



PLANNING REPORT for the TOWN OF MINTO

Prepared by the County of Wellington Planning and Development Department

DATE: March 27th, 2024
TO: Annilene McRobb, Clerk
Town of Minto
FROM: Jessica Rahim, Senior Planner
Jamie Barnes, Junior Planner
County of Wellington
SUBJECT: **Luke Martin**
5982 14th Line, Town of Minto
Zoning By-law Amendment (ZBA 2024-02)

PLANNING OPINION

The purpose of this zoning amendment is to rezone a portion of the subject land, approximately 0.17 ha (0.42 ac) from Agricultural (A) to Agricultural Commercial Exception (AC-xx) zone to facilitate the construction of a 464.5m² (5,000 ft²) farm equipment repair shop. The proposed AC zone will also recognize a reduced setback to a residence on an adjacent lot.

Planning Staff have no concerns with the application provided the conservation authority has no concerns. The application is consistent with applicable Provincial Policy and generally conforms with the Official Plan. A draft zoning by-law has been prepared and is attached to this report for public viewing and Councils consideration.

INTRODUCTION

The subject land is legally described as Concession 15 Part Lots 22 & 23 with a civic address of 5982 14th Line. The subject property is approximately 2.15 ha (5.31 ac). The location of the subject lands is shown in Figure 1.



PROPOSAL

The purpose of this zoning amendment is to rezone a portion of subject property (approximately 0.17 ha (0.42 ac) from Agricultural (A) to Agricultural Commercial Exception (AC-xx) to facilitate the construction of a 464.5 m² (5,000 ft²) farm equipment repair shop for the local farming community. The proposed AC zone will also recognize a reduced setback to a residence on an adjacent lot.

PROVINCIAL PLANNING POLICY

Rezoning's are subject to the Provincial Policy Statement and decisions of a Council are required to be "consistent" with it (Section 4.2). The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.3.1 of the PPS allows for agriculture-related uses provided those uses are compatible with and shall not hinder surrounding agricultural operations.

Agriculture-related uses include "farm related commercial and industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation".

COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURE and CORE GREENLANDS. The identified feature include Saugeen Valley Conservation Authority (SVCA) regulated Hazard Lands. Section 6.4.3 (c), of the plan provides consideration for agriculture related uses. Agriculture-related uses include *"farm related commercial and industrial uses that are small scale and directly related to the farm operation and are required in closed proximity to the farm operation"*.

Section 6.4.2 of Agriculture First policy states that "As a general rule, land use activities that support agriculture will be encouraged and land use activities that do not support agriculture will be discouraged". We believe that the proposed use meets this intent.

Section 6.4.5 of the County Official Plan allows small scale agricultural-related businesses to serve agriculture and benefits from being in close proximity that are directly related to the farm operations. The proposed farm equipment repair shop serves directly and only the agricultural community and benefits from being in close proximity to the farms.

Planning Staff have recommended only a portion of the lands 0.17 ha (0.42 ac) be rezoned in order to maintain the small scale use.

ZONING BY-LAW

The subject lands are zoned Agriculture (A) and Natural Environment (NE) zone. Based on the mapping provided by SVCA it appears the proposed shop is located outside the regulated area. Section 2.6 of the Minto zoning by-law states that the boundary of the NE zone can be more precisely determined by the applicable Conservation Authority.

Based on the reinterpreted NE zone boundary, the proposal is to rezone a portion of the subject lands (approximately 0.17 ha (0.42 ac) from Agriculture (A) to Agricultural Commercial Exception (AC-116) zone to facilitate the construction of a 464.5 m² (5,000 ft²) farm equipment repair shop. The proposed farm equipment repair use is permitted within the AC zone. Planning staff are recommended that only a portion of the property be rezoned to maintain a small scale operation on the reduced lot area. Site-specific

regulations have also been requested as part of this application for minimum setbacks from residence on an adjacent lot.

Draft Zoning By-law

A draft zoning by-law amendment has been prepared and attached to this report for council's consideration.

Site Plan Approval

Planning Staff note that site plan approval will be required for the proposed development. Based on the provided site plan, it appears the closest neighboring dwelling is approximately 50 m (164 ft) from the proposed new AC zone. Screening and landscaping should be considered as part of the site plan review.

Respectfully submitted
County of Wellington Planning and Development Department



Jamie Barnes
Junior Planner



Jessica Rahim
Senior Planner

**THE CORPORATION OF THE TOWN OF MINTO
BY-LAW NUMBER _____.**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 01-86
BEING THE ZONING BY-LAW FOR THE TOWN OF MINTO**

WHEREAS, the Council of the Corporation of the Town of Minto deems it necessary to amend By-law Number 01-86; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended

NOW THEREFORE the Council of the Corporation of the Town of Minto enacts as follows:

1. THAT Schedule 'A' Map 1 to By-law 01-86 is amended by changing the zoning on lands legally described as Concession 15, Part Lot 22 and Part Lot 23 with a civic address of 5982 14th Line as shown on Schedule "A" attached to and forming part of this By-law from: **Agricultural (A) to Agricultural Commercial Exception (AC-116)**

2. That Rural Area Exception Zone, is amended by the inclusion of the following new exceptions:

36.116 5982 14 th Line	AC-116	Notwithstanding any other provisions of this zoning by-law to the contrary, the lands zoned AC-116 may be used for a farm equipment repair use within a defined area of 0.17 ha (0.42 ac) as shown on Schedule A- Map 1, and the following special provisions shall apply: a) No permitted Agricultural Related Uses, including outdoor storage and display area shall be located within 50m (164 ft) of any residence on a nearby lot existing as of January 1, 2024.
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3. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 01-86, as amended.

