



Working together with our community

Council Meeting – October 16, 2024

Subject: 28CDPL2024062 – 436 Front Road, BB Ranch Condominium
Report Number: CD-24-135
Division: Community Development
Department: Planning
Ward: Ward 1
Purpose: For Decision

Recommendation(s):

That application 28CDPL2024062, affecting the lands described as 436 Front Road, Norfolk County, to establish a vacant land condominium comprised of 40 units of resort-oriented farm dwellings, horse ranch, provision for tourist cabins, a saloon and farm uses, be approved, as shown in Attachment A with the conditions identified in Attachment B to Report CD-24-135; and

Further that no public input received for this application and therefore was not considered as part of the decision, as outlined in staff report CD-24-135.

Executive Summary:

The application is proposing a vacant land condominium to facilitate a resort-oriented development with the following key features:

- Farm dwelling units in the form of single detached dwellings;
- Tourist cabins;
- A saloon with food and beverage services;
- Private road;
- Road widening affecting Front Road
- Archaeological protected area; and,
- Farm uses related to the operation and related equestrian activities.

The application was circulated to County staff and external agencies. No major concerns have been identified. Comments provided by staff and agencies are incorporated into the recommended conditions to Attachment B of this report.

A site plan application for this development has already received a conditional approval pending a site plan agreement which will be completed shortly after the approval of this Draft Plan of Condominium application.

Discussion:

See Public Hearing Committee report [CD-24-039](#) for additional background information on the site, proposal and context.

Site Context:

The lands are approximately 23.6 hectares in area and are located at 436 Front Road, St. Williams, Norfolk County. The property is outside the urban settlement boundary and lies between Port Rowan and Booths Harbour. The subject lands have a gradual descending slope from Front Road toward Lake Erie and a greater slope within the Significant Woodland area to the east of the property boundary.

'Agricultural' Lands predominantly surround the property with a small parcel of General Industrial (MG) use at the opposite side of Front Road. There is a 'Hazard Land' zone with "Significant Woodlands" at the east side, which is extended to the south along Lake Erie. A portion of the land is currently used for cash crops, and the balance of the land is used as a horse ranch with several dwelling units located on the site used by family members.



Figure 1: The subject lands and surrounding land-uses.

Proposal Summary:

Development Proposal: While a portion of lands will continue to be farmed with a combination of cash crops and equestrian uses, there are three major parts of the development proposal within a resort-oriented condominium development:

- a. Farm Dwelling Units with individual ownerships; and
- b. On-farm Diversified Uses including a provision for tourist cabins, a saloon and a riding arena and barn.
- c. Common element areas that include active farmlands, private roads and circulation areas.

- a. **Farm dwelling units within a Resort-Oriented Condominium:** The primary use of the subject site will be ownership-based farm dwellings within the condominium development. The units will share the common elements such as farmlands, private roads and circulation areas owned by the condominium. The individual unit owners may own their own horses and may take the service of the existing equestrian activities owned by its current owner. Horses are classified as livestock as per Ministry of Agriculture, Food and Rural Affairs (OMAFRA) definition of livestock.

The specific geographical location and opportunities of resort-oriented activities in the locality will also offer a resort-oriented lifestyle for the homeowners.

Lakeshore special Policy Area (LSPA) Secondary Plan supports resort-oriented condominium development in Lakeshore special Policy Area (LSPA).

- b. **On-farm Diversified Uses:** The condominium development has the provision for few On-Farm Diversified Uses by utilizing the locality's agri-tourism or resource-based tourism opportunities. A recent Zoning By-law amendment went through a Public Hearing meeting (CD-24-113) on September 4th, 2024 which will allow these on-farm diversified uses under private ownerships. These On-farm Diversified Uses include:

- i. **Tourist Cabins:** Initially there were 8 tourist cabins proposed as on-farm diversified use. In the most updated proposal, the applicant illustrated these cabins as dwelling units under private ownerships.
- ii. **Saloon:** Restaurant use that is associated with agri-tourism or resource-based tourism use shall be permitted as per section 11.4.4 of the LSPA Secondary Plan and Zoning by-law 18-Z-2021. Under the vacant land condominium, these uses are also proposed under one condominium unit, under one ownership.
- iii. **Riding Arena and Barn:** These uses are associated with agri-tourism or resource-based tourism which shall be permitted as per section 11.4.4 of the LSPA Secondary Plan and Zoning by-law 18-Z-2021. Under the vacant land condominium, these uses are also proposed under one condominium unit, under one ownership.

5. All on-farm diversified uses will be within the same property under one or several ownerships within the condominium corporation.

The whole site will be considered as a resort-oriented condominium within Lakeshore Special Policy Area which is supported by section 11.6.3 of the LPSA Secondary Plan.

Minimum Separation Distance (MDS): The proposed development is reviewed for Minimum Separation Distance of the proposed livestock facility based on the Minimum Distance Separation (MDS) Implementation Guidelines prepared by OMAFARA. MDS I is not applicable for review as the proposed dwelling units are not within required proximity to any existing livestock in the surrounding area. MDS II applies to the proposed development because of the proposed livestock facility (Barn/Stable), within the subject lands.

