



Staff Report PL2021-045

Title of Report: PL2021-045 – ZBA C4-21 Elam and Nancy Martin
Department: Clerks
Branch: Planning Services
Council Date: May 19, 2021

Recommendation:

Be it resolved that Council receive Staff Report PL2021-045 for information; and
That Council consider approval of By-law 2021-077.

Property Location: 260145 Southgate Rd 26



Subject Lands:

The subject lands are described as Con 2 SWTSR, Pt Lots 198 to 200 Geographic Township of Proton and are approximately 28ha (70 acres). The lands have frontage on Southgate Road 26 and Southgate Sideroad 73.

The Proposal

The proposal is to allow for the conversion of the existing outside storage to inside storage. The existing shed will be converted to storage for the existing shop. The outside storage area will be reduced so that the total combined storage complies with

the Official Plan requirements. The existing shop is 647m² and the outside storage is 549m².

The Effect of the proposed zoning by-law amendment would be to change the zone provisions on the subject lands to permit an existing shed to be used for storage of material within the existing Agricultural Exception A1-293 zone (A1-293). Any Environmental Protection Zone Boundary may be adjusted based on Conservation Authority comments.

Background

A Public meeting was held virtually on April 28, 2021. Supporting documents and comments posted on the website are available at:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#C4-21-Elam-and-Nancy-Martin>

The comments received include:

The Building department indicate that a change of use permit will be required as well as a barrier free washroom if one has not been provided in the past.

The Public Works Department indicate that they have no concerns and that a commercial entrance with paved apron has already been installed.

The County of Grey staff have no concerns with the proposed application.

The SVCA indicate the proposal is acceptable to SVCA staff.

The Historic Saugeen Metis indicate that they have no concerns or objection.

No comments were received from members of the public.

Financial Implications:

The proposal does not represent the construction of more structures. It is merely the conversion of an existing shed to be used as storage for the industrial shop. It is not anticipated that this will have any significant impact on Township Finances.

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 existing Industrial use supports farming and grows the rural economic base. The alteration of the outside storage will only support this policy. The subject lands are considered as Rural within 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 alteration for outside storage is considered a permitted use and accessory to a permitted use.

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 proposed change will not affect the volume of traffic to the site. It only affects the distribution of inside vs outside storage. 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.

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 repurposing of the existing shed is appropriate for the area and the Rural infrastructure currently in place and will not necessitate any 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. The alteration to storage facilities in this case is supportive and appropriate.

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 proposed alteration to the storage on side will support the on farm use by allowing it to storage metal on site without exposing it to the elements causing it to rust.

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. The proposed alteration to the outside storage will not offend these definitions.

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."

The alteration to the outside storage is permitted in the above definitions and considered appropriate given that it reduces the visual impact of the storage itself and supports the business by keeping its stock dry.

Minimum Distance Separation (MDS)

Regarding MDS, It is not applicable in this instance and will not affect any barns within the area.

Based on the above, 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 amend the provisions in the bylaw so that the currently approved 549m² of outside storage would be reduced to 233m² and then the 361.86m² shed would be recognized as for storage only within the bylaw. The total indoor and outdoor storage would be 595m². The shop including the office and power room size that is currently approved is 647m². No changes are proposed to this shop size.

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 would still meet these size requirements and therefore this definition. The proposal 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 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 will blend in with the Rural landscape. The use of the shed will not change the character of the area and makes efficient use of existing structures.

Zoning By-law

The proposed zoning by-law amendment would amend the provision of the zoning by-law to allow a portion of the outside storage to be located within an accessory storage structure. All other provisions of the by-law shall continue to apply.

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: None.