



PLANNING REPORT for the TOWNSHIP OF MINTO

Prepared by the County of Wellington Planning and Development
Department

DATE: September 10, 2018
TO: Bill White, C.A.O.
Town of Minto
FROM: Curtis Marshall, Senior Planner
County of Wellington
SUBJECT: **George Weber**
9134 Wellington Road 5
Zoning By-law Amendment – Expanded Farm Equipment Repair Business

PLANNING OPINION

The purpose and effect of the proposed amendment is to rezone the subject land to permit an expansion to the existing farm equipment repair business. The existing Agricultural Commercial (AC) zoning permits a 743.2 m² (8000 ft²) tractor and farm equipment repair shop in addition to agricultural uses. The applicant is proposing to expand the farm equipment repair business to a maximum of 2,043 m² (22,000 ft²). A recently constructed drive shed would be utilized as part of the expansion.

Planning Staff have no concerns with the proposed expansion of the agriculturally related business. Planning Staff have prepared a draft zoning by-law amendment for public viewing and Council's consideration. Planning Staff have also proposed that the boundary of the AC exception zoning on the property be expanded by approximately 0.4 ha (1.0 ac) to include the existing buildings which are not currently located in the zoned area.

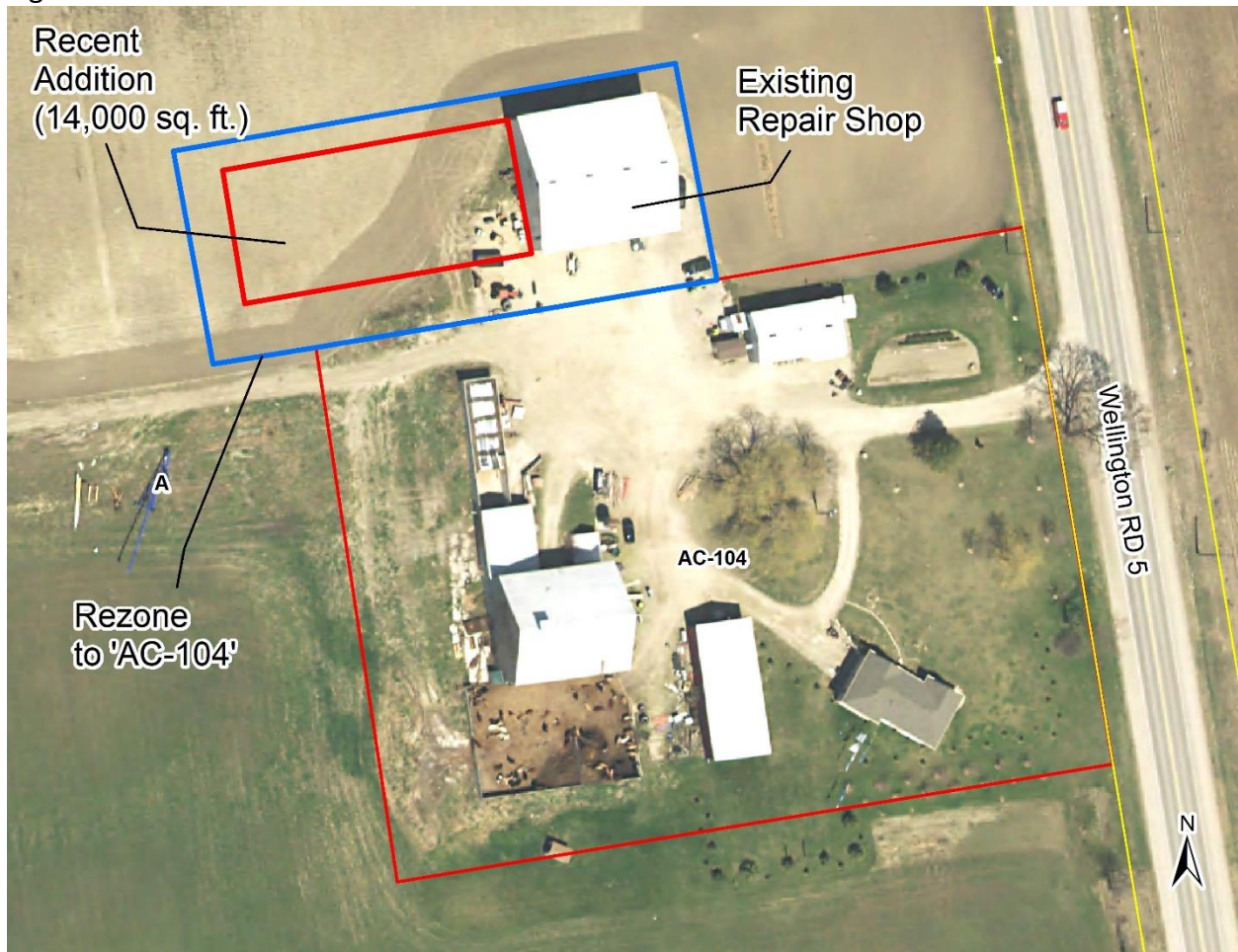
INTRODUCTION

The subject property is located at Part Lot 21, Concession 7, with a municipal address of 9134 Wellington Rd 5. The property is approximately 24.41 ha (60.3 ac) in size. The property contains a dwelling, farm buildings, and an equipment repair shop.

PROPOSAL

The purpose and effect of the proposed amendment is to rezone the subject land to permit an expansion to the existing farm equipment repair business. The existing Agricultural Commercial (AC) zoning permits a 743.2 m² (8000 ft²) tractor and farm equipment repair shop in addition to agricultural uses. The applicant is proposing to expand the farm equipment repair business to a maximum of 2,043 m² (22,000 ft²). A recently constructed drive shed would be utilized as part of the expansion. An air photo of the property is shown in **Figure 1** below.

Figure 1: Air Photo



PROVINCIAL POLICY STATEMENT

The subject property is located within the prime agricultural area. Under the PPS permitted uses within *prime agricultural areas* include: *agricultural uses*, *agricultural related uses*, and *on-farm diversified uses*. Proposed *agricultural-related uses* shall be compatible with, and shall not hinder surrounding agricultural operations.

