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Staff Report PL2021-073

Title of Report: PL2021-073-C12-21- Manassa and Lovina Bowman
Department: Clerks
Branch: Planning Services
Council Date: September 1, 2021

Recommendation:

Be it resolved that Council receive Staff Report PL2021-073 for information; and
That Council consider approval of By-law 2021-127.

Property Location: 245254 Southgate Road 24



Subject Lands:

The subject lands are described as Con 16, Pt Lot 28 and Pt Lot 29 Geographic Township of Proton and are approximately 55ha (136 acres). The lands have frontage on Southgate Road 24 and Southgate Sideroad 19.

The proposal is to allow for an Agricultural related use being a small scale Industrial Use shop. The owners wish to add the shop to the list of permitted uses for the Agricultural A1 zone. The shop including office and power room are proposed to be up to 750m² with outside storage of approximately 500m². If the shop is less than 750m² the outside storage area may be enlarged provided the combined storage and shop area do not exceed 1250m².

The Effect of the proposed zoning by-law amendment would be to change the zone symbol on a portion of the subject lands to permit the Industrial Use shop within a new agricultural exception zone (A1-XXX). Any Environmental Protection Zone Boundary may be adjusted based on Conservation Authority comments.

Background

A Public meeting was held virtually on June 23, 2021. Supporting documents and comments posted on the website are available at:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#C12-21-Manassa-and-Lovina-Bowman>

The comments received include:

The Public Works Department indicate that they have no concerns and that a commercial entrance with paved apron will be required.

The County of Grey staff indicate that provided the D6 guidelines and MDS guidelines can be met; and positive comments are received from the Conservation Authority, County Planning staff have no concerns with the subject application.

The SVCA indicate the proposal is acceptable to SVCA staff.

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

Comments were received from one member of the public.

Mike Nelson had the following concerns:

1. Increased traffic on the road
2. Increased noise level which is already prevalent from other neighbouring facilities
3. What is the Industrial shop to be used for?
4. Water usage, environmental chemical and or harm to vegetation, ditch water runoff

5. The continuing effect that this proposed and existing businesses will have on his property in terms of real estate value.
6. The rezoning of these lands to permit an industrial shop is similar to a severance which he understands is not allowed.

Staff Comments:

The D6 guidelines would classify this light industrial use as a category 1 use with few emissions. The minimum setback requirement for a category 1 industry is 70m. The proposal is over 390m to the nearest sensitive receptor. The proposal is consistent with the D6 guidelines.

The increase of 3 trucks per day is not anticipated to be significant to affect the overall capacity of the road.

With respect to noise, the proposal is set over 300m away from any sensitive land use and noise mitigation measures can be implemented at the site plan stage.

The use is proposed to be a dry industrial use which could include metal work, and fabricating, wood working, plastics or other dry industrial uses.

The use is to be a dry use meaning water is to be used only for employee washrooms and not for any manufacturing process. There has also been no discussion about the use of any specific chemicals on site.

There is no evidence that existing shops have any negative effect on property values within the area. In fact, the opposite has been demonstrated in the last few years where property values have been increasing.

Rezoning lands to allow for an additional permitted use not similar to a severance in anyway. One deals with the use of the land and the other deals with the creation of a new parcel of land.

Financial Implications:

The following is an example of the increased tax revenue associated with the addition of a 600m² industrial shop and a residence on a farm property:

2019	Assessment	Tax Rate	Taxation
FT (Farm)	\$ 300,000	0.302355%	\$ 907.07
	<u>\$ 300,000</u>		<u>\$ 907.07</u>
 2020	 Assessment	 Tax Rate	 Taxation
FT (Farm)	\$ 365,468	0.283931%	\$ 1,037.68
RT (Residential)	\$ 400,000	1.279978%	\$ 5,119.91

JT (Industrial)	\$ 150,000	3.074136%	\$ 4,611.20
	\$ 550,000		\$ 9,731.11
	\$ 915,468		\$ 10,768.79

Of the total taxes of \$10,768.79 above, the Township receives \$5,846.84 (\$5,232.61 pertaining the shop and residence), The County receives \$2,700.16 and the local Board of Educations' receive \$2,221.79.

This is increased revenue every year and therefore after a period of 10 years the industrial shop and residence generates \$52,232.61 in additional tax revenue for the Township. The entire tax revenue generated could be directed by the Township to the Road budget if necessary, however it should be pointed out, that roads often have a lifespan greater than 10 years. Building the industrial shop and residence would also generate \$23,154.92 in Development Charge revenue.

With the above information we can compare projected revenues from pre and post development. Over a 10 year period, without the development, the Township would collect \$9,070.70 in property taxes. This number would further be divided by the County and Education portions of the taxes collected. Over a ten year period, with the development, the Township would collect \$130,842.82 in property taxes and development charge revenue, which is 14.42 times that if nothing had developed.

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 Prime Agricultural and Rural within the PPS however since the development is entirely within the rural portion of the property only those policies have been accessed; 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 dry industrial use shop is considered an on farm diversified use and therefore "other rural land uses" within the context of the PPS.

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.

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 additional use 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 proposed Industrial use will broaden the tax base and provide additional employment in the Township.

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 use 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."

This proposed dry industrial use would be considered an on farm diversified use which is permitted in the rural area.

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 Guidelines 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 "Agricultural", "Rural" and "Hazard lands". All of the proposed shop use is proposed within the Rural designation and therefore the policies of the rural designation will be applied. 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 add a dry industrial use to the list of permitted uses within a shop that is approximately 560m². The storage area will be approximately 500m². The proposal complies with the above policy when we 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 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. (Please note that the proposed future expansion area must be reduced to comply with the Official Plan policies of 750m²).

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 is setback significantly from the road and will not change the character of the area.

Zoning By-law

The proposed zoning by-law amendment would amend the provisions 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.