	<h1>STAFF REPORT</h1>	<p>For Administration Use Only:</p> <p>Meeting Date: October 20, 2021</p> <p>Open <input checked="" type="checkbox"/> Closed <input type="checkbox"/></p> <p>Approved for Agenda: [CAO]</p> <p>Report No. Building & Planning-2021-06</p>
<p>Date Submitted:</p>		<p>October 13, 2021</p>
<p>Title:</p>	<p>65 Rourke Avenue, Zoning By-law Amendment</p>	
<p>Prepared by:</p>	<p>Benito Russo, BBRM, MSc Candidate – Junior Planner</p>	
	<p>Reviewed and Revised by: Pam Skillen, Chief Building Official</p>	
<p>Department:</p>	<p>Building and Planning</p>	

Recommendation:

THAT Council receives Information Report dated October 13th, 2021 and directs staff to prepare a Recommendation Report, considering the comments and feedback received at the October 20, 2021 Statutory Public Meeting. The Recommendation Report will be presented to Council at a subsequent Council Meeting for a decision on the application. If during the Public Meeting no questions or adversarial comments are received, Council may elect to proceed directly to a decision at the next October 25th, 2021 Council Meeting without the need for a subsequent Recommendation Report.

Background:

AgriTech North has submitted a Zoning By-law Amendment (ZBA) application, to facilitate the conversion of a for sale surplus City of Dryden Public Works building to an indoor vertical farming operation for the growing of fruits and vegetables within the subject lands, with the civic address of 65 Rourke Avenue, also known locally as 250 Duke Street, in the City of Dryden. The subject lands are legally described as PIN 42084-0155 PCL 19244 SEC DKF; LT 7 PL M318; DRYDEN and is identified in Figure 1. A description of the subject lands and surrounding lands uses is provided in Table 1.

The Subject Lands are proposed to be rezoned from the Residential Type Two (R2) Zone to the General Commercial Exception One (CG-1) Zone, in order to permit the interior conversion of the existing building for commercial purposes related to the growing of fruits and vegetables.

As there are no proposed changes to the physical built structure already in existence on the subject lands, no other exceptions to the provisions of the Zoning By-law are requested.

