

**PLANNING STAFF REPORT**

**PSR-013/2019**

**TO:** Mayor Gibson & Members of Council

**FROM:** S. Ivins, Planner

**DATE OF MEETING:** December 3, 2019

**SUBJECT:** Township Initiated Official Plan Amendment (File OPA 03) and Zoning By-law Amendment (File Z05/2019W) for 42143 Highway #3 – Proposed Joint Fire & Emergency Services Facility

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**RECOMMENDATION(S):**

**THAT** Planning Staff Report PSR-013/2019 be received;

**THAT** official plan amendment application OPA 03 for lands described as 42143 Highway #3, Concession 4, Part of Lot 20, Township of Wainfleet, be approved for reasons outlined in PSR-013/2019;

**THAT** the by-law to adopt the official plan amendment attached as Appendix “B” be adopted;

**THAT** zoning by-law amendment application Z04/2018W for lands described as 42143 Highway #3, Concession 4, Part of Lot 20, Township of Wainfleet, be approved for reasons outlined in PSR-013/2019;

**THAT** the zoning by-law amendment attached as Appendix “C” be adopted;

**AND THAT** the applications are deemed to be consistent with the Provincial Policy Statement 2014 and other matters of Provincial interest.

**EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with a recommendation regarding Township initiated official plan amendment and zoning by-law amendment applications for lands known municipally as 42143 Highway #3, Concession 4, Part of Lot 20, Township of Wainfleet.

The purpose of the official plan amendment is to redesignate part of the subject property from Village Commercial to Institutional to permit a future joint fire and emergency services facility.

The purpose of the zoning by-law amendment is to rezone part of the subject property from Development – D and Hamlet Commercial – C2 zone to a Public – P zone to permit a future joint fire and emergency services facility.

**BACKGROUND:**

The subject property, shown in Figure 1, is located on the south side of Highway #3 between Misener Road and Regional Road 24 and is partially within the Hamlet of Chambers Corners.

The subject property was once two individual parcels, as shown in Figure 1. The Township acquired the eastern parcel with the intention of using the property for a future fire station. In 2013 the Township initiated a Fire Master Plan which was completed by T.L. Powell & Associates Ltd. and Cyril Hare & Associates Inc. The master plan recommended that Station 1 (Winger) and Station 2 (Wainfleet) be combined into one new station in Chambers Corners to increase the level of service provided to the north-east area of the Township while maintaining service levels of the existing areas. At the time, it was recognized that the Chambers Corners property owned by the Township was insufficient in size for a new facility.

In late 2018 the western parcel, known municipally as 42143 Highway #3, came on the market and the Township acquired the property in January of 2019. The properties were subsequently merged to form one parcel, as shown in Figure 2, and therefore provide sufficient area for a new facility.

Figure 1 – Previous Lot Configuration



The subject property is approximately 2 hectares in size and contains a single detached dwelling, an agricultural building and a pond. The surrounding land uses include residential, agricultural and commercial.

Approximately 1.7 hectares are located within the Hamlet of Chambers Corners and are designated Village Commercial and Zoned Development – D and Hamlet Commercial – C2 under Zoning By-law 581-78. The remaining lands, approximately 0.3 hectares, are located outside of the Hamlet and as such are designated Agricultural Area and zoned Agricultural Transition – A1 under Zoning By-law 034-2014.

Figure 2 – Subject Property, 42143 Highway #3



The existing dwelling and silo will be removed from the subject property and the existing agricultural building will be modified to accommodate storage for the Wainfleet Fire and Emergency Services department.

On February 28<sup>th</sup>, 2019, a pre-consultation meeting was held with Niagara Region Planning and Development Services.

The following documents were filed in support of the applications:

- Joint Fire & Emergency Services Facility Justification Report prepared by Morgan Alcock, Fire Chief (September 2019);
- Topographic Survey prepared by Lanthier & Gilmore Surveying Ltd. (May 2019);
- Geotechnical Investigation prepared by GHD Group Ltd. (September 2019);
- Traffic Brief prepared by Associated Engineering (August 2019);
- Concept Site Plan prepared by Region of Niagara Urban Design Team (October, 2019).

It should be noted that the concept plan submitted in support of the applications is conceptual and is only intended to give Council an idea of how the property may be used. A