4. THAT this By-law shall come into effect from the date of passing by Council and come into force in accordance with the requirements of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2024

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2024

_____.

MAYOR

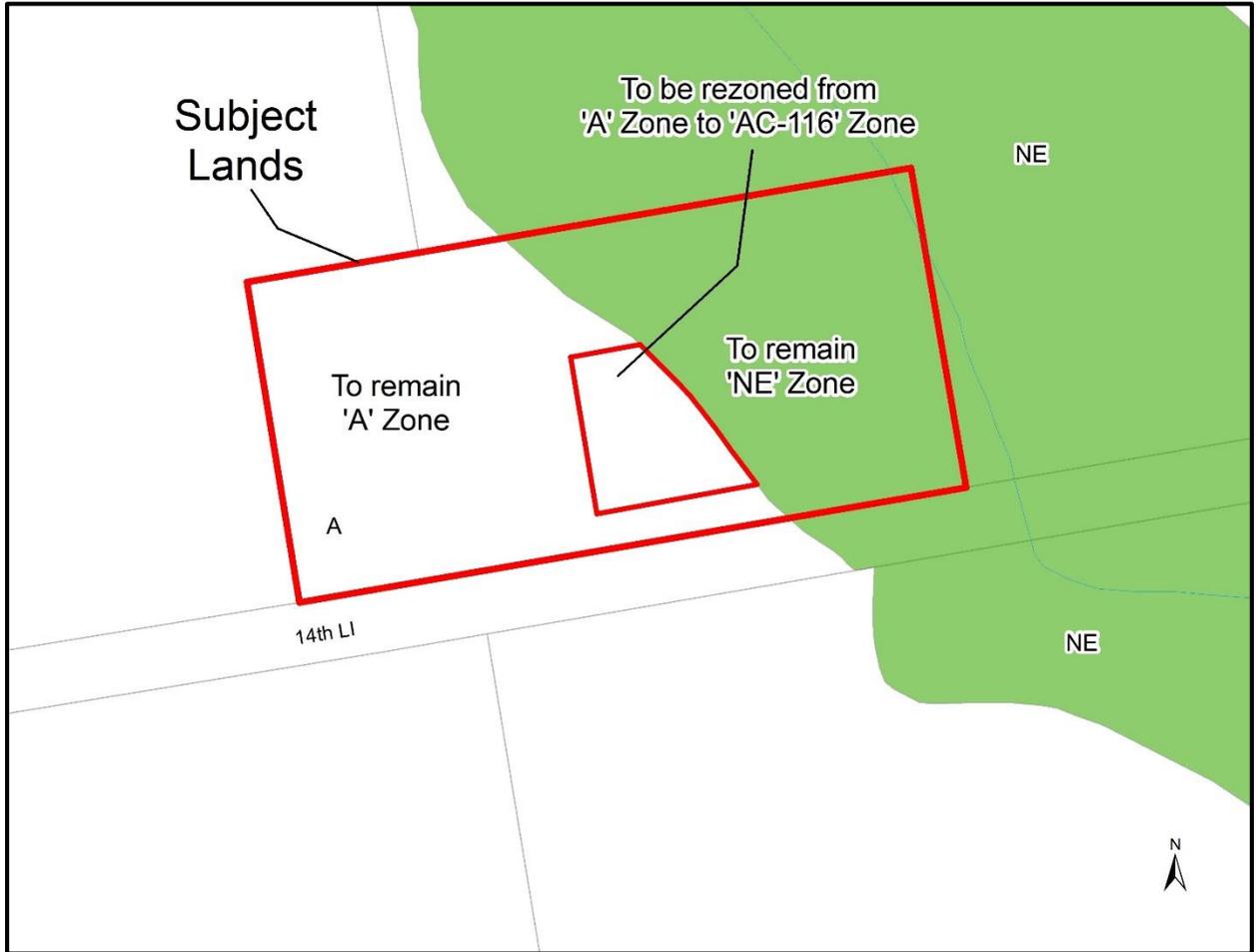
_____.

CLERK

THE TOWN OF MINTO

BY-LAW NO _____.

Schedule "A"



Passed this ___ day of _____ 2024.

MAYOR

CLERK

EXPLANATORY NOTE
BY-LAW NUMBER _____.

THE SUBJECT LAND is located at Concession 15, Part Lot 22 and Part Lot 23 with a civic address of 5982 14th Line. The subject property is approximately 2.15 ha (5.31 ac) and is currently zoned Agricultura (A) and Natural Environment (NE) zone.

THE PURPOSE AND EFFECT of the proposed amendment is to rezone a portion of subject property (approximately 0.17 ha (0.42 ac) from Agricultural (A) to Agricultural Commercial Exception (AC-116) to facilitate the construction of a farm equipment repair shop.