Figure 1: Subject Lands

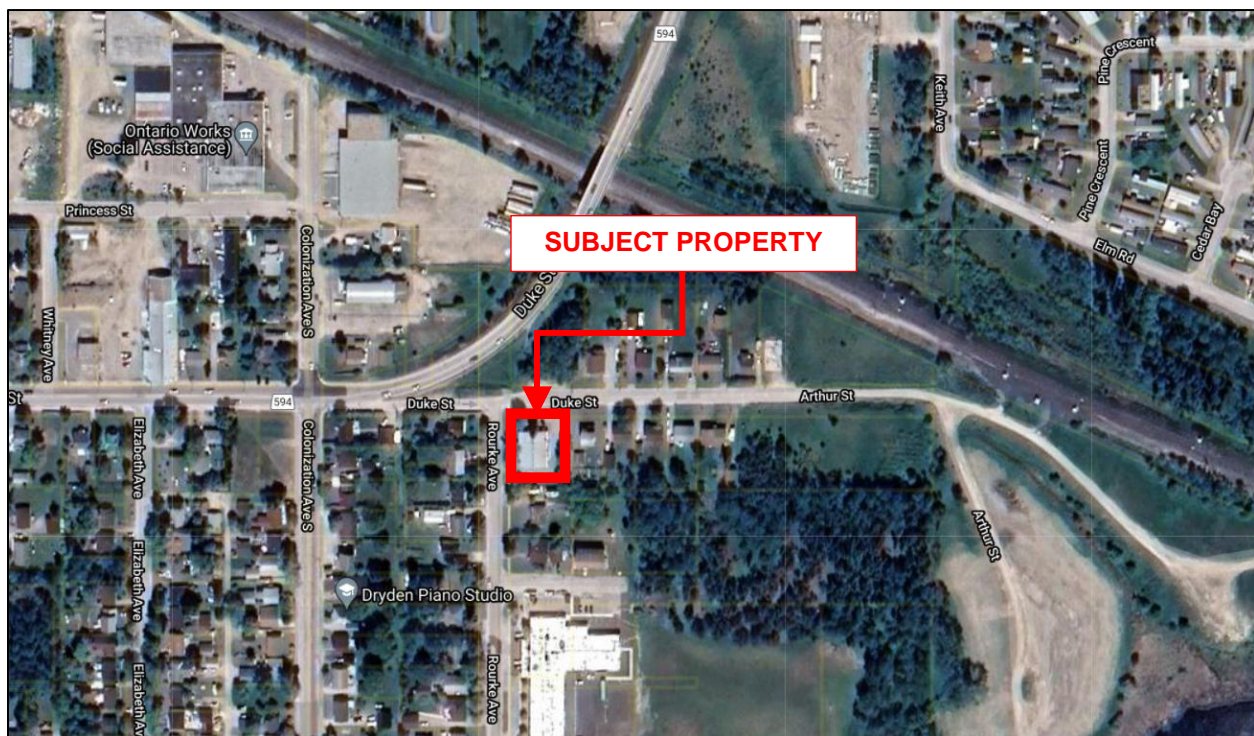
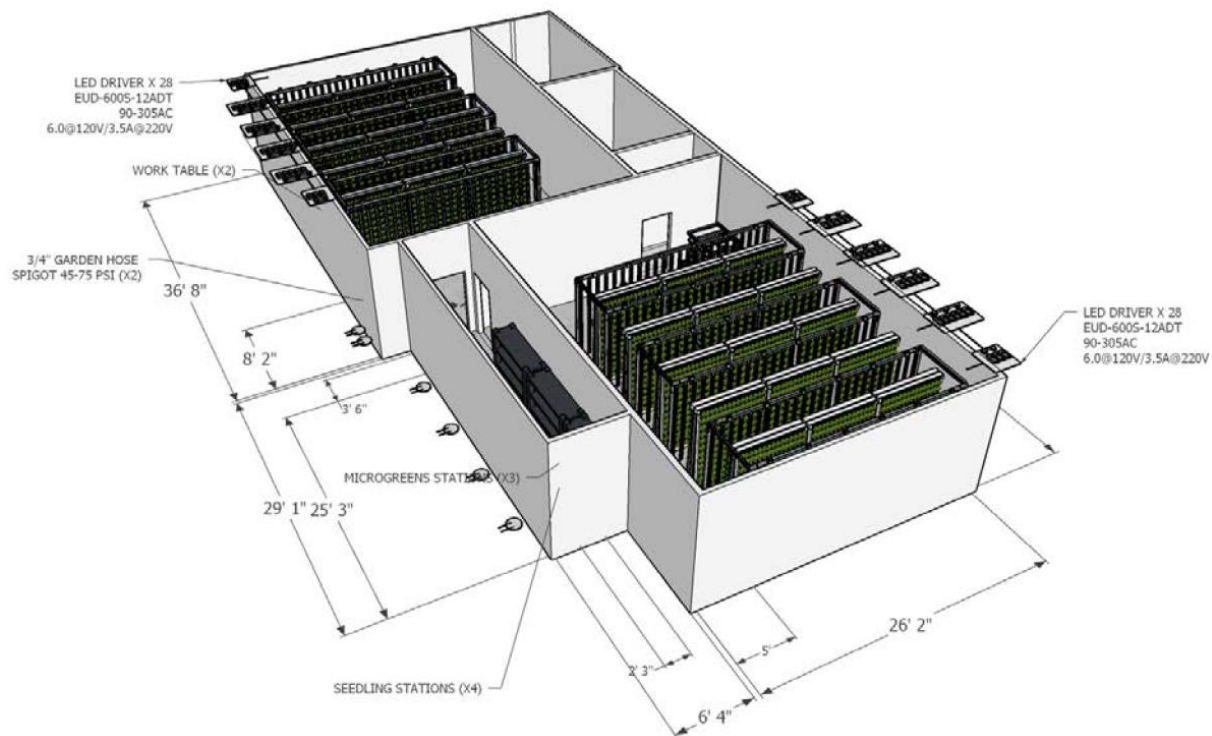


Table 1: Description of the Subject Lands

City of Dryden Official Plan	Stable Areas
City of Dryden Zoning By-law	Residential Type Two (R2) Zone
Present Use	Public Works surplus storage and office space
Adjacent Zones	<u>North:</u> Residential Type Two (R2), and Institutional (I) <u>South:</u> Residential Type Two (R2), and Multiple Residential (RM) <u>East:</u> Residential Type Two (R2) <u>West:</u> Residential Type Two (R2)
Immediate Surrounding Land Uses	Residential, Light Industrial, Arterial Road, Wooded Areas
Lot Area	0.19 hectares
Lot Frontage	40 metres (Duke Street)

As noted, the proposal is to convert the interior of the existing facility to establish a vertical farm operation for the purposes of growing produce. The main access to the Subject Lands is provided from Duke Street. The facility will include a total of seven (7) parking spaces, including one (1) barrier free space. The proposed site plan drawing is provided in Figure 2.

Figure 2: Preliminary Site Plan Model



Discussion:

Provincial Policy Statement:

The 2020 Provincial Policy Statement (the "PPS") came into effect on May 1, 2020 and is applicable to the subject lands. The PPS is a key component of Ontario's policy-led planning regime and provides policy direction on matters of provincial interest related to land use planning and development. All local policies and development applications must be consistent with the policies contained in the PPS. The PPS has been reviewed in relation to this application. The following is a summary of those policies that have particular relevance to this ZBA.