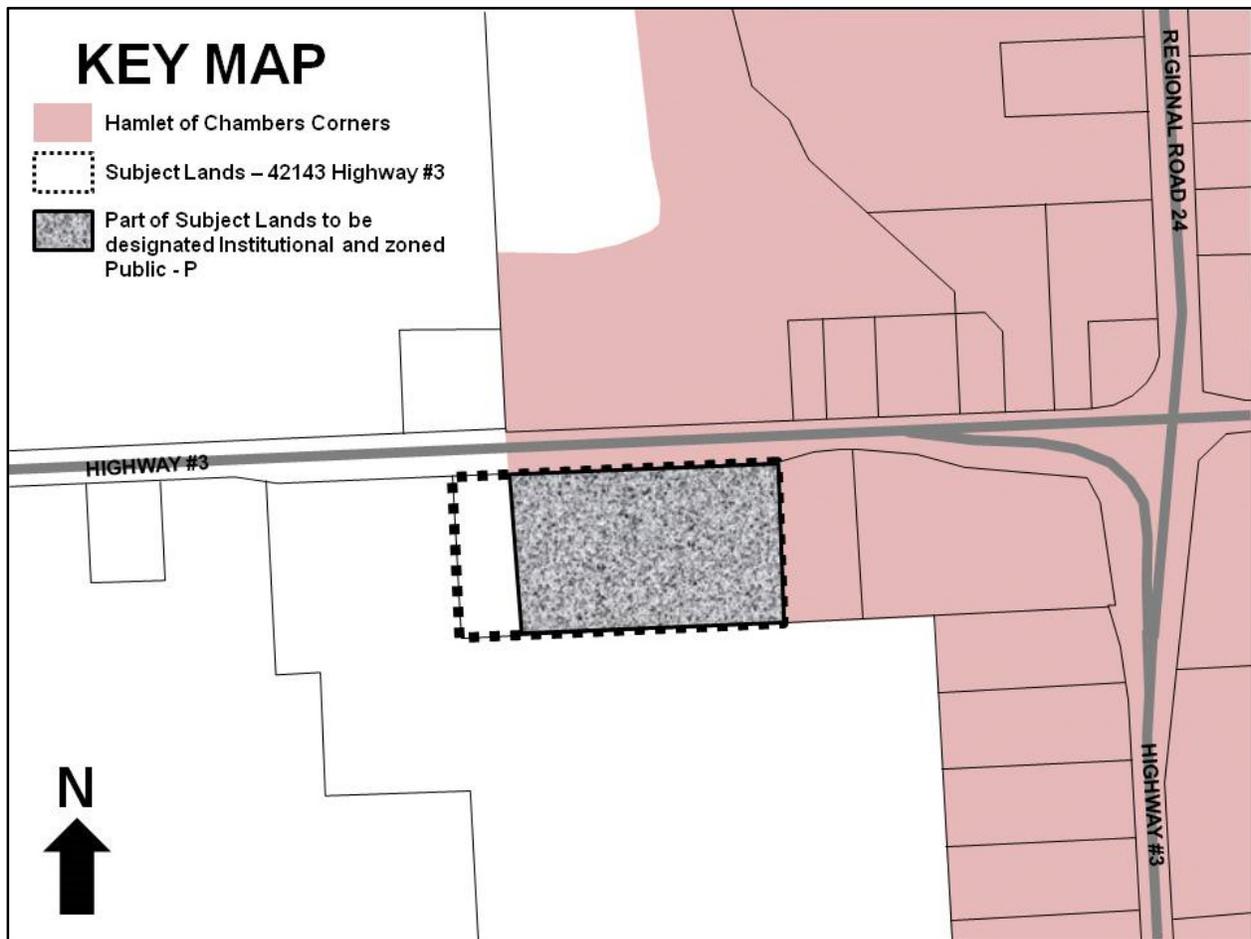
future site plan application will be required once the building design and site layout have been finalized – both of which require Council approval.

Notice of the Public Meeting and circulation of the application was given on October 21<sup>st</sup>, 2019.

On November 12<sup>th</sup>, 2019 a public meeting respecting the proposed official plan amendment and zoning by-law amendment was held and an information report was presented to Council. The minutes of the draft public meeting are attached as Appendix “A”.

With reference to Figure 3, the official plan amendment proposes to amend Schedule B1 of the Township of Wainfleet Official Plan by redesignating part of the subject property from Village Commercial to Institutional.

Figure 3 – Proposed Official Plan Amendment & Zoning By-law Amendment



The Institutional designation allows for facilities related to federal, provincial, regional or municipal government service delivery and administration. The proposed joint fire and emergency services facility is considered a permitted use in the Institutional designation.

With reference to Figure 3, the zoning by-law amendment application proposes that Map 5 of Schedule B of the Township of Wainfleet Zoning Bylaw 581-78 be amended to rezone part of the subject property from Development – D and Hamlet Commercial – C2 zone to a Public – P zone.

The Public – P zone permits public uses and operations carried on by, or on behalf of, a municipal, provincial or federal government or agency. The proposed joint fire and emergency services facility is considered a permitted use in the Public – P zone.

### **OPTIONS/DISCUSSION:**

#### Provincial Policy Statement, 2014

The Provincial Policy Statement 2014 (PPS) provides overall policy direction on matters of provincial interest relating to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety and the quality of the natural and built environment. Any decision on planning matters shall be consistent with the policies of the PPS.

The part of the subject property that is the subject of the proposed official plan amendment and zoning by-law amendment is located within a Settlement Area as defined under the PPS.

The policy statements of particular applicability, reviewed below, largely relate to “Building Strong Healthy Communities” (Part V, Section 1.0 of the PPS).

- 1.1.1 *Healthy, liveable and safe communities are sustained by:*
- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
  - b) *accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;*
  - c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
  - d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
  - e) *promoting cost-effective development standards to minimize land consumption and servicing costs;*
  - f) *improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;*
  - g) *ensuring the necessary infrastructure and public service facilities are or will be available to meet current and projected needs; and*
  - h) *promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.*

#### Consistency

The proposed joint fire and emergency services facility will help address current

operational issues by modernizing emergency services for the Township. The proposed location will increase the level of service provided to the north-east portion of the Township while maintaining current response capabilities in the other areas of the Township. Through the site plan application process, staff will ensure that the subject property is used efficiently.

Section 1.1.3 of the PPS contains policies related to settlement areas which includes rural settlement areas such as the Township's Hamlets, specifically:

- 1.1.3.1 *Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*

Consistency

The proposed joint fire and emergency services facility is located within the Hamlet of Chambers Corners. Chambers Corners is largely a commercial hamlet with some residential uses. The proposed joint fire and emergency services facility will complement the existing character and landscape of the hamlet while providing modernized emergency services for the Township.

Section 1.6 of the PPS 2014 contains policies related to infrastructure and public service facilities, specifically:

- 1.6.1 *Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.*

*Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so that they are:*

- a) *financially viable over their life cycle, which may be demonstrated through asset management planning; and*
- b) *available to meet current and projected needs.*

Consistency

The proposed joint fire and emergency services facility is required to address current and future needs for Wainfleet Fire & Emergency Services Department and Niagara Emergency Medical Services as the current facilities are aging and no longer able to meet the needs and standards required. A new facility will allow both services to have modern equipment and operational space to provide more efficient and effective services to the Township.

