



PLANNING REPORT for the TOWN OF MINTO

Prepared by the County of Wellington Planning and Development Department

DATE: June 5, 2017
TO: Bill White, C.A.O.
Town of Minto
FROM: Linda Redmond, Manager of Planning and Environment
County of Wellington
SUBJECT: **Levi Martin & Lloyd Martin**
Part Lot 16, Con 9, 9304 Road 3 N Line
Zoning By-law Amendment

PLANNING OPINION

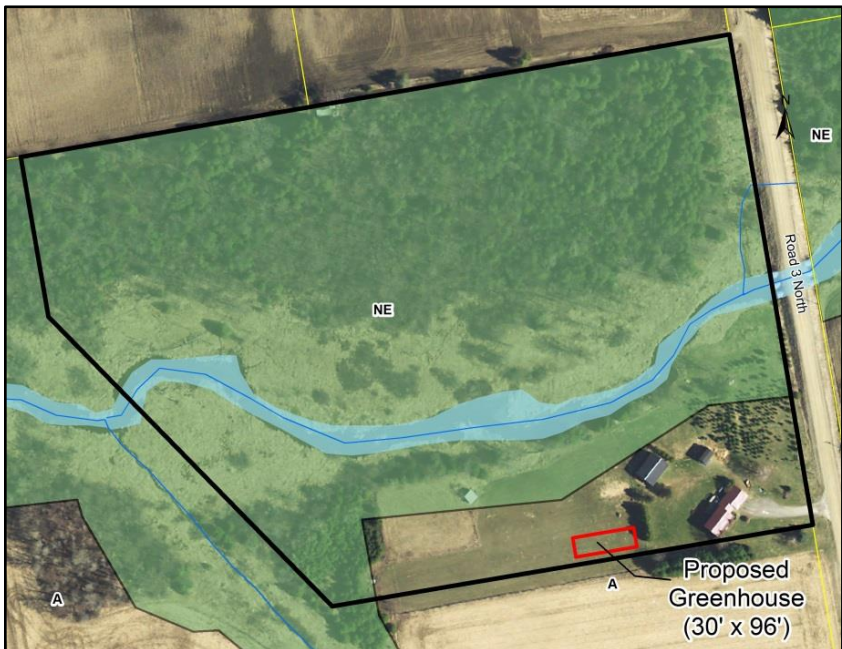
This zoning amendment would allow for a commercial greenhouse on the subject lands. This use would fall under the definition of both an agricultural and an agricultural-related use. Under the PPS and Official Plan, agricultural-related uses may be permitted in prime agricultural areas provided that they are farm-related, compatible with surrounding agriculture, directly related to farm operations in the area and supports agriculture. The applicant has indicated that plants grown in the greenhouse will be sold (retailed) from the property. The definition of agricultural use in the Official Plan also includes the growing of nursery and horticultural crops. Staff's opinion is that this use is in keeping with the intent of the PPS and Official Plan.

INTRODUCTION

The property subject to the proposed amendment is located on Part Lot 16, Con 9 (Minto), RP 60R-2212, Part 1, municipal address 9304 Road 3 N Line. The property is approximately 7.16 ha (17.7 acres) in size and there is an existing single detached dwelling and accessory buildings on the property.

PROPOSAL

The purpose of the zoning amendment is to rezone the property to permit the construction of a commercial greenhouse. The applicant is proposing to construct a 267.6 m² (2880 ft²) greenhouse on the property. The greenhouse is proposed to be located to the rear of the existing dwelling and approximately 3.04 m (10 ft) from the south lot line, and 47.9 m (157 ft) from the boundary of the Natural Environment (NE) Zone. The applicant has indicated that the plants grown in the greenhouse would be sold (retailed) on the property.



PROVINCIAL POLICY STATEMENT (PPS)

The subject property is located within the Prime Agricultural Area. Under Section 2.3.3 of the PPS, permitted uses within the Prime Agricultural Area include *agricultural uses*, *agricultural-related uses* and *on-farm diversified uses*. Proposed *agricultural-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder surrounding agricultural operations.

An Agricultural-related use “means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity”.

COUNTY OFFICIAL PLAN

The subject property, including the portion of the property proposed to be rezoned is located within the Prime Agricultural Area. Under section 6.4.3 permitted uses within the Prime Agricultural Area include: agricultural uses, secondary uses including home businesses and farm businesses, agriculture-related uses and single detached dwellings.

