



## PLANNING REPORT for the TOWNSHIP OF MINTO

Prepared by the County of Wellington Planning and Development Department

**DATE:** August 28, 2018  
**TO:** Bill White, C.A.O.  
Town of Minto  
**FROM:** Curtis Marshall, Senior Planner  
County of Wellington  
**SUBJECT:** **Final Report & Draft By-law**  
**Leon Brubacher**  
**5543 Minto-Normanby Townline**  
**Zoning By-law Amendment**

### PUBLIC MEETING

A public meeting for the application was held on August 3, 2018. Comments were received from a neighbouring property owner at 5557 Minto-Normanby Townline. A copy of the neighbours letter is attached as **Schedule 2** to this report. The application was deferred by Council pending a further review by Planning Staff of additional information provided by the applicant.

### SUPPORTING INFORMATION

Planning Staff requested additional information from the applicant in order to fully review the application against the PPS and the County Plan to determine if the expansion of the existing business is appropriate as an agriculturally related use (Agricultural Commercial), is compatible, and is of an appropriate scale and size.

Additional information has been provided by the applicant and is attached as **Schedule 1** to this report.

A summary of Planning Staff's questions and the applicant's responses (*in italics*) are provided below:

1. An explanation of the nature of the existing corn planter repair business and how the business may be expanded/changed. Are additional uses being proposed?  
*Our services include maintenance to corn planting equipment as well as upgrades in technology to existing planters. We add the latest in planting technology to older planters saving the farmer considerable cost compared to buying a new planter. We also buy new frames from a company in IA and add the same products to it to supply farmers with a completely new planter. This also includes adding fertilizer attachments to planting equipment.*
2. Confirm how the business serves agriculture.  
*The equipment we work with/on is only used in agriculture. Primarily for planting corn, wheat and beans.*
3. How will the additional floor area and land area be utilized?  
*Currently our shop is about 40 ft wide and 50 ft deep. With larger equipment being 40 ft to 60 ft wide and also pulling fertilizer carts we feel a need for a larger shop area. Our hope is to be able to use current shop area for additional parts storage and change use of existing 96 ft by 50 ft drive shed into shop. The outside area zoned commercial is for parking planters that are either for sale or in for service work.*
4. The expected number of employees.  
*Our current staff is all family members at home with plans to hire one additional employee*

*through the winter months.*

5. Timing for the expansion.

*We are hoping to be able to renovate shop this fall. Oct-Dec.*

6. A more detailed site plan showing the proposed use of the property and possible location of the new building(s).

*We have no definite plans for additional buildings and are very unsure at this point what our needs will be in the future. Ideally at this point a shop 70 ft wide would better suit our needs than a 50 ft shop but at the same time a 50 ft shop would be workable and give us time to see if it remains satisfactory or if we need to build additional space.*

7. Information on traffic to and from the property. How are goods shipped and received?

*Traffic to and from our property currently comes in our farm driveway. Goods (supplies) are shipped on pallets with transport trucks or in small boxes with parcel delivery trucks. Planters are brought in and out behind farm tractors unless they are hauled a long distance. In that case they are sometimes loaded on trucks.*

8. Are there any potential impacts to adjacent properties?

*I am not aware of any impacts to adjacent properties.*

## **PUBLIC COMMENTS**

Comments have been received from the owners of 5557 Minto-Normanby Townline which is directly east of the subject property. A summary of the neighbours comments/concerns are provided below:

- Have no concerns with the full utilization of the existing drive shed for the business.
- Concerns relate to the future expansion plans and potential size and scale of the business.
- Concerns that 15,000 ft<sup>2</sup> is better suited for an industrial park and not on prime agricultural land.
- Concerns with the increased number of employees, production, and traffic which will impact neighbouring properties.
- Concerned with the potential “unknown”, as specific plans and details are not known by the applicant at this time. How will zoning regulate future use if plans/details are unavailable?

## **PLANNING COMMENT**

Planning Staff appreciate receiving the additional information from the applicant. This information was helpful to better understand the applicant’s corn planter business.

After reviewing the additional information provided, and considering Provincial and County policies related to agricultural related businesses and on-farm diversified uses, Planning Staff are recommending that the corn planter business continue to be recognized as an on-farm diversified use and not rezoned to Agricultural Commercial (AC). The applicant currently operates a commercial farming operation (beef and cash crop) on the property and the business currently operates under the County Official Plan, and the Town’s Zoning By-law as a “home industry”. Planning Staff have no concerns with allowing the conversion of the existing drive shed to be utilized for the business to a total of 724.5 m<sup>2</sup> (7,800 ft<sup>2</sup>) which will provide double the current permitted floor space (of 301.9 m<sup>2</sup> (3250 ft<sup>2</sup>)). This additional space will allow for growth of the business. The applicant has indicated that the employees are currently family members who reside on the property and that it is anticipated that one non-family employee will be hired in the winter. This is consistent with the home industry zoning regulations that allows for up to 2 non resident employees. The existing drive shed and gravel yard is located within the farm building cluster on the property which limits impacts to neighbouring properties.

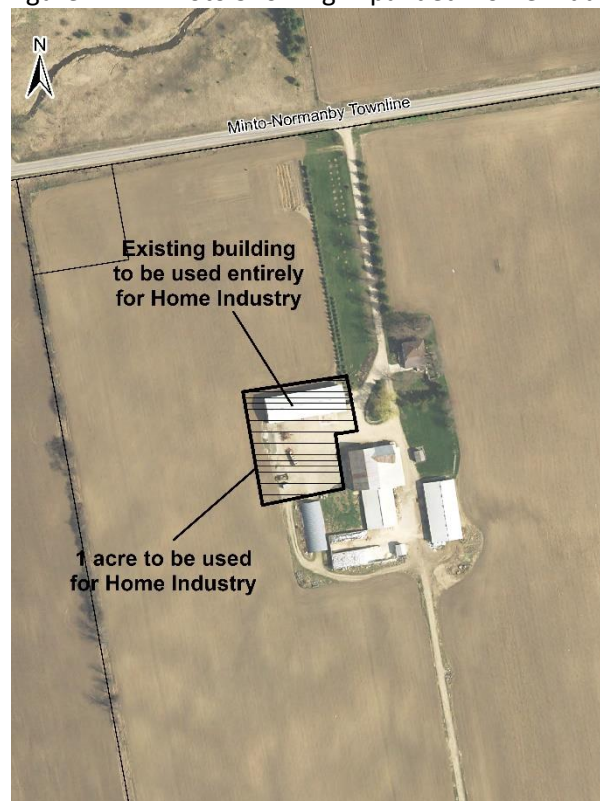
At this time Planning Staff do not support the applicants request for an additional 669 m<sup>2</sup> (7200 ft<sup>2</sup>) of floor area (totalling 1,393 m<sup>2</sup> (15,000 ft<sup>2</sup>)) for the purpose of a future expansion. The applicant has indicated that they have no immediate plans for the additional floor space and are unsure what their needs will be in the future. The expanded business approaches a scale and size that is more typical of an Agricultural Commercial use in the Zoning By-law, and Planning Staff do not support the rezoning of the property to an Agricultural Commercial zone without more specific details and an established need for the particular zoning. It is difficult to review size, scale and potential impacts to/compatibility with neighbouring properties without further details. Planning Staff note that a further application could be considered by Council in the future if/when there is additional certainty and need.

#### DRAFT ZONING BY-LAW

Planning Staff have prepared a draft zoning by-law for Council's consideration that amends the current site specific exemption (A-96) as follows:

- Permits a total building gross floor area of 724.5 m<sup>2</sup> (7,800 ft<sup>2</sup>) for the business/use.
- Clarifies that the servicing, repair and sales of **corn planters** is permitted, and not just a "corn planter **meter** repair business".
- Allows a maximum of 0.4 ha (1.0 acres) of land area within the farm building cluster for the use including buildings, parking and loading areas, and outdoor storage/display areas. An air photo showing a 0.4 ha (1 acre) area within the farm building cluster is provided below for reference.

Figure 1: Air Photo Showing Expanded Home Industry



A copy of the final draft by-law is attached to this report as **Schedule 3** for Council's consideration.

Respectfully submitted  
County of Wellington Planning and Development Department

A handwritten signature in blue ink, appearing to read "C Marshall".

Curtis Marshall, MCIP, RPP  
Senior Planner

## **Schedule 1: Additional Supporting Information**

Aug/7/2018

### **Additional Information for planners**

1. Our services include maintenance to corn planting equipment as well as upgrades in technology to existing planters. We add the latest in planting technology to older planters, saving the farmer considerable cost compared to buying a new planter. We also buy new frames from a company in IA and add the same products to it to supply farmers with a completely new planter. This also includes adding fertilizer attachments to planting equipment.
2. The equipment we work with/on is only used in agriculture. Primarily for planting corn, wheat and beans.
3. Currently our shop area is about 40' wide and 50' deep. With larger equipment being 40 to 60' wide and also pulling fertilizer carts we feel a need for a larger shop area. Our hope is to be able to use current shop area for additional parts storage and change use of existing 96' by 50' drive shed into shop. The outside area zoned commercial is for parking planters that are either for sale or in for service work.
4. Our current staff is all family members at home with plans to hire one additional employee through the winter months.
5. We are hoping to be able to renovate shop this fall. Oct-Dec.
6. We have no definite plans for additional buildings and are very unsure at this point what our needs will be in the future. Ideally at this point a shop 70' wide would better suit our needs than a 50' shop but at the same time a 50' shop should be workable and give us time to see if it remains satisfactory or if we need to build additional space.
7. Traffic to and from our property currently comes in our farm driveway. Goods (supplies) are shipped on pallets with transport trucks or in small boxes with parcel delivery trucks. Planters are brought in and out behind farm tractors unless they are hauled a long distance. In that case they are sometimes loaded on trucks.
8. I am not aware of any impacts to adjacent properties.

