Date: August 13, 2019  
To: Mayor Andy Mitchell and Council Members  
From: Jeannette Thompson, Planner  
Subject: Zoning By-law Amendment – Removal of a Holding Symbol – 832 Fifth Line – Smith Ward  
Status: For Direction

Recommendation

That the report of the Planner regarding the Zoning By-law Amendment – Removal of a Holding Symbol related to lands municipally known as 832 Fifth Line in the Smith Ward be received for information; and

That By-law 2019-072, being a By-law to rezone certain lands municipally known as 832 Fifth Line in the Smith Ward from “Agricultural Exception 575-holding (A-575h) Zone” to “Agricultural Exception 575 (A-575) Zone”, be brought forward to the by-law section of the agenda for further consideration.

Information

Rustic Event Venue has requested that the municipality consider removing the Holding provision currently affecting the lands municipally known as 832 Fifth Line in the Smith Ward.

Council of the Township of Selwyn passed a zoning by-law amendment with By-law No. 2019-045 which rezoned the parcel in question to A-575h. This zone category permits the use of the subject lands as an on-farm diversified use (seasonal event venue). The condition placed on the removal of the holding provision as detailed in the zoning by-law amendment is as follows:

The Holding (h) Symbol attached to the lands subject to this by-law shall be removed only when the following action had been secured:

i) The property owner(s) has entered into a Development Agreement, to the satisfaction of the Township of Selwyn. Such Development agreement shall include the following:
   a. 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);
   b. Requirement of a site plan that details bus discharge and pick-up locations (which would be appended to the agreement).
c. Requirement that the applicant limit the noise generated during any event to 40 Decibels measure from off-site receptors; and

d. Requirement that the applicant measure and record sound decibels at each event and report results to the Township upon request.

The attached development agreement incorporates the items above. The property owners will be entering into an agreement with the municipality; therefore the hold provision can be removed.

**Conclusion**

The subject property is zoned **“Agricultural 575-holding (A-575(h)) Zone”** and will be rezoned to **“Agricultural Exception 575 (A-575) Zone”**, which would have the effect of removing the holding symbol affixed to the subject property. The amendment would allow the property owners to move forward with the development of the property.

In conclusion, it is my professional planning opinion that the proposal is consistent with the Provincial Policy Statement and the Growth Plan and maintains the spirit and intent of the County and Township Official Plans; and represents good planning.

Staff therefore recommends that Council forward draft By-law No. 2019-072 to the By-law section of the agenda for consideration.

**Strategic Plan Reference**

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

Official Plan and Zoning By-law updates that support environmental and agricultural stewardship, housing diversity and economic investment.

**Financial Impact**

The recommendation in this report has no financial impact.

**Environmental Impact**

There are no environmental impacts related to this report.

**Attachment**
• Draft Zoning By-law Amendment prepared by Township Planning Staff

**Jeannette Thompson**
Prepared By: Jeannette Thompson, Planner

**Robert Lamarre**
Reviewed By: Robert Lamarre, Manager of Building & Planning

**Janice Lavalley**
Reviewed By: Janice Lavalley, CAO