Servicing Strategy: According to the Functional Servicing Report prepared by G. Douglas Vallee Limited, dated September 13, 2024, there is currently a single service connection from the existing watermain to the property. Under the proposed site development, it is proposed that the existing service remain and provide domestic water to one of the condo units. All other condo units will be serviced by on-site water cisterns. There are no existing fire hydrants located in proximity to the subject development site. The existing 200mm watermain along Front Road is a distribution main and therefore, will not be utilized to provide fire water servicing to the proposed development. Consequently, it is proposed that on-site fire water storage pond will be utilized to provide the required firefighting capacity.

The subject property does not have access to municipal sanitary services. Therefore, it is proposed that each building be serviced by individual, on-site septic systems.

Significant Woodlands and Hazard Lands: No development is proposed inside the Significant Woodlands or Hazard Lands area. A buffer area of 15 m to 35 m is proposed where no development will be permitted.

Consultation(s) -

Technical Comments / Analysis:

All technical Comments has been received for this application with the following key issues that has been either addressed or kept as a condition of the approval to be fulfilled prior to the final approval of the condominium plan:

Horse Ranch and Nutrient Management: The total number of horses is unidentified at this time. It is identified that over 5 medium framed horses will require a MDS II calculation and nutrient management from a consultant. If there is no building permit

required (and there will be less than 300NU) there is no trigger to phase this facility in under the NM Reg. There would be no requirements under the NM Reg to meet.

Appropriate Buffer from the Natural Heritage Features and Slope Hazard: LPRCA has no concerns with the establishment of 15m to 35m buffer area. No development is permitted in the buffer zone.

Archaeologically Protected Area: A portion of the buffer area is identified with evident of archaeological importance. This area is protected and no development and site alteration is permitted.

Development Engineering has reviewed the proposed vacant land of condominium and has no further concerns.

Traffic: Enforcement and patrol experience with Front Road and the high volume of traffic it has in summer, including fast motorcycles, on these two curves in the road over a short distance causes concern with the proposed development's west entrance. The entrance is just 100m or so from a curve for eastbound traffic coming from Port Rowan and just 200 from the northern curve coming from the east. The current residential driveway is safe due to the very low traffic heading in or out, but we suspect the traffic from the new development could pose a higher risk of collision. The Traffic Impact Study prepared by Paradigm Transportation Solutions Ltd, dated December 7, 2023 states that the location of the already existing site driveway is favourable to the visibility in both directions on Front Road. The available sight distances (based on 50 km/h speed, given the posted advisory speed of 30 km/h) are adequate and meet or exceed the required distances of 85 metres (decision sight distance), 110 metres (right turn from stop), and 130 metres (left turn from stop). A stop sign is also proposed at the entrance towards Front Road which will also mitigate any potential risk of collision.

A 4 m road widening is proposed on both south and west property line on Front Road.

Community Mailbox will be installed gradually depending on the number of permanent residents within the condominium development.

See Attachment C for the complete technical comments.

Regard for Public Input and Statutory Public Hearing Committee Meeting:

The Public Meeting for the draft Plan of Vacant Land Condominium application was held at the June 4th, 2024 Public Hearings Committee meeting. No major concerns had been raised during the public hearing meeting.

No public submission was received. The following is a summary of the comments and regard for public input.

Planning Considerations:

It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals.

PPS 2020 permits agriculture-related and on-farm diversified uses in agricultural lands. Limited scale of non-agricultural uses are also permitted in an agricultural land with certain criteria. It is Planning Staff's opinion that the proposed development is consistent with PPS 2020 policies.

It is the Planning Staff's opinion that the proposed development does not constitute new residential lots. Because of its unique characteristics, some of the development components such as the concept of 'Farm Dwelling Units' and 'Resort-Oriented Condominium' are defined through a site-specific Official Plan Amendment 4-OP-2021 and Zoning By-law amendment 18-Z-2021 in 2021. It is Planning Staff's opinion that most of these components are encouraged and supported by the Lakeshore Special Policy Area (LSPA) Secondary Plan.

It is the Planning Staff's opinion that the proposed development is consistent with the Official Plan and the Lakeshore Special Policy Area (LSPA) Secondary Plan and the proposed Draft Plan of Vacant Land condominium is an implantation tool to allow this development in an agricultural land.

Financial Services Comments:

This application would have a positive impact on assessment growth and tax revenues. The amount of growth is dependent on the assessment of the properties diversified land uses by the Municipal Property Assessment Corporation (MPAC).

As stated above, the entire site will be owned and maintained by the condominium corporation, as such, Norfolk County will not be assuming any of the condominium infrastructure, amenities or operating costs as a result of this application.

Strategic Plan Linkage:

This report aligns with the 2022-2026 Council Strategic Priority Empowering Norfolk - Putting the tools and resources in place to ensure our business' and residents' success.

Explanation: Development that results from applications under consideration can help contribute to a vibrant community through resort-oriented condominium development and resort-oriented business.

Conclusion:

The proposed development is consistent with PPS 2020, conforms the Official Plan policies and in alignment with Lakeshore Special Policy Area Secondary Plan by

promoting resource-based tourism with natural heritage and recreational facilities and contribute to alternative housing, agri-tourism and agri-business.

Attachment A illustrates the Draft Plan of the Vacant Land Condominium and Attachment B recommends the conditions of the approval of this Draft Plan of condominium application.

Attachment(s):

Attachment A -	Draft Plan of Vacant Land Condominium
Attachment B -	Recommended Conditions of the Draft Plan of Condominium
Attachment C -	Technical Comments

Approval:

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