- 1.6.3 *Before consideration is given to developing new infrastructure and public service facilities:*

- a) *the use of existing infrastructure and public service facilities should be optimized;*
- b) *opportunities for adaptive reuse should be considered, wherever feasible.*

### Consistency

As identified in the Joint Fire and Emergency Services Justification Report prepared by Fire Chief Morgan Alcock, all four fire stations face operational challenges with their current locations due to aging and undersized structures. Additionally, three out of four stations, being Station 1 (Winger), Station 2 (Wainfleet) and Station 4 (Schwoob), are located on undersized lots that do not allow for the expansion of structures to modernize fire service delivery.

Station 1 (Winger) and Station 2 (Wainfleet) lack the necessary space to conduct modern fire service operations and are not able to provide facilities for the health and safety of fire service personnel. A new facility would allow for adequate space for modern equipment, cleaning and decontamination areas and storage.

Niagara Emergency Medical Services currently operates a Community Response Unit out of Station 2 (Wainfleet). However due to lack of space, Niagara Emergency Medical Services and Wainfleet Fire and Emergency Services personnel have to share a small office space and the Niagara Emergency Medical Services vehicle must park outside as there are no bays available for them to use. This has some operational challenges as the vehicle must be left idling to maintain a certain temperature for the medications and supplies on board.

Both the Fire Master Plan prepared by TL Powell & Associates and Cyril Hare & Associates (2013) and the Fire & Emergency Services Operational Review and Supplemental Report prepared by Dillon Consulting (2016) recommended the closure of Stations 1 & 2 and consolidating them into one station in the Chambers Corners area. This would allow for a new modern facility to address operational needs as well as providing better service coverage for the north-east portion of the Township.

The Fire Master Plan (2013) and the Operational Review (2016) also identified the need for standardized training and adequate facilities for practical training. Current facilities do not have the space required to accommodate training. The proposed joint fire and emergency services facility will have classroom facilities and space for a future training area.

- 1.6.4 *Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services.*

### Consistency

The proposed joint fire and emergency services facility will provide space for an Emergency Operations Centre (EOC) to address emergency management requirements. The Township's primary EOC (Council Chambers) and secondary EOC (Firefighters Memorial Community Hall) are in close proximity to each other and so the new facility would allow for a true alternate location and provide modern facilities and equipment for an EOC operation. The proposed joint fire and emergency services facility is located within Chambers Corners which is

near the geographic centre of the Township and is accessible by major roadways.

- 1.6.5 *Public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.*

#### Consistency

The proposed joint fire and emergency services facility will be located within the Hamlet of Chambers Corners which is at the intersection of three main arterial roads – Highway #3, Regional Road 24 and Forks Road – and is close to the geographic centre of the Township. Wainfleet Fire and Emergency Services and Niagara Emergency Medical Services will co-locate in a joint facility and the location is easily accessible by residential areas in which fire personnel reside.

The remainder of the subject property is located within the Prime Agricultural Area of the PPS and will not be required to accommodate the proposed joint fire and emergency services facility.

It is staff's opinion that the applications are consistent with the PPS.

#### Growth Plan for the Greater Golden Horseshoe, 2019

The Growth Plan for the Greater Golden Horseshoe (GPGGH) provides policy direction for municipalities on where and how to grow within the Greater Golden Horseshoe which includes focussing development to Urban and Settlement Areas which have municipal services while balancing protection of natural heritage features.

Rural settlement areas are to be the focus of growth and development and shall provide an appropriate range and mix of housing as well as a variety of cultural and economic opportunities. The subject lands are located within the Hamlet of Chambers Corners which is considered a rural settlement area as defined in the GPGGH.

Section 3.2.8 of the GPGGH contains policies related to public service facilities, specifically:

2. *Public service facilities and public services should be co-located in community hubs and integrated to promote cost-effectiveness.*

#### Conformity

The Township's Hamlets are community hubs located along main roads and provide a variety of land uses to service the needs of the Township. The proposed joint fire and emergency services facility will be located within the Hamlet of Chambers Corners which is located at the intersection of three main arterial roads – Highway #3, Regional Road 24 and Forks Road – and is close to the geographic centre of the Township. Wainfleet Fire and Emergency Services and Niagara Emergency Medical Services will co-locate in a joint facility and the location is easily accessible by residential areas in which fire personnel reside.

3. *Priority should be given to maintaining and adapting existing public service facilities and spaces as community hubs to meet the needs of the community and optimize the long-term viability of public investments.*

Conformity

As discussed above, Station 1 (Winger) and Station 2 (Wainfleet) lack the necessary space to conduct modern fire service operations and are not able to provide facilities for the health and safety of fire service personnel. Additionally, Station 2 (Wainfleet) lacks the necessary space to meet the needs for Niagara Emergency Medical Services to operate a Community Response Unit. A new facility would allow for adequate space for modern service delivery for both Wainfleet Fire and Emergency Services and Niagara Emergency Medical Services.

6. *New public service facilities, including hospitals and schools, should be located in settlement areas and preference should be given to sites that are easily accessible by active transportation and transit, where that service is available.*

Conformity

The proposed joint fire and emergency services facility will be located within the Hamlet of Chambers Corners, which is considered a settlement area under the GPGGH. The property is located on a Provincial Highway, being Highway #3, and in close proximity to other arterial roads, being Regional Road 24 and Forks Road which allow for easy access to the proposed facility.

It is staff's opinion that the applications conform to the GPGGH.

Regional Official Plan

The subject property is designated as Hamlet in the Regional Official Plan (ROP). Hamlets are areas designated for further development of a low-density nature without the provisions of municipal water and sewers. 5.D Policies for Villages and Hamlets apply, specifically:

- 5.D.7 *Proposals for development will be carefully reviewed by both the local municipality and the Region to ensure that the development is orderly and well planned, that adequate services such as school bussing and fire protection can be provided, that the added development will not interfere with the operation of the arterial road system and that existing problems such as pollution, inadequate water supply or conflicting land uses will not be aggravated.*

Conformity

The proposed joint fire and emergency services facility will provide Wainfleet Fire and Emergency Services and Niagara Emergency Medical Services with a modern facility to optimize the delivery of emergency services. A future site plan design will address placement of the facility on the subject property and the required amenities (parking, landscaping, fire lanes etc.) and will be reviewed by the Region and Township to ensure that the subject property is used efficiently.

