

Town of Minto

DATE: April 27 2016
TO: Mayor Bridge and Members of Council
FROM: Stacey Pennington, Building Assistant
RE: ZBA-2016-01-Marquardt-East Part of Con D Lot 82

STRATEGIC PLAN

Ensure growth and development in Clifford, Palmerston and Harriston makes cost effective and efficient use of municipal services, and development in rural and urban areas is well planned, reflects community interests, is attractive in design and layout, and is consistent with applicable County and Provincial Policies.

BACKGROUND

The subject lands for the proposed amendment is located on Part Lot 82, Concession D, Harriston. The property is approximately 1.8 ha (4.5 acres) in size and is currently vacant. The Official Plan Designation of the property is Industrial. The current zoning of the property is M1-40(H) - site specific Industrial with a holding provision. The lands are located within the town's urban boundaries but they are currently unserved.



In December, the applicant submitted a request for the Town Consider leasing the subject land to the applicant for monster truck rides. In a report to council dated December 12, 2015 C.A.O. Clerk, Bill White reviewed general requirements for a lease. Zoning of the lands had to be confirmed with the County.

The Marquardt landscape business is augmented by a chip stand, small dog park and seating areas geared to the travelling public. The monster truck was purchased and was in local Santa Claus Parades. These rides could enhance services available to visitors and could become a destination type feature. The use could be a reasonable interim use provided issues of noise, vibration, stormwater, floodway, and layout can be addressed. The rezoning amendment would permit a recreational monster truck track for a temporary 3 year period, with the option to renew after that time.

COMMENTS

Staff in Clerks, Public Works, and Building reviewed the application, and the impact of the rezoning. The following information was provided.

The attached draft lease has been sent to the Marquardt's and they are in agreement with the terms:

- Up to five year lease subject to cancellation or relocation after two years should the Town have industrial purchasers
- Use not to create noise, odour or vibration likely to disturb people in the area.
- Lessee responsible for approvals needed to set up the use, such as improvements to the lands and removal of the same improvements if/when requested by the Town.

- Minimum \$5 million liability insurance with Town named as additional insured.
- Annual rent around \$200 per acre minimum consistent with an agricultural lease.

The draft lease agreement allows the Town to terminate the agreement immediately if the tenant “permits a breach of any of its covenants, representations, warranties or other obligations” under the agreement. The Town may want to add provisions to address traffic control, parking, site layout and fencing as may be required.

FINANCIAL CONSIDERATIONS

In a five year lease, the Town could generate \$4000 to \$5000 revenue for the subject lands. Currently, the lands are not generating any revenue.

RECOMMENDATION

THAT Council of the Town of Minto receives the Building Assistants report on the proposed rezoning for Part Lot 82, Concession D, and considers passing a by-law in open session.

ATTACHMENTS

Planners Comments, Linda Redmond, Senior Planner, County of Wellington, April 27, 2016
Marquardt Monster Truck Lease, Bill White, CAO/Clerk, December 12, 2015

Stacey Pennington,
Building Assistant