An *agricultural-related use* is defined as follows: “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”. These uses may be of larger scale and stand alone (not required to be located on a commercial farm) which differs from a *home industry* which is intended to be small scale and must be located on farm operation.

COUNTY OFFICIAL PLAN

The subject property is designated Prime Agricultural. Under section 6.4.3 of the Plan, agricultural related uses are permitted within the Prime Agricultural Area. Section 6.4.5 further outlines that “small scale agricultural related businesses as required to serve agriculture and directly related

to farm operations may be allowed in appropriate locations and subject to zoning provisions, where they are needed in close proximity to farms”.

ZONING BY-LAW

The subject property is zoned Agricultural and Agricultural Commercial Exception (AC-104). The Agricultural Commercial Exception (AC-104) permits agricultural uses, tractor and farm equipment repairs, and accessory uses including a dwelling. The exception limits the tractor and farm equipment repair shop to 743.2 m² (8,000 ft²) in ground floor area and requires that all parts, supplies and other materials shall be kept indoors. Outdoor storage of tractors and farm equipment is only permitted on a temporary basis (while awaiting repairs).

The applicant has requested to expand the maximum gross floor area of the repair shop to 2,043 m² (22,000 ft²). The applicant recently added a 1,263.5 m² (13,600 ft²) addition to the existing 594.5 m² (6,400 ft²) repair shop. The addition was permitted by the Building Department as an agricultural drive shed. Planning Staff understand that this building was constructed to a higher building standard that would allow it to be used for a repair shop (if zoned for such use). The applicant is proposing to convert this floor space to use as part of the tractor repair shop. The applicant has also requested allowance for a future 185.8 m² (2,000 ft²) addition to the building.

The applicant has provided a supporting letter speaking to the need for the large expansion. A copy of this letter is attached as **Schedule 1** to this report.

PLANNING DISCUSSION

Site Plan Control

The Town's Site Plan Control By-law (09-07 as amended) is applicable to farm related commercial and industrial related uses greater than 557.4 m² (6,000 ft²). Planning Staff recommend that site plan approval is applied as the change of use from agricultural to agricultural commercial and the resulting 2,043 m² (22,000 ft²) building is significant.