- 5.D.8 *Development must be on lots having an adequate water supply and suitable for private waste disposal systems in accordance with the requirements of the*

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*Ministry of the Environment and the Medical Officer of Health. The minimum lot size for new lots in Villages and Hamlets should be 1 hectare unless it is determined through a hydrogeological study that a smaller lot size will adequately accommodate private water and sewage treatment facilities for long term operation.*

#### Conformity

The subject property is greater than the 1 hectare and as such there are no concerns with respect to the feasibility of accommodating on-site private water and wastewater services. Township staff recognize that through the design stage of the proposed joint fire and emergency services facility, consideration will have to be given to the size of the septic system needed to accommodate the proposed structure.

The proposed official plan amendment and zoning by-law amendment is for the area of the subject property that is within the Hamlet of Chambers Corners. The part of the subject property that is outside of the Hamlet is designated as Good General Agricultural Area in the ROP and will not be required to accommodate the proposed joint fire and emergency services facility.

It is staff's opinion that the applications conform to the ROP.

#### Township Official Plan

The part of the subject property within the Hamlet of Chambers Corners is designated as Village Commercial in the Township Official Plan (OP). Permitted uses within the Village Commercial Area designation include retail stores, personal services, food markets, automotive, machinery and farm implement sales and service, hardware and farm supply sales, business and professional offices, restaurants, hotels and motels, theatres, clubs or halls, places of amusement or recreation and secondary residential apartment unit.

The proposed joint fire and emergency services facility is not a permitted use within the Village Commercial designation and as such an official plan amendment is required to designate the subject property as Institutional Area. Permitted uses within the Institutional Area include facilities related to federal, provincial, regional or municipal government service delivery and administration, places of worship, educational and recreational facilities, accessory housing related to the institutional use and cemeteries.

The following policies of the Section 3.12 Institutional Area apply, specifically:

- 3.12.2 *All new development and/or redevelopment shall be subject to Site Plan Control. Any redevelopment of an existing institutional use, which would involve an expansion of the Gross Floor Area by more than 15 percent shall also be subject to Site Plan Control.*

#### Conformity

The proposed joint fire and emergency services facility will be subject to site plan control once a final design of the structure has been approved by Council. The proposed structure and its siting on the subject property shall comply with the

Institutional site plan guidelines. The site plan guidelines address matters such as building siting, building design, site access and parking and site landscaping.

3.12.3 *Evaluation of an application for a new Institutional designation will be based on conformity with the following criteria:*

- a) *Incompatibilities with surrounding uses, particularly residential uses, can be mitigated in an acceptable manner through the provision of buffering, landscaping and/or engineering solutions or other similar approaches;*
- b) *Preparation of a traffic impact study, which outlines potential impacts of traffic on surrounding areas;*
- c) *The scale of the buildings are compatible with the character and image of the surrounding area; and*
- d) *The site can be provided with sustainable private services and drainage systems in accordance with Section 5.1.*

Conformity

The subject property is surrounded by residential, agricultural and commercial uses. Of particular interest are the adjacent residential parcels, being 42135 Highway #3 (immediately east of the subject property), 42152 Highway #3 (northwest of the subject property) and 42130 Highway #3 (northeast of the subject property). Potential impacts can be mitigated through careful consideration of placement of lighting and access points as well as landscaping to provide visual and sound buffering. These items shall be considered through the design process of the facility and through review of the future site plan application.

A traffic brief prepared by Associated Engineering examined the adequacy of the subject property to accommodate traffic, reviewing visibility and sightlines, traffic movement into and out of the property and the potential for conflicts and traffic generated by the proposed joint fire and emergency services. The traffic brief concluded that approaching drivers from each direction should have adequate visibility of the property's entrance, that drivers exiting the property (turning right or left) should have adequate visibility of approaching traffic on Highway #3, and that events generating the largest amount of traffic (public events) would occur irregularly and on off peak days (weekend). The traffic brief recommended that the subject property have an access at least 9m in width, that the 60 km/h zone on Highway # 3 be extended further west of the subject property to facilitate movements into and out of the subject property, that a Fire Truck Entrance sign (Wa-25) be installed in both directions of travel on Highway #3 and that a sign identifying the joint fire and emergency services facility be installed at the right of way facing eastbound and westbound traffic. The Township will work with the Ministry of Transportation (MTO) to facilitate the extension of the 60 km/h zone and the installation of signs and the requirements for a sign and entrance width will be considered in the design process.

The facility design has yet to be determined, but Township staff recognize that it shall respect the character of Wainfleet and the surrounding image of the Hamlet of Chambers Corners.

Township staff have reviewed the conceptual site plan submitted with the application and are satisfied that there is sufficient area to accommodate sustainable on-site private services within the Hamlet boundary. A stormwater management report and design will be required at the site plan application stage to address site drainage.

- 3.12.4 *Facilities related to federal, provincial, regional or municipal government service delivery and administration, along with education facilities should be located within the Hamlet areas.*

Conformity

The proposed joint fire and emergency services facility will be contained to the area of the subject property that is within the Hamlet of Chambers Corners.

- 3.12.6 *The Township will continue to work with other levels of government and agencies to ensure that sufficient level of public services are provided to the residents of Wainfleet.*

Conformity

The Township has been communicating with Niagara Regional Police Service and Niagara Emergency Medical Services to determine interest in co-locating the three emergency services (Fire, Police and EMS) within the proposed facility. To date, Niagara Emergency Medical Services has indicated interest in having space within the proposed facility. Both Wainfleet Fire and Emergency Services and Niagara Emergency Medical Services are in need of modern, safe and appropriate facilities for sustainable and efficient delivery of services to the residents of Wainfleet.

