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Staff Report PL2020-039

Title of Report: PL2020-039-C6-20 Nelson Martin
Department: Clerks
Branch: Planning Services
Council Date: September 2, 2020

Recommendation:

Be it resolved that Council receive Staff Report PL2020-039 for information; and
That Council consider approval of By-law 2020-097.

Property Location: 712789 Southgate Sideroad 71



Subject Lands:

The subject lands are described as Con 4 SWTSR, Lots 203-204 and are approximately 40ha (100 acres). The lands have frontage on Southgate Sideroad 71.

The Proposal

The proposed zoning bylaw amendment, if approved, would allow for the expansion of an existing On Farm Diversified Industrial use. The applicant wishes to add a 223m²

expansion to the existing shop for a total shop area of 520m². The amendment will also remove the number of employees restriction on the property. All other provisions of the by-law will remain unchanged.

Background

A Public meeting was held virtually on June 12, 2020. Supporting documents and comments posted on the website are available at:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#C6-20-NJM-Machining-Inc->

The comments received include:

SVCA indicated that the proposal is acceptable to the SVCA and appears to conform to the relevant policies of the County of Grey Official Plan, the Township of Southgate Official Plan and Provincial Policies. They also indicate the presence of potential Threatened and endangered species habitat. The applicant is responsible for clearing this requirement however, the SVCA note that an EIS is not recommended for this development.

The County of Grey indicate, that provided positive comments are received from the local conservation authority, County planning staff have no concerns.

Township Public Works indicate that the road is a rural asphalt standard and load restricted road. A Commercial Entrance is already present.

Historic Saugeen Metis have no objection or concerns with the proposed development.

The Grey Bruce Health unit has no concerns with the application.

There were no comments from the public.

Financial Implications:

Staff Review

Staff reviewed this application based on the Planning Act, the Provincial Policy Statement (PPS), Southgate Official Plan and the Zoning By-law.

The Provincial Policy Statement 2020 (PPS)

The PPS has been reviewed in its entirety, however, only the most relevant policies have been identified below. The subject land would constitute "Rural Area" under the definition of the PPS. The PPS allows for a variety of uses in the rural areas:

1.1.4.1 In rural areas located in municipalities:

f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;

The PPS supports the diversification of the rural economy. The proposed secondary use shop will support farming and grow the rural economic base. The lands are further categorized into Rural and Agricultural lands by the PPS. Below is a review of those policies.

Section 1.1.5.2 On rural lands located in Municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource based recreational uses (including recreational dwellings);
- c) limited residential development;
- d) home occupations and home industries;
- e) cemeteries; and
- f) **other rural land uses.**

The proposed expansion to the shop is considered a permitted use in the rural area and considered as "other rural land uses".

Section 1.1.5.3 Recreational, Tourism and other economic opportunities should be promoted.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

The volume of traffic associated with this proposal can be sustained by rural service levels. The Site Plan Control process will also provide for screening and limitations on the operation to ensure that it remains small scale and blends in with the Rural area. It is noted that the limits on number of employees will be removed.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and or uneconomical expansion of this infrastructure.

The proposed expansion to the shop is appropriate for the area and the Rural infrastructure currently in place and will not necessitate an expansion of infrastructure.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

This policy is directly supportive of Industrial shops and provides advice to the Township to promote them and direct non-agriculturally related uses to other areas of the Township.

1.1.5.8 Agricultural uses, Agricultural -related uses, on-farm diversified uses and normal farm practises should be promoted and protected in accordance with provincial standards.

Again, this policy advises the Township to promote and protect agricultural, agricultural related uses and on farm diversified uses. The expansion to the shop will broaden the tax base and provide additional employment in the Township.

The subject lands are further characterized as a prime agricultural area within the Provincial Policy Statement. The permitted uses for the agricultural lands are listed below.

"2.3.3 Permitted Uses

2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.

Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives."

The definitions of Agricultural use, Agricultural related use and on farm diversified use are provided below from the PPS.

All of the shops being proposed within the Township at the present time fall within one of the three definitions below and are therefore consistent with the definitions within the Provincial Policy.

