



Town of Minto

DATE: May 6 2016

TO: Mayor Bridge and Members of Council

FROM: Stacey Pennington, Building Assistant

RE: ZBA-2016-05-Ron Davidson Land Use Planning Consultants
Inc. D'Arcey's Sand and Gravel: Part Lot 22 Con 2

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 22, Concession 2, Town of Minto. The property is approximately 36.18 hectares (89.38 acres) in size. The entire property is shown in the map to the right. The lands subject to the amendment are mapped out below. The Official Plan Designation of the subject lands is Prime Agriculture; the zoning is EI - Extractive Industrial Zone.

The purpose of the application is to amend the current EI zoning to allow for the storage of used asphalt and concrete for recycling purposes within the existing licensed pit. An estimated 1000 tonne stockpile of milled asphalt has been stored on the property for 6 years.



Darcey's Sand and Gravel has been utilizing the pit under a lease agreement over the last few years. When they have recently purchased the property, they were advised by the Ministry of Natural Resources and Forestry (MNR) that the current pit must comply with the Natural Resource Act license in order to transfer the license to the new owner. The current license granted for the property does not allow the storage of recycling road material. The ministry may amend the license to allow for the storage if this zoning bylaw amendment is passed.

Although the current zoning permits a licensed extractive pit or quarry, an aggregate transfer station or a temporary asphalt plant. This particular storage does not comply with our current Zoning By-law. The property is designated a Mineral Aggregate Area under the County of Wellington Official Plan. Under 6.6.4 c) stockpiling would be a permitted ancillary use, conditional upon policies under Section 6.6.7:

- a) The protection of adjoining lands from the negative effects of a reduced water supply, noise, dust, odour, lighting and unsightly storage;

- b) The protection of the environment from negative effect of dust, chemical spills, run-off or contaminated surface of ground water; and,
- c) Ensuring that access can be obtained directly to a road capable of carrying the anticipated truck traffic.

Compliance with the policies are outlined below:

- Under the Natural Resources Act License protect the neighbouring dwelling from the pit by prohibiting pit activity within 150m. In addition, a berm, a building and landscaping provide additional separations between the uses.
- The site plan conforms to MNRF required setback of 2.0 meters for the stockpiling of used asphalt and concrete.
- The increase in activity will be marginal compared to the quantities outlined in the license. The license allows for 150,000 tonnes of sand and gravel extraction and crushing, and the storage and crushing of asphalt would be approximately 1000 tonnes.

COMMENTS

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

Building & Zoning

The Town of Minto By-law 01-86 Section 26 EI – Extractive Industrial Zone requires a minimum setback of 30.0m (98.4 ft) of any zone boundary. On the submitted sketch the approximate location of the stockpiles, as shown in red on the site plan to the right, is just over 15m from the zone boundary.

RECOMMENDATION

THAT Council of the Town of Minto receives the Building Assistants report on the proposed rezoning for Part Lot 22, Concession 2, and considers passing a by-law in open session.

ATTACHMENTS

Planners Comments, Mark Van Patter, Manager of Planning and Environment, County of Wellington, May 13, 2016.

Stacey Pennington,
Building Assistant