The part of the subject property that is outside of the Hamlet boundary is designated as Agricultural Area. Permitted uses within the Agricultural Area include agricultural uses, value retention agriculture uses accessory to the primary agricultural use, a single detached dwelling, secondary suite, group homes, farm help houses, garden suites, agri-tourism, value added marketing uses, bed and breakfasts, home occupations and home industries, land conservation, public trail systems and linear infrastructure. Other permitted uses subject to additional policies are agri-tourism unrelated to agriculture, value added production uses and value added support uses.

The part of the subject property that is designated as Agricultural Area will not be used for the proposed joint fire and emergency services facility.

It is staff's opinion that the proposed official plan amendment is appropriate.

Township Zoning By-law 581-78

The part of the subject property that is within the Hamlet of Chambers Corners is currently zoned Development – D and Hamlet Commercial – C2 in the Township Zoning Bylaw 581-78. Permitted uses within the Development - D zone include agricultural uses, including one single detached dwelling on one lot but excluding all livestock and poultry operation,

mushroom farms, fur farms, greenhouse and commercial dog kennels, single detached dwellings existing at the date of the passing of the by-law and uses, building and structures accessory thereto and the conversion of a building existing at the date of the passing of the by-law to a duplex or semi-detached dwelling.

Permitted uses within the Hamlet Commercial – C2 zone include antique shop, automobile sales and service establishment, automobile service station gas/bar, bank, building and lumber supply use, community centre, custom workshop, dry cleaning depot, farm equipment sales and service, funeral home, garden centre, medical clinic, motel/hotel, offices, parking lots, personal service shop, places of entertainment or recreation, printing establishment, private or commercial clubs, public garage, public uses, restaurants, retail store, service shop, veterinary use, buildings and structures accessory to a permitted use and dwellings that existed at the date of passing of the by-law and enlargement hereof and uses, buildings and structures accessory thereto.

The proposed joint fire and emergency services facility is not a permitted use within the Development – D or Hamlet Commercial – C2 zones and as such a zoning by-law amendment is required to zone the subject property as Public - P. Permitted uses within the Public – P zone include public uses and operations carried on by, or on behalf of, a municipal, provincial, federal government or agency thereof, and, without limiting the generality of this clause, including municipal offices, libraries, post offices, police stations, public hospitals, fire halls, weigh-scales and fruit and vegetable inspection stations, and uses, buildings and structures accessory to any permitted use.

In accordance with Section 27.2 Regulations for the Public – P zone, the following provisions will apply to the subject property:

- (a) *Maximum Lot Coverage: 50%*
- (b) *Minimum Yard Requirements: No building or structure shall be used or erected within 7.5 metres of any lot line, or within 15 metres of any street line or within 5 metres of the boundary of any Residential Zone.*
- (c) *Minimum Parking Requirements:*
  - (i) *Parking spaces shall be provided on the same lot on which the principal use is located, sufficient in number to accommodate the employees of, and the visitors to, the public use or uses on such lot.*
  - (ii) *No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 1.5 metres of any lot line which does not abut a public street, or within 3 metres of any street line or boundary of any Residential Zone.*
- (d) *Minimum Landscaping Requirements: A landscaping area in the form of a planting strip having a minimum width of 1.5 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts the boundary of any Residential Zone.*

Township staff have reviewed the conceptual site plan submitted in support of the proposed amendments. While the final site plan and building design have not been determined, staff are of the opinion that there is adequate space on the subject property to accommodate the proposed joint fire and emergency services facility as well as the associated parking and laneways while complying with the zoning provisions listed above.

The existing agricultural building (barn) will be modified by reducing the footprint from the north to accommodate storage for the Wainfleet Fire and Emergency Services department. The agricultural building has an existing setback of 6.4m from the southern property line where a minimum of 7.5m is required. Staff recommend that a site specific exception be added to the Public – P zone to permit a rear yard setback of 5m which is in line with the required setback for yards adjacent to a residential zone. The reduced setback will allow some flexibility for any awnings and concrete pads that may be necessary in the future as well as flexibility for locating a future training building.

Staff are of the opinion that the proposed zoning by-law amendment is appropriate.

#### Township Zoning By-law 034-2014

The part of the subject property outside of the Hamlet boundary is zoned Agricultural Transition – A1. Permitted uses within the Agricultural Transition – A1 zone include agricultural use, single detached dwelling, conservation uses, greenhouse, one help house, group home and medical marijuana facility and permitted secondary uses include accessory agricultural activities, secondary suite, value added production uses, value added marketing uses, home occupation, home industry, agri-tourism uses related to agriculture and bed and breakfast.

The part of the subject property that is zoned Agricultural Transition – A1 will not be used for the proposed joint fire and emergency services facility.

#### Site Plan Control

The proposed joint fire and emergency services facility will require a formal site plan application once the facility design and siting have been finalized. The proposed facility shall comply with the site plan guidelines for an Institutional use which address matters such as building siting, building design, site access and parking and site landscaping.

#### **FINANCIAL CONSIDERATIONS:**

None.

#### **OTHERS CONSULTED:**

##### Public Meeting

A statutory public meeting was held in Council Chambers on November 12<sup>th</sup>, 2019. Notice of the public meeting was mailed to landowners within 120m of the subject property on October 21<sup>st</sup>, 2019. In addition, a public notice sign was posted on the subject property. No member of the public spoke at the public meeting and to date, no additional written public comments have been received. A copy of the draft public meeting minutes is attached as Appendix "A".

### Township Department and Agency Comments

A request for comments was circulated to Township departments and external agencies directly affected by the proposed application on October 21<sup>st</sup>, 2019. The following is a summary of the comments received.

Niagara Region Planning & Development Services are supportive of the proposed official plan and zoning by-law amendments from a Provincial and Regional perspective, subject to the satisfaction of any local requirements. The proposal to permit a joint fire and emergency services facility on the subject property aligns with the intent of Provincial and Regional policy, which direct public service facilities to be strategically located in settlement areas. Regional staff noted that as part of the future site plan application submission, the Region will require that a stormwater management brief and associated drawings be submitted to address Regional requirements.