Agricultural use "means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value retaining facilities, and accommodation for full time farm labour when the size and nature of the operation requires additional employment."

Agricultural related uses: means those farm uses 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.

On farm diversified uses: "means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value added agricultural products."

Minimum Distance Separation (MDS)

Regarding MDS, it has been reviewed and there are no barns that will be negatively impacted by the proposed metal and fabricating shop. Staff have reviewed the MDS information provided and there are no concerns regarding MDS.

The proposal will not hinder surrounding agricultural operations and will not require infrastructure development. The proposal is consistent with the definitions and policies of the PPS including promoting diversification of the economic base and employment opportunities. Based on the foregoing, the proposal appears to be consistent with the PPS.

Township Official Plan

The Township of Southgate Official Plan (OP) designates the subject lands "Rural" and "Hazard lands". The OP provides for small scale commercial and industrial uses on properties greater than 20ha to a maximum of 750m² in size. The maximum outside storage is 500m² in addition to the 750m² building size. The proposal is to expand the shop to a size of so that it will be 520m² in size. The outdoor storage area will remain the same. The proposal complies with the above policy as well as when you look at the definition of small scale below.

The Official Plan defines Small Scale on parcels larger than 20 hectares as: a maximum structure size of 750m² and a maximum outdoor storage display area of 500m² will be permitted. If the structure is less than 750m², the outside display area may be increased, so that the combined outside display area and structure does not exceed 1250 square meters.

The proposal meets this definition and is therefore considered small scale under the policies of the Township Official Plan.

The Township Official Plan section 5.2.1 Rural designation permitted uses include the following:

"iv. small scale commercial and industrial uses;"

As noted above, the proposal meets the Official Plan Definition of Small Scale and is therefore considered a permitted use in the Rural Designation.

Section 5.2.3 Development Policies

"5. For new or expanding small scale commercial and industrial uses, where the arm parcels are greater than 20 hectares, a maximum structure size of 750 square metres and a maximum outdoor storage size of 500 square meters will be permitted. Where the maximum structure size is less than 750 square metres, more outdoor storage space will be permitted up to a combined maximum of 1250 square metres. For those parcels less than 20 hectares, a maximum structure size of 250m² and a maximum outdoor storage area of 750m² will be permitted. The applicant must demonstrate that the proposed use is not better suited in a designated settlement area. These uses will only be permitted, subject to satisfying the Development Policies as outlined in this Section. Council may, in future limit the commercial or industrial use through the implementing zoning By-law Amendment.

6. That the location of the non-farm use imposes no operating constraints to an existing farm operation. Any non-farm land use must comply with the Minimum Distance Separation Formulae."

The proposal is consistent with the Development policies of the Official Plan and through site plan control will blend in with the Rural landscape. The proposal will assist the farming operation by providing support in the form of income and proximity to the farming operation to allow the farming operation to continue to be located in this area. While a use like this could potentially be situated in an industrial park, it is in my opinion, better suited to the rural area because it allows farming to continue on the property and supports the agricultural community. The expansion to the shop broadens the tax base and supports the rural economy while operating using minimal infrastructure and servicing. Furthermore, it allows those citizens who rely on animals for transportation to live and work in the same area.

Zoning By-law

The subject property is currently zoned Agricultural (A1-308), and Environmental Protection (EP). The proposed amendment would utilize that same zoning exception and simply change the provisions of that zone to include the increased size limit as well as the removal of restriction on employees. Site Plan control will also be required in order to reflect the new building size and location.

Conclusions

Based on the above policy review and the information provided and comments received, the proposal is consistent with the Policies of the Provincial Policy Statement, The County of Grey Official Plan, The Township of Southgate Official Plan. The proposed zoning by-law amendment should therefore be approved and is considered appropriate for the area and good land use planning.

Respectfully Submitted,

Municipal Planner: *Original Signed By*
Clinton Stredwick, BES, MCIP, RPP



CAO Approval: *Original Signed By*
Dave Milliner, CAO

Attachments: