



PLANNING REPORT for the TOWN OF MINTO

Prepared by the County of Wellington Planning and Development Department

DATE: August 1, 2018
TO: Bill White, C.A.O.
Town of Minto
FROM: Jessica Wilton, Junior Planner and
Curtis Marshall, Senior Planner
County of Wellington
SUBJECT: **Mark Wassink**
Part Lot 37, Concession 6 (Minto), 5411 7th Line
Zoning By-law Amendment

PLANNING OPINION

The purpose of this zoning amendment is to prohibit future residential development on the retained agricultural portion of the subject lands. The applicants have also requested to rezone the severed rural residential portion of the property to permit a reduced lot frontage, and to recognize the existing bank barn as an accessory building which would no longer be used for livestock.

This rezoning is a condition of severance application B32/18, which has been granted provisional consent by the Wellington County Land Division Committee. The consent will sever a 1.2 ha (3.0 ac) parcel with the existing residence and barn. A vacant 39.3 ha (97 ac) agricultural parcel would be retained.

Planning Staff have no concerns with the prohibition of future residential construction on the proposed retained parcel, and the reduced lot frontage for the severed parcel as these provisions fulfill conditions of the Consent approval (surplus farm dwelling severance).

Planning Staff note that the existing bank barn is much larger than normally permitted for an accessory building on a lot of this size. Planning Staff recommend that should Council have no concerns with allowing the bank barn to be recognized as an accessory building, provisions should be imposed to limit the use of the building. Planning Staff have included as part of draft zoning by-law amendment for Council's consideration provisions to prohibit the use of the bank barn for livestock and/or commercial/business uses, to prohibit additional accessory buildings from being constructed on the property, and a limitation that the recognition of the large ground floor area only applies to the existing barn. If the bank barn is ever removed by the owner, the permission for the increased ground floor area would be lost.

INTRODUCTION

The property subject to the proposed amendment is located on Part Lot 37, Concession 6 (Minto), with a municipal address of 5411 7th Line. The proposed vacant retained agricultural parcel is 39.3 ha (97 ac). The proposed severed parcel is 1.2 ha (3.0 acres) in size and contains an existing single detached dwelling and barn.

PROPOSAL

The purpose of this zoning amendment is to prohibit future residential development on the retained agricultural portion of the subject lands to fulfill a condition of the surplus farm dwelling severance application (B32/18). The applicants have also requested to rezone the severed rural residential portion of the property to permit a reduced lot frontage, and to recognize the existing bank barn as an accessory building which would no longer be used for livestock. Location map showing the property is provided below.