Section 1.1 of the PPS provides policy direction regarding managing and directing land uses to achieve efficient and resilient development and land use patterns. Generally, this objective is sustained by promoting efficient development patterns, accommodating a range and mix of land uses, improving accessibility, and ensuring infrastructure meets current and future needs.

The Subject Lands are located within the Urban Service Area of the City of Dryden. Section 1.1.3.1 of the PPS directs growth and development to Settlement Areas promoting their vitality and regeneration. Section 1.1.3.2 b) of the PPS states that land use patterns within Settlement Areas shall be based on a range of uses and opportunities for redevelopment. Section 1.1.3.2 d) of the PPS states that land use patterns within settlement areas shall prepare for the impacts of a changing climate. The vertical farm operation, as proposed, is consistent with the direction of this policy.

Section 1.2.6 of the PPS contains policies relating to land use compatibility. Sensitive land uses, including those within the vicinity of residential areas, are to be planned and sited to mitigate adverse effects from odour, noise, and other contaminants to the greatest extent possible. An engineering report was prepared in support of the subject application detailing any potential impacts. This report states that the development, as proposed, will not have any negative effects to the neighbouring community due to noise, vibration, or odour, nor will any contaminants be release to the air.

Section 1.3 of the PPS provides policy direction regarding managing and directing land uses to achieve economic development and employment competitiveness. Section 1.3.1 d) of the PPS encourages compact, and mixed-use development, that incorporates compatible employment uses to support liveable and resilient communities. The development, as proposed, will provide both local employment opportunities, while concurrently improving community resilience in the form of local food production and fresh produce availability.

Policies regarding stormwater management are included in Section 1.6.6.7 of the PPS, and provide that planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

The proposed development is configured for water conservation. As such, the water usage requirements are minimal as well as the effluent stream. AgriTech North, has engaged the City of Dryden Public Works department to ensure that the grow system is compatible, and can be supported, with existing service infrastructure. City of Dryden Public Works has stated that stormwater, water, and sewer services have been appropriately considered for the site, and that the produced effluent will be monitored and controlled to meet sanitary sewer pH requirements. The City of Dryden Public Works department has stated that they find no issue with the development as proposed.

Within the PPS Section 1.7 contains policy direction to support long term economic prosperity. Section 1.7 i) supports sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food production, and maintain and improve the agri-food network. The proposed development would add to the existing agri-food network and will be a source of locally produced food that will provide year-round availability of fresh produce.

Section 1.8 of the PPS contains policy direction for energy conservation, air quality, and climate change. Section 1.8 e) encourages transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion. The development is located adjacent to residential uses reducing employees commute time to work. As produce would be produced locally, the required number of long-haul transportation vehicles would be reduced. This is consistent with the Provinces objectives to reduce greenhouse gas emissions caused by vehicle usage.

Section 2.2.1 of the PPS directs for the protection of, and to improve or restore the quality and quantity of water. Section 2.2.1 f) allows for the implementation of necessary

restrictions on development and site alteration to protect municipal drinking water supplies. Section 2.21 g) directs planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality. As the indoor vertical farm operation enables precise delivery of water to the crops, water usage is substantially less than traditional outdoor agricultural practices.

Section 2.3 of the PPS contains policy direction to promote the protection of agricultural lands. Section 2.3.2 encourages an agricultural system approach to maintain and enhance the functional and economic connections to the agri-food network. The indoor vertical farm operation, as proposed, is an enhancement to the current local agri-food network through year-round production of local produce, which is otherwise unavailable.

City of Dryden Official Plan:

The City of Dryden Official Plan includes Community objectives for the City, as identified in Section 3.2.1 of the Official Plan. Objectives include: supporting activities and infrastructure that promote a healthy community. This includes but is not limited to recreation facilities, trails and parks, and community gathering places. The development provides an in-need of year-round source of locally grown produce geared towards improving both community food security and health.

The City of Dryden Official Plan includes Economy objectives for the City, as identified in Section 3.2.3 of the Official Plan. Objectives include: stimulating new investment, encouraging economic diversification, acting as a regional service centre, supporting local food producers, and encouraging local shopping. The proposed development will contribute to the diversification of the local economy as this is a unique business that is currently under-represented in the community. Additionally, the development will service both the local and neighboring communities.

The City of Dryden Official Plan includes environmental objectives for the City, as identified in Section 3.2.3 of the Official Plan. Objectives include: the encouragement of sustainable practices including promoting locally grown food and other materials, and less reliance on the automobile. As the primary function of the business is to produce locally grown produce reducing reliance on imported food, this development directly aligns with the Cities environmental objectives.