#### Planning Staff Response

A stormwater brief and associated drawings will be prepared in support of the future site plan application and will address the Regional requirements.

Ministry of Transportation noted no objection in principle to the proposed amendments to permit the future joint fire and emergency services facility. MTO noted that the subject property is within the permit control area and as such a MTO Building and Land Use Permit is required prior to any grading/construction activity on the site. MTO has provided detailed requirements for the future Building and Land Use Permit and site plan submissions including the requirement of site plan, site grading/site servicing plans, stormwater management report, illumination plan and traffic brief. MTO also noted that all buildings and structures (above and below ground) as well as all features deemed essential to the operation and viability of the site (including parking spaces, fire lanes, garbage access, servicing and stormwater management) shall be a minimum of 14m from the right-of-way.

#### Planning Staff Response

The future site plan application will address the requirements of the MTO.

To date, there have been no further agency comments received.

### **CONCLUSION:**

Township staff have reviewed the official plan amendment and zoning by-law amendment applications for the subject property. It is the opinion of staff that the application is consistent with Provincial, Regional and Township planning policy and recommends that the official plan amendment application, File OPA 03, be approved and that the by-law attached as Appendix "B" be adopted by Council and that zoning by-law amendment application, File Z05/2019W, be approved and that the zoning by-law amendment attached as Appendix "C" be adopted by Council.

**ATTACHMENTS:**

Appendix "A" – Draft Minutes of the Public Meeting held on November 12, 2019

Appendix "B" – Official Plan Amendment By-law

Appendix "C" – Zoning By-law Amendment

Respectfully submitted by,

Approved by,

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Sarah Ivins  
Planner

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William J. Kolasa  
Chief Administrative Officer

## APPENDIX "A"

### Draft Minutes of the Public Meeting held on November 12, 2019

#### 1. Public Meeting

- a) Official Plan Amendment and Zoning By-law Amendment – Proposed Joint Fire and Emergency Services Facility, 42143 Highway #3 (File No. OPA 03 & Z05/2019W)

Mayor Gibson opened the Public Meeting by stating that the purpose of the Public Meeting is to provide more information about the applications and an opportunity for public input. No recommendations are provided at the Public Meeting and Township Council will not be making any decision at this meeting. A recommendation report will be prepared by staff and presented at a subsequent meeting of Township Council following a full review of the application.

#### **Details of Applications**

S. Ivins stated that the subject lands are located on the south side of Highway #3 between Misener Road and Regional Road 24 and are known municipally as 42143 Highway #3.

The official plan amendment proposes to redesignate part of the subject property from Village Commercial to Institutional to permit a future joint fire and emergency services facility.

The zoning by-law amendment proposes to rezone part of the subject property from Development – D and Hamlet Commercial – C2 zones to Public - P zone under Bylaw 581-78 to permit a future joint fire and emergency services facility. The part of the subject lands that is proposed to be redesignated and rezoned represents the area that is within the Hamlet of Chambers Corners. The subject lands contain a single detached dwelling, agricultural building and a pond. The single detached dwelling is to be removed and the agricultural building will be modified to provide storage for the Fire Department.

#### **Agency Comments/Written Public Comments**

Ministry of Transportation – noted no objection in principle to the proposed amendments to permit the future joint fire and emergency services facility. MTO noted that the subject property is within the permit control area and as such a MTO Building and Land Use Permit is required prior to any grading/construction activity on the site. MTO provided detailed requirements for the future building permit and site plan application submissions.

Comments received prior to the public meeting will be addressed verbally at the public meeting and any comments received after the public meeting will be addressed in the staff report.

**Questions from Council**

Councillor MacLellan inquired about the size of the facility and whether the drawings were actual size or conceptual. Planner, S. Ivins stated that the drawings are conceptual and that the Fire Department will undertake an extensive review of the property to determine design details. It was noted to Council that the final drawings will come back to Council for consideration.

**Questions from the Public**

None.

**Next Steps**

A planning report regarding a complete review of the proposed amendments will be brought forward by staff and considered by Council at a later date.

If a person or public body does not make oral submissions at the public meeting or make written submission to the Township of Wainfleet regarding the proposed Official Plan Amendment or Zoning By-law Amendment before the approval authority gives or refuses to give approval to the applications, the person or public body is not entitled to appeal the decisions of the Township of Wainfleet to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at the public meeting and/or make written submissions to the Township of Wainfleet regarding the proposed Official Plan Amendment or Zoning By-law Amendment before the approval authority gives or refuses to give approval to the applications, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of the Corporation of the Township of Wainfleet in respect of the proposed applications, you must make a written request to the Clerk of the Township of Wainfleet at the address noted below and quote the appropriate file number(s).

**APPENDIX "B"**

**CORPORATION OF THE  
TOWNSHIP OF WAINFLEET  
BY-LAW NO. 0XX-2019**

Being a by-law to adopt Amendment No. 03 to the Official Plan for the Township of Wainfleet with respect to those lands forming Concession 4, Part of Lot 20 in the Township of Wainfleet, known municipally as 42143 Highway #3.

**WHEREAS** the Planning Act, R.S.O. 1990, c.P.13, as amended, authorizes the Township of Wainfleet to pass by-laws for the adoption or repeal of Official Plans and amendments thereto;

**AND WHEREAS** Amendment No. 03 to the Township of Wainfleet Official Plan is exempt from approval of the Council of the Regional Municipality of Niagara in accordance with the Memorandum of Understanding;

**NOW THEREFORE** the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

**THAT** Amendment No. 03 to the Township of Wainfleet Official Plan is hereby adopted.

**THAT** the Clerk of the Township of Wainfleet is hereby authorized and directed to give Notice of Adoption of the aforementioned Amendment to the Township of Wainfleet Official Plan in accordance with the Planning Act, R.S.O. 1990, c.P.13, as amended.