Existing Building

Planning Staff are in support of the application and the increase in floor area for the business, however the existence of the expanded building posed an additional challenge in reviewing the appropriateness and scale of the application. A 1,263.5 m² (13,600 ft²) addition was permitted to the existing repair shop earlier this year as an agricultural drive shed. The addition was constructed to a commercial/industrial standard (which is not common for agricultural buildings) in anticipation of a future conversion (and rezoning) to a repair shop use. This approach was permitted by the Building Department. Planning Staff's concern with this approach is that the presence of the building could be viewed as pre-empting the planning process. Typically, the principle of use, which in this case is the permission for the expanded repair shop is established as the first step in the development process. It is difficult to access what an appropriate floor area (size of building) should be permitted, or where the building may be best located on the property once it has already been constructed. The applicant has constructed the building at an additional cost with the risk that a future zoning amendment is not ultimately approved (by Council or the LPAT). To avoid this situation, Planning Staff would have recommended that the

zoning amendment be submitted and approved before construction of the building.

In an attempt to avoid the above situation in the future and as a proactive approach to assist landowners/business owners, Planning Staff recommend that pre-consultations be undertaken to discuss new development proposals and the planning process. Furthermore, Planning Staff are recommending that consideration be given to revise the Agricultural Commercial and Home Industry regulations to require that the commercial/industrial uses be located in a separate building(s) from agricultural uses as is the standard in neighbouring Townships.

AC Zone Boundary

The existing repair shop (and proposed expansion) was constructed outside of the area that was zoned Agricultural Commercial Exception AC-104) in 2013. The planning report indicates that the AC exception zone was intended to apply to the building envelope on the farm as presently reflected in the zoning schedule. Planning Staff are recommending that the zoning schedule be revised to include the building clearly within the AC exception zone boundary. This results in approximately 0.4 ha (1.0 acres) of additional property being added to the AC exception zone. The proposed expanded AC exception zone boundary is shown in **Figure 1** above.

Draft Zoning By-law

A draft zoning by-law amendment has been prepared for public viewing and Council's consideration which revises the site specific Agricultural Commercial exception to permit a maximum ground floor area of 2,043 m² (22,000 ft²) for the business, and revise the AC exception zone boundary. The draft by-law is attached as **Schedule 2** to this report.

Respectfully submitted

County of Wellington Planning and Development Department



Curtis Marshall, MCIP, RPP
Senior Planner

Schedule 1: Applicant's Letter

To who it may concern -

Our Business consists of Farm tractors, combine and skid loader repairs, and assembly of some new tillage equipment.

We serve the Farming community, Fixing local equipment. Rural shops are preferred above being in the industrial park because of the size and nature of equipment.

Expected number of employees is to stay the same for the next 2 years (currently at 5 full time, 2 part-time) hoping to add 1-2 employees in the next 2-4 years.

Looking to expand From 6400 sq/feet to 14,000 sq/feet into the existing attached shed winter of 2018/2019. Convert existing wash area to work bay and add 3200 sq feet into existing shed for new wash area in 2020. Add parts storage / office into existing shed 2022 = 2800 sq-feet.

We are located on a paved county Hwy (Wellington RD 5) which poses no issues with traffic to and from shop, most goods are shipped in via couriers (UPS, Purolator etc)

No residents close by that would be impacted.

One huge factor for expanding is the need for more square footage needed per machine due

to the equipment getting ever larger.
The additional 2000 sq feet is for flexibility
in final planning of office/storage area in
2022

• WeTrac - Farm Service
George Weber
9134 WELLINGTON RD 5
RR #2 HARRISTON ON
N0G1Z0

Schedule 2: 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 Schedule "A" - Map 1 of the Town of Minto Zoning By-law 01-86 is amended by rezoning Part Lot 21, Concession 7, municipally known as 9134 Wellington Road 5 as shown on Schedule "A" attached to and forming part of this By-law, from:
Agricultural (A) to Agricultural Exception (AC-104)
1. THAT the wording of Site Specific Exception 36.104, Section i) be deleted and replaced with the following:

36.104	A-104	i) That the tractor and farm equipment repair shop not exceed a maximum ground floor area of 2,043 m ² (22,000 ft ²), and shall be subject to the requirements of Section 23.2.
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2. 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.
3. 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

