Recommendation

That the report of the Planner regarding the Development Agreement – 832 Fifth Line be received for information; and

That By-law 2019-071 to authorize the execution of a Development Agreement between the Corporation of the Township of Selwyn and the ‘Rustic Event Venue’ in care of Kathy Bray and Roger Kidd be brought forward for consideration under the By-law section of the agenda.

Information

At its April 23, 2019 Council meeting – Council resolved the following:

Councillor Gerry Herron – Deputy Mayor Sherry Senis –
That the report of the Planner regarding the Official Plan and Zoning By-law Amendments related to 832 Fifth Line be received for information; and

That Council direct staff to amend draft By-law 2019-045, being a By-law to rezone certain lands described as Part of Lot 9, Concession WCR in the Smith Ward from “Agricultural (A) Zone” to “Agricultural Exception 575 (A-575(h)) Zone” which would permit a seasonal wedding and event venue within the existing barn on the subject lands, to incorporate the following:

- **Permitted Uses:**
  In addition to those uses permitted in Section 4.7.1 of this By-law, an on-farm diversified use, as defined in the Provincial Policy Statement, 2014, shall be permitted on the existing farm property. The on-farm diversified use (seasonal wedding and event venue) shall be permitted within a 4,794 square metre area on the subject property, including the upper level of the existing barn, as shown on Schedule “B” attached to this By-law. The wedding and event venue must be secondary to the principal
agricultural use of the property, and shall cease should the farming activity of the property cease.

- **Regulations:**
  Number of Events Permitted - Two (2) events per week as well as a limited number of additional smaller/daytime/weekday events which must also comply with on-site and on-road parking requirements in accordance with the Traffic Management Plan dated September 13, 2018; and

That Council direct staff to prepare a Development Agreement, which would incorporate the following:

- Requirement of third party enforcement for on-site and on-road parking in accordance with the Traffic Management Plan dated September 13, 2018 (to be paid for by the proponent);
- Requirement of a site plan that details on-site bus discharge and pick-up locations (which would be appended to the agreement);
- Requirement that a site specific noise decibel level be no higher than 40 decibels from the receptors dwelling; and
- Requirement that the applicant measure and record sound decibels at each event and report results to the Township upon request.

Councillor Anita Locke - yes
Mayor Andy Mitchell - yes
Deputy Mayor Sherry Senis - yes
Councillor Donna Ballantyne - yes
Councillor Gerry Herron - yes

Carried.

Township Staff and the proponent’s consultant have worked together to draft a development agreement which incorporates the items that Council identified in its resolution. The draft Development Agreement is attached.

Township Staff are satisfied that all of Council’s concerns have been addressed either through the Zoning By-law that was previously approved and / or the Development Agreement. Therefore Staff recommends that By-law 2019-071, which authorizes the execution of the Development Agreement be brought forward to the by-law section of this agenda for consideration.

**Financial Impact**

Staff resources will be required to ensure compliance with the zoning by-law and development agreement.
Environmental Impact

The recommendation in this report has no environmental impact.

Strategic Plan Reference

Goal 3: Support a sustainable, balanced, and investment-ready community.

Attachment

- Draft Development Agreement
- Draft By-law 2019-071

Jeannette Thompson
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Robert Lamarre
Reviewed By: Robert Lamarre, Manager of Building & Planning

Janice Lavalley
Reviewed By: Janice Lavalley, CAO