-site for retailing. Thus the primary distinction would be that a commercial greenhouse is designed to accommodate the public who would purchase produce there; whereas a farm greenhouse would focus on production and distribution only. Could you please confirm if that is the intent of how these two terms are to be distinguished or if there are other differences envisioned?
- Similar to bullet number one above, it is recommended that the definition of 'Greenhouse Commercial' be modified to not specify the type of crops grown, such that it reads: "*GREENHOUSE, COMMERCIAL*" *means a building for the growing of flowers, plants, shrubs, trees and similar vegetation crops which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such lot at wholesale or retail.*
- Minor typo in that the letter 'a' is missing from the term Secondary Farm Dwelling in the definition of 'Greenhouse Farm'.
- OMAFRA suggests a minor revision to item (j) under the A3 Zone so that it lists 'Greenhouse Commercial.' rather than 'Commercial greenhouse;'. This addresses the proper punctuation, and also references the correct term as listed in the definition section of the CZBL.
- Modern greenhouse facilities often have large driveway/lanes dedicated for parking/shipping/receiving. Would the proposed 70% lot coverage outlined in 45.3 (10) (a) include Parking Area as defined by the CZBL? If so, this should likely be clarified in the bracketed text such that it reads: (a) "Maximum Lot Coverage 70% (including all additional accessory uses and parking area)".
- It is unclear what the setback set out in proposed subsection 45.3 (10) (b) is measured to and from. Is this a side yard setback? If so, 10m is currently less than the required 15m side yard depth already established in Table 45.3 of the CZBL. Setting that aside, is this setback intended to be measured directly to the nearest exhaust fan? OMAFRA suggests that this subsection would benefit from more detail, along with a comma and the imperial equivalent, such that it states: "Where ventilation fans exhaust, the minimum setback ~~requirement~~ between the

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nearest exhaust fan and the _____ ? _____ shall be 10 meters (32.81 ft.) in addition to the requirement otherwise set out in Table 45.3.”

- OMAFRA suggests minor revision for subsection (d) such that it states: “If provided, Mmanure storages and anaerobic digesters which are included as part of a greenhouse farm shall meet the MDS II setbacks as determined by requirements of the appropriate Minimum Distance Separation (MDS) formula.”
- OMAFRA suggests a minor revision for subsection (e) such that it states: “No storages for manure, compost or other storage of odoriferous and combustible materials is shall be permitted within 30 metres (98.43 ft.) of a road allowance, a watercourse, stormwater facility, a neighbouring residential use or a residential use on the site including employee large scale greenhouse accommodations.”
- Suggestion to include a comma in subsection (f): “If provided, a secondary farm dwelling shall be located in a front or exterior side yard.”
- OMAFRA suggests a minor revision to subsection (g) to provide greater detail as to how the setback should be measured, as well as including the imperial equivalent, such that it reads: “A greenhouse farm that uses artificial lighting for growing purposes during the night shall be located the lighted portion of the greenhouse a minimum distance of 150 metres (492.13 ft.) from any residential use on an adjacent lot and 300m metres (984.25 ft.) from any residential zone.”
- In order to achieve some of the more custom setbacks proposed, I would support your suggestion to require municipal site plan approval for Greenhouse Farm, provided the same is also required for Greenhouse Commercial.

Please let me know if you have any questions or would like to discuss any of the comments further.

Regards,

Drew Crinklaw
Rural Planner
 Ontario Ministry of Agriculture, Food & Rural Affairs
 667 Exeter Road, London, ON N6E 1L3
 519-873-4085
drew.crinklaw@ontario.ca

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2015

By-law No. Z.-1-15_____

A by-law to amend By-law No. Z.-1 to amend the regulations related to greenhouses.

WHEREAS the City of London has conducted a review of the zoning regulations for greenhouses;

AND WHEREAS this zoning by-law amendment conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Section Number 2 "Definitions" is amended by adding the following new definitions in the appropriate alphabetical location:

"GREENHOUSE" means a building or structure used for the growing of plants, shrubs, trees and similar vegetation in a climatically controlled environment constructed primarily from a translucent building material. A greenhouse of less than 10 square meters is considered an accessory structure in accordance with Section 4.1 of this by-law.

"GREENHOUSE FARM" means an agricultural use in which the predominant activity is the growing of crops within a greenhouse. A greenhouse farm may include packing, loading, shipping and any other ancillary facilities required to support the growing and wholesale of the crops grown in the facility. A greenhouse farm may include a SECONDARY FARM DWELLING as an accessory use. A greenhouse farm does not include a COMMERCIAL GREENHOUSE on site or any other retail use.

- 2) Section Number 4.1 "Accessory Uses" of the "General Provisions" is amended by adding the word "greenhouses," after the word "barns," and before the word "stables" in paragraph 2) Lot Coverage.

- 3) Section Number 4.19 "Parking" of the "General Provisions" is amended by adding the following new parking standard in the appropriate alphabetical location under paragraph 10) Parking Standards, b):

Greenhouse Farm 1 per 20,000m²

- 4) Section Number 45.2 "Permitted Uses" of the "Agricultural (AG) Zone" is amended by adding the following to the list of permitted uses in the AG1 zone variation:

_) Greenhouse Farm

- 5) Section Number 45.2 "Permitted Uses" of the "Agricultural (AG) Zone" is amended by removing the following from the list of permitted uses in the AG2 zone variation:

d) Commercial greenhouse

- 6) Section Number 45.2 "Permitted Uses" of the "Agricultural (AG) Zone" is amended by adding the following to the list of permitted uses in the AG3 zone variation:

_) Commercial greenhouse

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7) Section Number 45.3 “Regulations” of the “Agricultural (AG) Zone” is amended by adding the following new regulations:

10) GREENHOUSE FARM

Notwithstanding Table 45.3, the following additional regulations apply to a Greenhouse Farm.

- a) Maximum Lot Coverage 70% (including all additional accessory uses).
- b) Where ventilation fans are used, the setback requirement shall be 10 meters in addition to the required yard depth otherwise set out in Table 45.3 for the yard where the fans are located.
- c) The outdoor storage of goods, materials or supplies is only permitted in rear yards and that part of the front yard or side yard which is not part of the required front yard or side yard setback.
- d) If provided, manure storage and anaerobic digesters shall meet the MDS II setbacks as determined by the appropriate Minimum Distance Separation (MDS) formula.
- e) No storage of manure, compost or other odoriferous and combustible materials is permitted within 30 metres of a road allowance, a watercourse, stormwater facility, a neighbouring residential use or a residential use on the site including a secondary farm dwelling.
- f) The secondary farm dwelling on the site shall be located in a front or exterior side yard.
- g) A greenhouse farm that uses artificial lighting for growing purposes shall locate the lighted portion of the greenhouse a minimum distance of 150 metres from any residential use on an adjacent lot and 300 metres from any residential zone.
- h) Packing, Shipping and Loading Facilities
 - i. Packing, shipping and loading facilities are not to exceed 5% of the size of the growing portion of a greenhouse farm.
 - ii. Packing, shipping and loading facilities are to have 30 m minimum setback from all lot lines or 45 m from the nearest residential use on a separate lot whichever is greater.
 - iii. Additional parking for tractor trailers is to be provided at a rate of 1 parking space per packing bay.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on June 10, 2015.

Matt Brown
 Mayor

Catharine Saunders
 City Clerk

First Reading - June 10, 2015
 Second Reading - June 10, 2015
 Third Reading - June 10, 2015