**THAT** this By-law shall come into force, take effect and be passed on the final reading hereof.

BY-LAW READ AND PASSED THIS 3<sup>RD</sup> DAY OF DECEMBER, 2019.

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K. Gibson, MAYOR

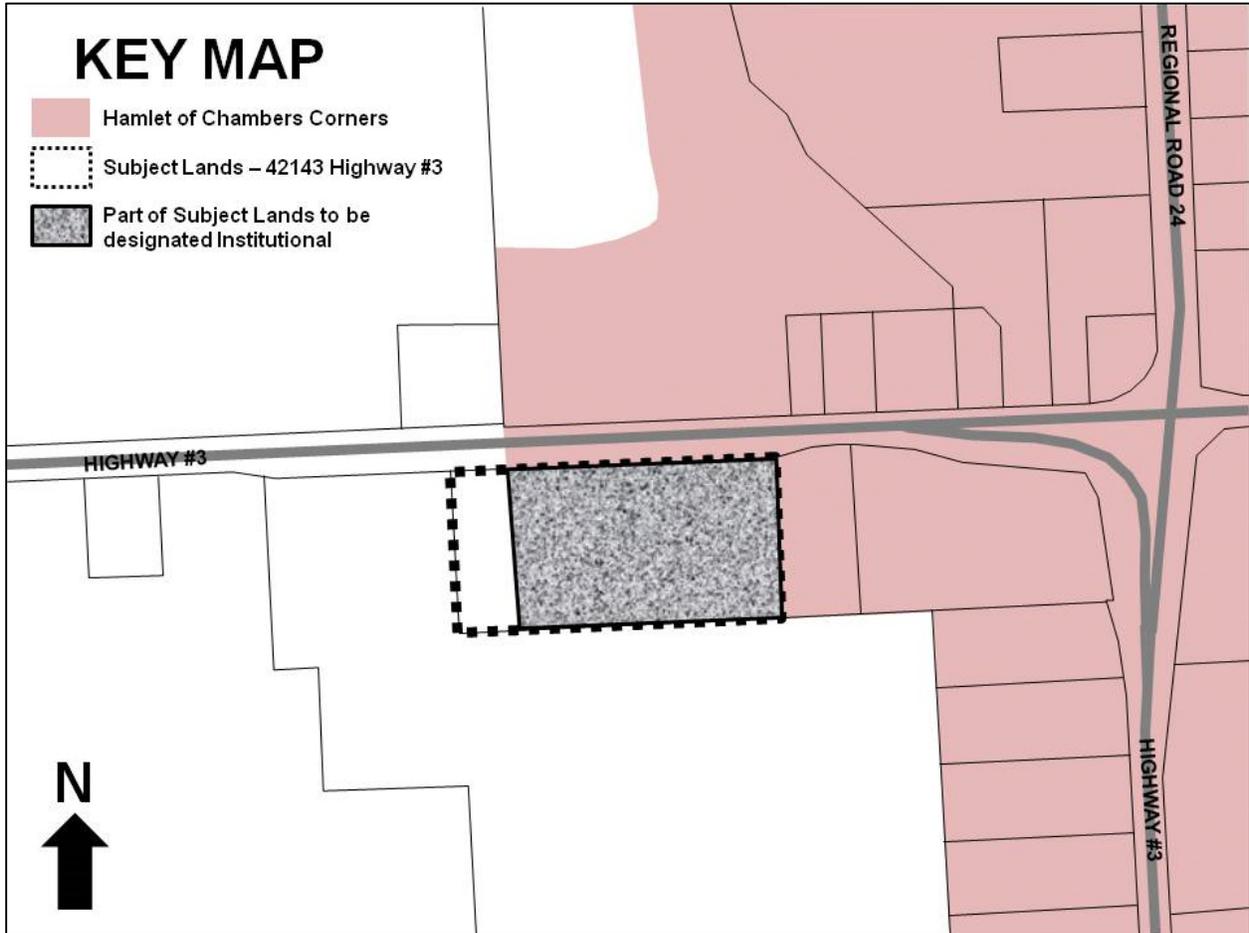
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M. Ciuffetelli, DEPUTY CLERK

**Amendment No. 03 to the Township of Wainfleet Official Plan**

<b>Purpose and Effect</b>	The purpose of the Official Plan Amendment to redesignate the subject lands from Village Commercial to Institutional to permit a joint fire and emergency services facility.
<b>Location:</b>	The subject lands are located on the south side of Highway #3 between Misener Road and Regional Road 24 in the Township of Wainfleet. The subject lands are legally described as Concession 4, Part of Lot 20, Township of Wainfleet and is known municipally as 42143 Highway #3.
<b>Basis:</b>	<p>The Township of Wainfleet Fire and Emergency Services department is in need of a new facility for the provision of modern and efficient fire and emergency services. The Township of Wainfleet owns the subject lands and initiated this Official Plan Amendment to change the land use designation from Village Commercial to Institutional to permit a joint fire and emergency services facility with Niagara Emergency Medical Services.</p> <p>This Official Plan Amendment conforms to the Region of Niagara Official Plan, the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.</p>
<b>Amendment:</b>	Schedule B1 of the Township of Wainfleet Official Plan is hereby amended by redesignating part of the subject lands from Village Commercial to Institutional as shown in Schedule A to this Official Plan Amendment.
<b>Implementation:</b>	This Official Plan Amendment shall be implemented in accordance with Section 8, Implementation of the Official Plan of the Township of Wainfleet.
<b>Interpretation:</b>	This Official Plan Amendment shall be interpreted in accordance with Section 1.5, Interpretation of the Official Plan of the Township of Wainfleet.

SCHEDULE "A" to Official Plan Amendment 02



**APPENDIX "C"**

**CORPORATION OF THE  
TOWNSHIP OF WAINFLEET  
BY-LAW NO. 0XX-2019**

Being a by-law pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 to amend Zoning By-law No. 581-78 of the Corporation of the Township of Wainfleet with respect to those lands forming Concession 4, Part of Lot 20 in the Township of Wainfleet, known municipally as 42143 Highway #3.