Figure 1: Location Map

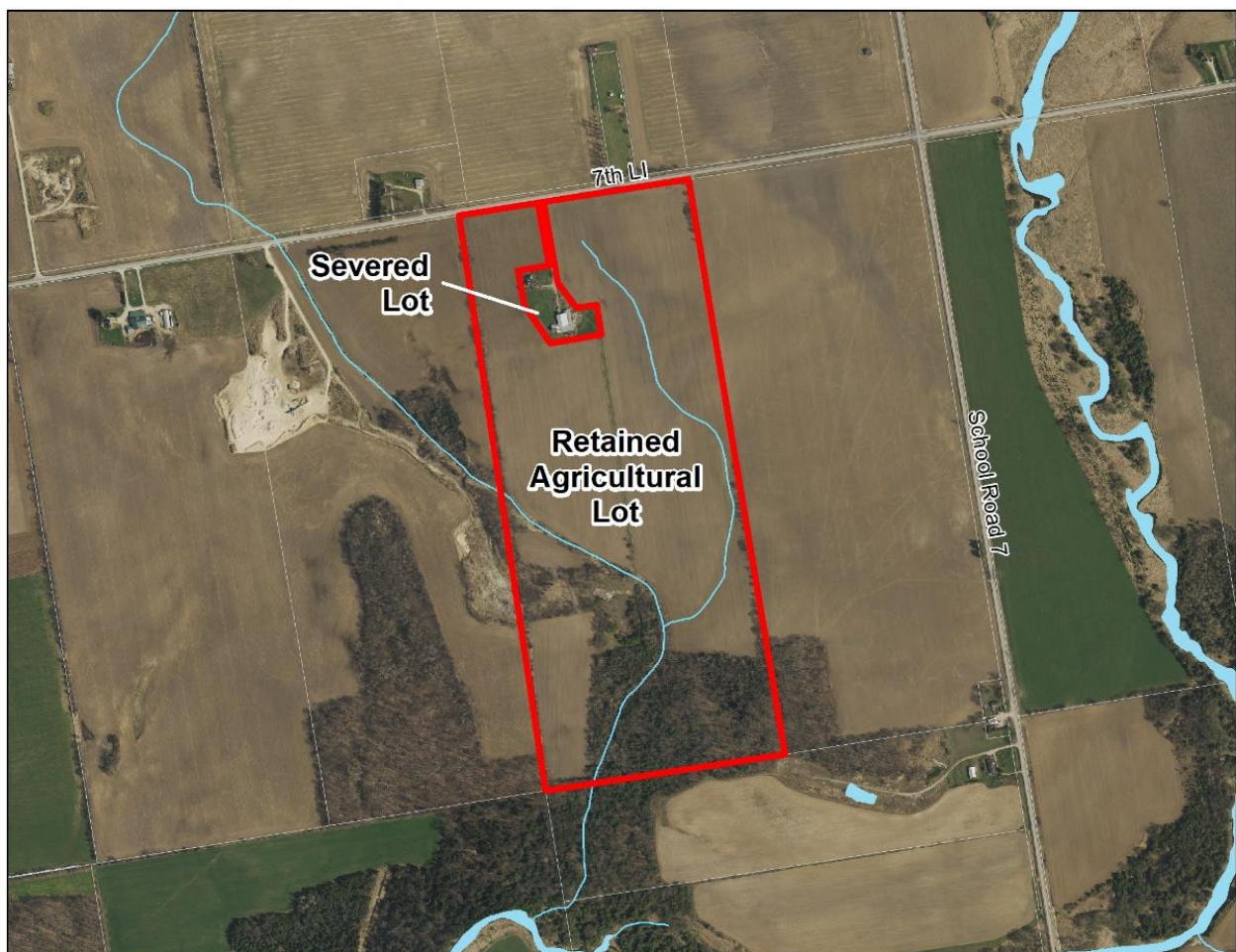
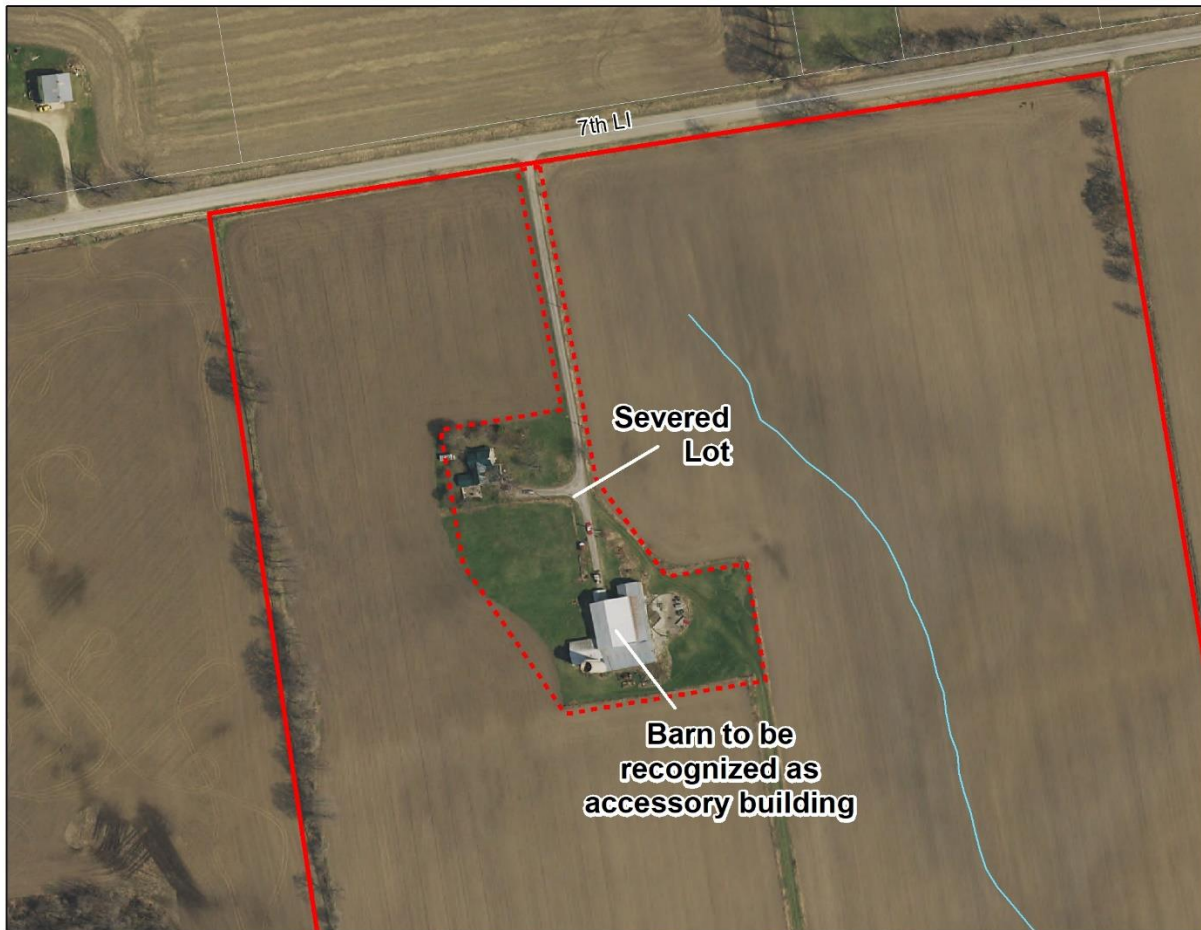


Figure 2: Proposed Severed Parcel



PROVINCIAL POLICY STATEMENT (PPS)

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.4.1(c) of the PPS provides consideration for the severance of a surplus residence, provided that new residential dwellings are prohibited on the remnant parcel of farmland. The applicant has indicated through their consent application that the intent of the severance is to remain agricultural.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURAL, CORE GREENLANDS AND GREENLANDS. The Prime Agricultural designation permits existing uses, agricultural uses and a single detached dwelling.

Section 10.3.4 of the Plan implements the PPS and requires that the remnant agricultural parcel be rezoned to prohibit dwellings.

ZONING BY-LAW

The proposed retained parcel is zoned Agricultural (A), Natural Environment (NE) and Extractive Industrial (EI). Permitted uses in the Agricultural zone include agricultural uses, single detached dwellings and accessory uses.

PLANNING DISCUSSION

Prohibition of a Residential Dwelling

The draft zoning by-law amendment attached to this report introduces a site specific exception on the proposed retained parcel which prohibits the construction of a future residential dwelling. This provision ensures that the proposed severance is consistent with Provincial Policy and the County Official Plan policies which allow for surplus farm dwelling severances.

Reduced Lot Frontage

The draft zoning by-law amendment attached to this report introduces a site specific exception on the proposed severed residential parcel. The site specific exception recognizes a reduced lot frontage for the proposed lot of m (26.24 ft) whereas the required lot frontage is 30.5 m (100 ft). The purpose for a minimum lot frontage is to ensure safe access to the property is available. The driveway is existing and currently being used to access the property. Planning Staff are satisfied that the reduced frontage is sufficient in this case and the reduced width serves to limit impacts and fragmentation to the existing agricultural crop fields.

Existing Bank Barn

The proposed severed parcel has an existing barn on the subject lands that is 985 m² (10,600 ft²) in ground floor area. The applicant wishes to retain the existing bank barn on the property and has requested that the barn be recognized through the zoning amendment as an accessory building to the rural residential use. The applicant has indicated that they do not wish to use the building for livestock.

The proposed new lot area is approximately 1.2 ha (3 ac) and under the zoning by-law a maximum floor area of 176.5 m² (1900 ft²) for all accessory buildings is permitted based on the size of the proposed lot. The zoning by-law regulates the maximum floor area based on the size of the lot to ensure that the building remains incidental, subordinate, and exclusively devoted to the main use, building, or structure located on the same lot.

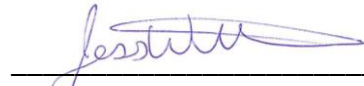
Planning Staff note that the existing bank barn is much larger than normally permitted for an accessory building on a lot of this size. Planning Staff recommend that should Council have no concerns with allowing the bank barn to be recognized as an accessory building, provisions should be imposed to limit the use of the building. The site specific exception proposed in the draft zoning by-law includes provisions to prohibit the use of the bank barn for livestock and/or commercial/business uses, and prohibit additional accessory buildings from being constructed on the property. The exception also limits that the recognized large ground floor area only applies to the existing barn, and if the bank barn is ever removed by the owner, the permission for the increased ground floor area is lost.

Draft Zoning By-law

A draft zoning by-law amendment has been attached to this report for public viewing and Council's consideration which introduces two site specific exception for the subject lands.

Respectfully submitted

County of Wellington Planning and Development Department



Jessica Wilton, Junior Planner



Curtis Marshall, MCIP, RPP
Senior Planner