Leon Brubacher

## **Schedule 2: Neighbour Comments**

Date: 8 August 2018

To: Bill White, CAO/Clerk, Town of Minto  
Michelle Brown, Building Dept., Town of Minto  
Jessica Wilton, Junior Planner, County of Wellington  
Curtis Marshall, Senior Planner, County of Wellington

From: Karen Wagner and Julie Wagner, 5557 Minto-Normanby Townline

Re: Leon Brubacher  
5543 Minto-Normanby Townline  
Zoning bylaw amendment

We have no concerns with the use of the existing building to be fully utilized as a home industry (corn planter meter repair business – we note that Mr. Brubacher’s response to the County’s questions now states he will include sales; does this change the application use?). This would allow the existing building of 301.9 meters squared / 3250 square feet to be expanded to 724.5 meters squared / 7800 square feet).

We have concerns with allowing the expansion of this home industry from agricultural exception (A-96) to an agricultural commercial zone. Allowing expansion to a total of 15,000 square feet / 1393 square meters on prime agricultural land is an application better suited to an industrial park. Such a large increase in growth indicates many more employees, increased product, more waste management and more transport truck and customer traffic.

How does the Planning Act, the Town of Minto Zoning Bylaw / Zoning Exception Bylaw and the County of Wellington Official Plan address the following issues:

1. Is a total building expansion of 15,000 square feet for a commercial business on a farm zoned prime agricultural land better suited to an industrial park location?
2. As one (1) zoned agricultural exception has already been allowed on this property (A-96), how many more exceptions would be allowed?
3. Is this a home industry or an industrial agricultural use better suited to an industrial park?
4. There is a current severance on this property. How is it impacted by the newly proposed zoning area with respect to any and all setbacks and minimum distance requirements?
5. If this application goes forward, how many employees can this expanded business have before a separate septic system is required?
6. At the 7 August 2018 Public Meeting at the Town of Minto, Mr. Brubacher stated he wants “farm buildings and a separate shop for his boys”. Given this statement is this still considered a home business or are there now two businesses operating on one site with potential separate owners – is this allowed?
7. How do/will the above documents (especially the Zoning Amendment Bylaw) address the issue of requiring the applicant to be more specific regarding / adhering to building floor area, number of building story’s, ground area to be used for outdoor storage of materials and supplies, addition of a laneway and appropriate waste management when currently no specific details have been supplied.

We would like to receive all documentation and decisions regarding this zoning bylaw amendment request.

**Schedule 3: Draft Zoning By-law**

**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 the wording of Site Specific Exception 36.96, be deleted and replaced with the following:

<b>36.96</b> Lot 34, Concession 18, Lots 33 & 34, Concession 17 (Minto), 5543 Minto- Normanby Townline	<b>A-96</b>	Notwithstanding Section 6.14 the servicing, repair, and sales of corn planters is permitted as a home industry subject to the following regulations: a) A maximum floor area of 724.5 m <sup>2</sup> (7,800 ft <sup>2</sup> ) for all buildings is permitted for the home industry. This area includes but not limited to the workshop areas, lunchroom, washroom, generator room, office, inside storage areas, mechanical room and basement area; b) The home industry use including buildings, parking and loading areas, and outdoor storage/display areas may occupy a maximum of 0.4 ha (1.0 acres) in land area and must be located within the farm building cluster; and, c) Home Industry Regulations: Sections 6.14 e), 6.14 f), 6.14 g), and 6.14 h) are also applicable.
---	-------------	---

1. THAT except as amended by this By-law, the land shall be subject to all applicable regulations of Zoning By-law 01-86, as amended.
2. 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 \_\_\_\_\_, 2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**EXPLANATORY NOTE**  
**BY-LAW NUMBER \_\_\_\_\_.**

**THE SUBJECT LAND** is located on Part Lot 33 & 34, Concession 17 and Part Lot 34, Concession 18, with a municipal address of 5543 Minto-Normanby Townline. The property is approximately 55.44 ha (137 ac) in size and is occupied by a farming operation and a home industry (corn planter meter repair).

**THE PURPOSE AND EFFECT** of the proposed amendment is to amend the site specific (A-96) agricultural exception to permit an expanded home industry (the servicing, repair and sales of corn planters) on the property.