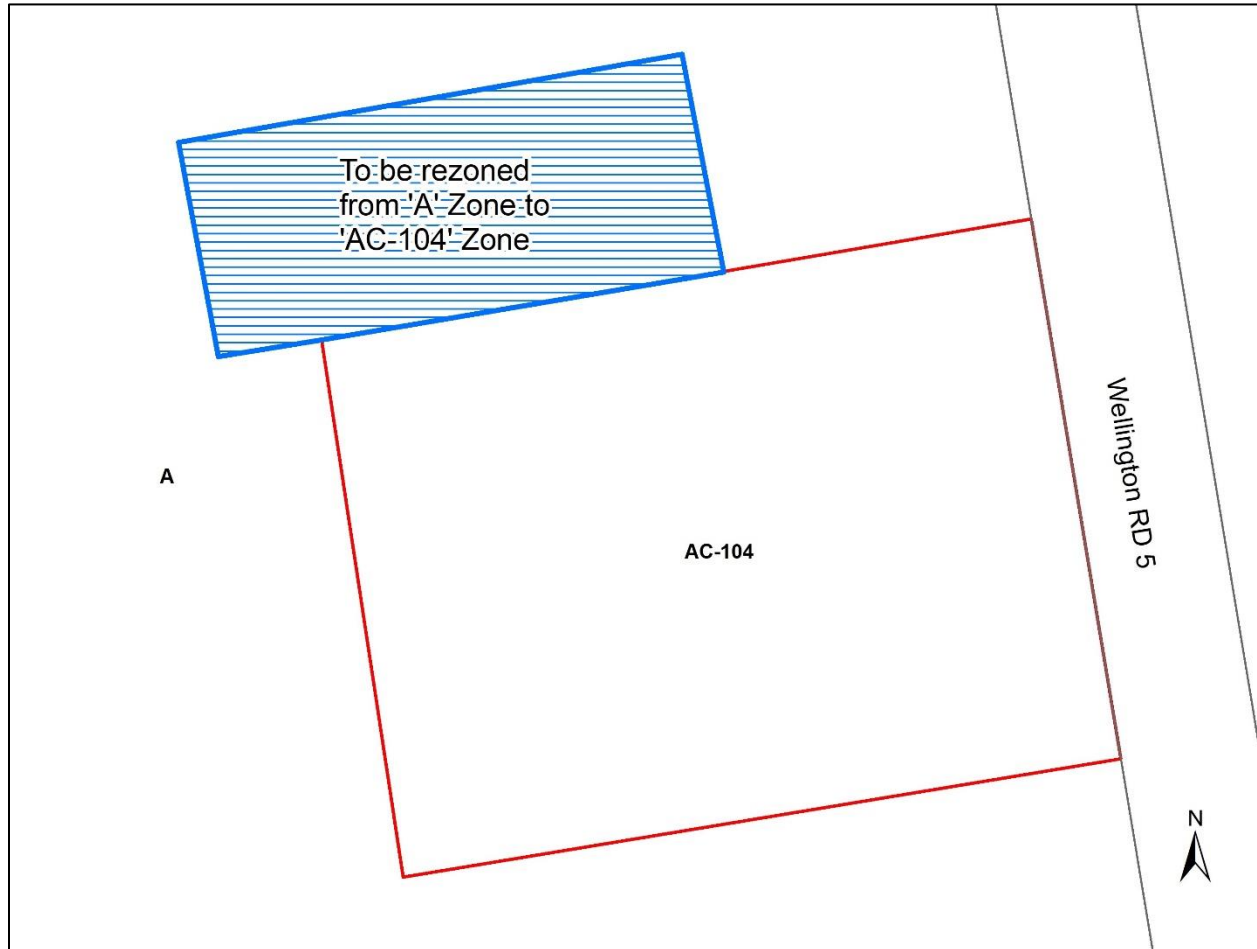
MAYOR

CLERK

THE TOWN OF MINTO

BY-LAW NO _____.

Schedule "A"



Rezoned from Agricultural (A) to Agricultural Commercial Exception (AC-104)

Passed this ____ day of _____ 2018.

MAYOR

CLERK

EXPLANATORY NOTE
BY-LAW NUMBER _____.

THE SUBJECT LAND is located at Part Lot 21, Concession 7, with a municipal address of 9134 Wellington Rd 5. The property is approximately 24.41 ha (60.3 ac) in size. The property contains a dwelling, farm buildings, and an equipment repair shop.

THE PURPOSE AND EFFECT of the amendment is to revise site specific Agricultural Commercial exception to permit a maximum ground floor area of 2,043 m² (22,000 ft²) for the business, and revise the AC exception zone boundary to include the existing expanded building.