**WHEREAS** the Corporation of the Township of Wainfleet has reviewed Zoning By-law No. 581-78 and deems it advisable to amend same:

**NOW THEREFORE** the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

**THAT** Map 5 of Zoning By-law No. 581-78, as amended, is hereby further amended by changing the zoning of part of the subject property from Development – D and Hamlet Commercial – C2 to Public – P-356 as shown on Schedule "A" attached hereto.

**THAT** Section 31 entitled "Exceptions" is hereby further amended by adding the following text:

<b>Legal Description, Bylaw No.</b>	<b>Exception</b>	<b>Provisions</b>
Part of Lot 20, Con. 4  Bylaw 0XX-2019	356	(a) Minimum Rear Yard Setback: 5m

**THAT** pursuant to Section 34(17) of the Planning Act, as amended, no further public meeting is required.

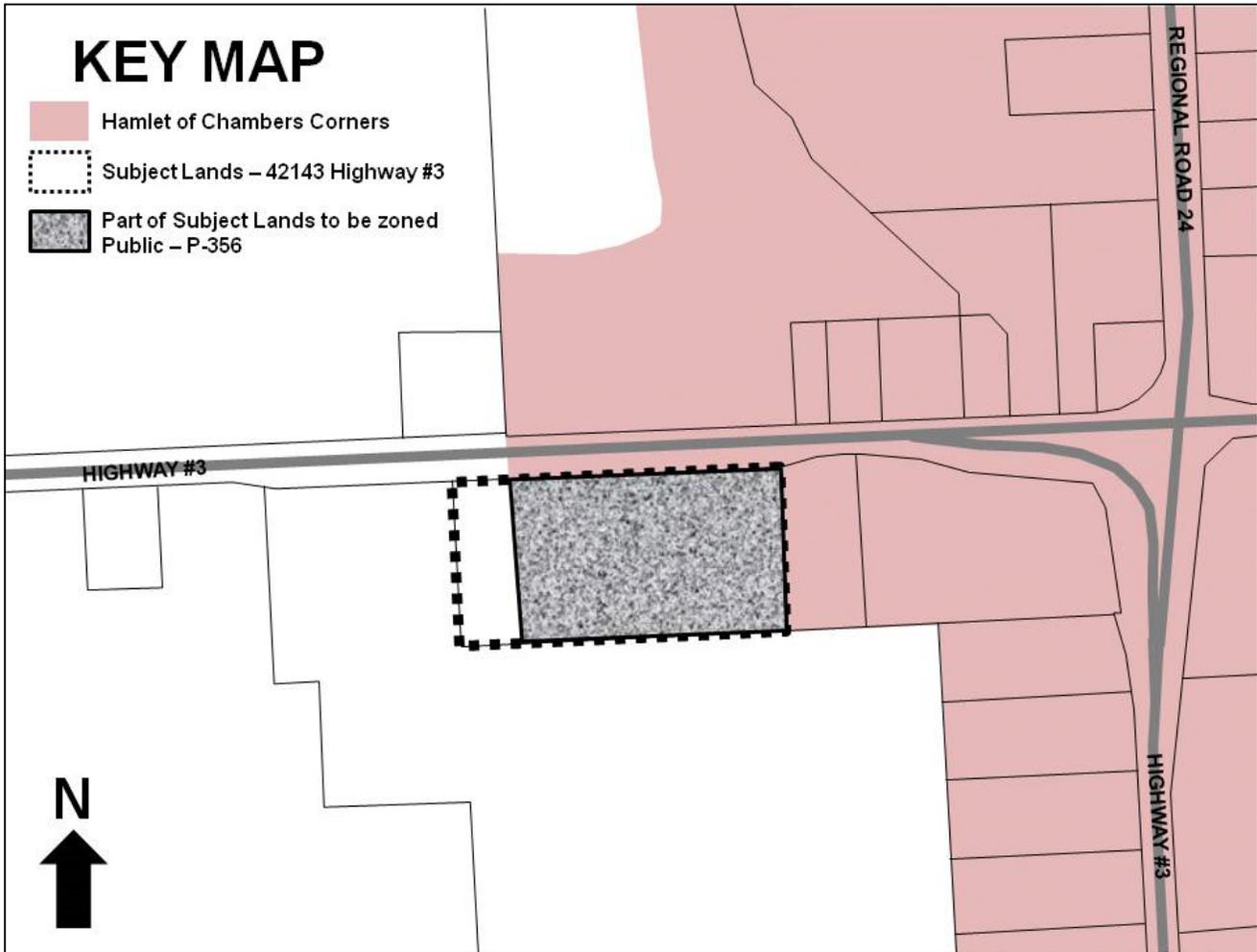
**THAT** this By-law shall come into force, take effect and be passed on the final reading hereof subject to the provisions of Section 34 of the Planning Act.

BY-LAW READ AND PASSED THIS 3<sup>RD</sup> DAY OF DECEMBER, 2019.

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K. Gibson, MAYOR

\_\_\_\_\_  
M. Ciuffetelli, DEPUTY CLERK

SCHEDULE "A" TO BY-LAW 0XX-2019



<b>TOWNSHIP OF WAINFLEET</b>	
Purpose & Effect of By-law No. 0XX-2019: This by-law affects lands described as Part of Lot 20, Concession 4 in the Township of Wainfleet. This by-law has been enacted to rezone the subject property from Development – D and Hamlet Commercial – C2 to Public – P-356 to permit a future joint fire and emergency services facility.	THIS IS SCHEDULE "A" TO BY-LAW NO. 0XX-2019. PASSED THIS 3 <sup>RD</sup> DAY OF DECEMBER, 2019.
 File No. Z-05-2019 (Township Initiated)	MAYOR
	CLERK