The definition of agricultural use in the Official Plan includes the growing of nursery and horticultural crops.

Section 6.4.5 of the County Official Plan allows small scale agriculture-related businesses as required to serve agriculture and directly related to farm operations. The plan requires that farm-related commercial and farm-related industrial uses are to be small-scale and directly related to farm operations and are required in close proximity to agricultural operations. This policy does not restrict the products to “*the farm*” and contemplates uses that may be related to a number of farms. Taking into account also the Agriculture First policy of Section 6.4.2 which 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 proposal is in keeping with the intent of the Plan.

A large portion of the property is designated as Core Greenlands. Development in this area is restricted. Section 5.6.4 identifies that Core Greenland areas shall be placed in a restrictive zone which prohibits buildings, structures and site alterations except in specific circumstances. No development is proposed within the Core Greenlands Area. The greenhouse is proposed to be located approximately 47.9 m (157 ft) from the boundary of the Core Greenlands Area.

SOURCE PROTECTION

The subject property is subject to the Maitland Valley Source Protection Plan Area and is located within a Well Head Protection Area – D, with a Vulnerability Score of 4. The proposed greenhouse is not considered a significant threat and no further actions are required under the Source Protection Plan.

ZONING BY-LAW 01-86

The subject property is currently zoned Agricultural (A) and Natural Environment (NE). The proposed Greenhouse is located within the Agricultural (A) zoned portion of the property. Permitted uses within the Agricultural (A) area include: agricultural uses, single detached dwellings, and home industries.

Section 6.20.1 requires that all buildings and structures must maintain a 30.0 m (98.4 ft) setback from the boundary of the Natural Environment (NE) zone. The proposed greenhouse appears to meet this standard as it is proposed to be located 47.9 m (157 ft) from the boundary.

The applicants have proposed a side yard setback of approximately 3.04 m (10 ft) from the south lot line which meets the zoning requirements for accessory structures in the Agricultural zone. A 3.04 m (10 ft) setback should provide for adequate access and drainage around the greenhouse and should not impact the adjacent property (agricultural field).

PLANNING DISCUSSION

This use would fall under the definition of both an agricultural and an agricultural-related use provided it is small scale. Under the PPS, the Official Plan and the Zoning By-law, agriculture related uses in a prime agricultural area *may* be permitted provided that they are farm-related, compatible with surrounding agriculture, directly related to farm operations in the area and supports agriculture. The PPS does establish this as a primary criterion. We note that the applicant has indicated that plants grown in the greenhouse will be sold (retailed) from the property. The growing of plants in the greenhouse is considered an agricultural use, while the retail sale of the plants on the property is an agricultural-related use.

A draft zoning by-law has been prepared (attached to this report) for Councils consideration that applies a site specific exception to the property to permit the commercial greenhouse use. The property will continue to be zoned Agricultural (A) as opposed to being changed to an Agricultural Commercial (AC) Zone which would permit a wider variety of uses on the property.

Respectfully submitted
County of Wellington Planning and Development Department



Linda Redmond, Manager of Planning and Environment

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

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 01-86
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;

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

1. THAT Schedule "A" - Map 1 - Town of Minto Zoning By-law 01-86 is amended by rezoning the lands described as Part of lot 16, Con 9, RP 60R-2212, Part 1, as shown on Schedule "A" attached to and forming part of this By-law, from **Agricultural (A)** to **Agricultural Exception (A-115)**.
2. THAT Section 36 Exception Zone 3 – Town of Minto, is amended by the inclusion of the following new exception:

36.115 Part Lot 16, Con 9	A-115	In addition to the uses permitted in the Agricultural zone, a commercial greenhouse shall also be permitted and shall be required to meet the requirements for an accessory structure.
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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 upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS ____ DAY OF _____, 2017