Transportation objectives for the City are described in Section 3.2.6. Supporting the continued use and expansion of the Dryden airport is identified as an objective. AgriTech North contributes to this objective, as it is their intent to utilize the Dryden airport for the exportation of cargo shipments to other northern communities.

The Subject Lands are located within the Stable Area designation in the Official Plan. Residential development is a permitted use within Stable Area designation. Section 4.1 of

the Official Plan states that Stable Areas include residential, commercial, industrial and institutional uses that presently exist in the City. The designation of the lands as Stable Areas indicates that there will be little change in these areas over the lifetime of the City's Official Plan.

Section 4.1.5 of the Official Plan permits minor changes to land use through amendments to the Zoning By-law provided the use does not result in significant increases to traffic or noise, and that the use is similar in character and scale to surrounding land uses. Compatibility is to be maintained between land uses. The applicant has provided an engineering report, prepared by the LBE Group Inc., that addresses anticipated impacts associated with noise, vibration, odour, emissions, effluent, and traffic. The applicant has provided an overview of calculated effluent concentrations, of which the City of Dryden Public Works department is satisfied that effluent concentrations meet Municipal Code requirements. It is anticipated that the current level of traffic produced by the subject property will not increase as a result of the proposed development. Additionally, the applicant has prepared a business rationale report that proposes the use of a half ton pick up truck for shipments, this will further reduce traffic concerns as no large tractor trailers would be utilized. The provided materials are important in understanding the compatibility of the proposed development with the existing Stable Areas neighborhood.

City of Dryden Zoning By-law:

The Subject Lands are currently located within the Residential Type Two (R2) Zone in the City of Dryden Zoning By-law. The proposed ZBA seeks to rezone the Subject Lands to the General Commercial Exception One (CG-1) Zone.

The establishment of business operation is permitted within the CG Zone. The CG Zone includes provisions related to a commercial use. A review of the zone standards for the CG Zone is included in Table 2. This review is based on the details provided in the ZBA application and supporting documentation. It is noted that the Site Plan for the Subject Lands would be subject to the City's Site Plan Approval process.

Table 2: Zoning Review

PROVISION	CG REQUIRED	CG-1 PROPOSED
Min. Lot Area	555 m ²	1,900 m ²
Min. Lot Frontage	18 m	40 m
Min. Front Yard	7.5 m	8.0 m
Min. Interior Side Yard	1.5 m	18.0 m
Min. Exterior Side Yard	5.0 m	5.0 m
Min. Rear Yard	7.5 m	16.0 m
Max. Lot Coverage	60%	22%
Min. Landscaped Open Space	20%	30%
Min. # of Parking Spaces	1 Space Per 35 m ² of gross floor area = 3 Spaces	6
Min. # of Barrier Free Parking Spaces	0 Spaces	1
Min. # of Loading Spaces	Less than 300 square meters = None	0

The proposed development complies with setback, parking, and lot coverage standards.

Supporting Materials:

The applicant has provided a number of supporting materials with the submission of the Zoning By-law Amendment application, including:

- a list of Academic Partners prepared by AgriTech North;
- a list of Effluent Calculations prepared by AgriTech North;
- a compilation of Letters of Support from various organizations prepared by AgriTech North;
- a Zoning By-law Amendment Rationale Report prepared by AgriTech North;
- a Program Approval letter from the City of Dryden Public Works prepared by Dean Walker, dated September 17th, 2021; and
- an Engineering Brief prepared by LBE Group Inc., dated October 08th, 2021.

Additional clarifications related to these materials may be requested from the applicant in order to ensure conformity with applicable planning policy.

Conclusions:

The proposed ZBA and the applicable policies and regulations have been discussed. The purpose of the Statutory Public Meeting is to receive comments on the application and the proposed commercial use within the subject lands.

Following the Statutory Public Meeting, we recommend undertaking a review of any comments received, and the technical studies/drawings provided with the application. Any additional technical details required to inform a decision on the proposed application can be provided by the applicant through a subsequent submission of technical documents.

Following this review, a Recommendation Report may be prepared for Council's consideration at a future meeting. It is up to the discretion of Council that if no adversarial comments or further questions are received, that Council may proceed directly to a decision at the next October 25th, 2021 Council meeting without requiring a subsequent recommendation report.

Notice Provisions:

Notice of the Public Hearing was provided by City staff in accordance with the requirements of the Planning Act.

Financial Implications:

Refer to forthcoming Land Sale Staff Report and Community Improvement Plan (CIP) Application.

Attachments (Reference Materials):

- a Zoning By-law Amendment Application prepared by AgriTech North, dated September 13th, 2021;
- a list of Academic Partners prepared by AgriTech North;
- a list of Effluent Calculations prepared by AgriTech North;
- a compilation of Letters of Support from various organizations prepared by AgriTech North;
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