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2017

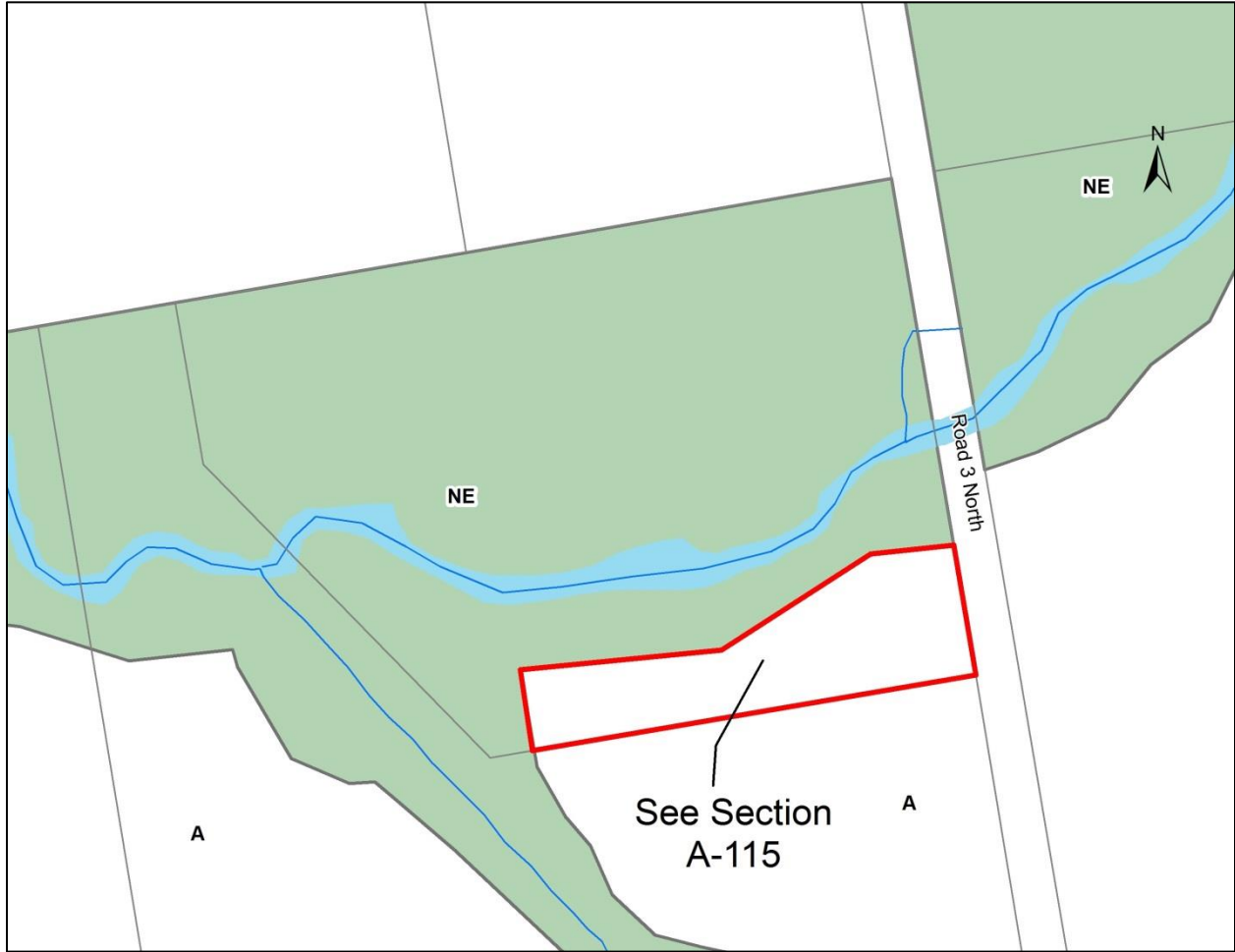
MAYOR

CLERK

THE TOWN OF MINTO

BY-LAW NO _____.

Schedule "A"



Passed this ____ day of _____ 2017.

MAYOR

CLERK

EXPLANATORY NOTE
BY-LAW NUMBER _____.

THE SUBJECT LAND is located on Part Lot 16, Con 9 (Minto), RP 60R-2212, Part 1, municipal address 9304 Road 3 N Part Lot 2, Concession 6, RP 61R-5840, Part 1, municipal address 6729 6th Line. The property is approximately 7.16 ha (17.7 acres) in size and there is an existing single detached dwelling and accessory buildings on the property.

THE PURPOSE AND EFFECT of the amendment is to rezone the property from from Agricultural (A) to Agricultural Exception (A-115) to permit a commercial greenhouse on the property.