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Staff Report PL2022-083

Title of Report: PL2022-083 C10-22 Jesse and Elizabeth Martin
Department: Clerks
Branch: Planning Services
Council Date: December 21, 2022

Recommendation:

Be it resolved that Council receive Staff Report PL2022-083 for information; and
That Council consider approval of By-law 2022-176.

Property Location: Con 3 SWTSR Pt lot199 and Pt lot 200 geographic Township of Proton



Subject Lands:

The subject lands are described as Con 3 SWTSR , Pt Lot 199 and Pt lot 200, Geographic Township of Proton and are approximately 37.95ha (93.79 acres). The lands have frontage on Southgate Sideroad 73 and Southgate Road 26.

The purpose of the proposed zoning bylaw amendment application is to allow for the expansion of an existing agricultural related use being a small scale Industrial Use shop. The owners wish to build a new larger shop and shift the zoning for existing shop. The shop including office and power room is proposed to be up to 750m² with outside storage of up to 500m².

The Effect of the proposed zoning by-law amendment would be to change the location of the existing zone symbol on a portion of the subject lands to permit the Industrial Use shop within the existing agricultural exception zone (A1-61).

Background

A Public meeting was held virtually on September 28, 2022. Supporting documents and comments posted on the website are available at:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#C10-22-Jesse-B-Martin-and-Elizabeth-Martin>

The comments received include:

The Public Works Department indicate that the commercial entrances requires a paved apron.

The County of Grey staff indicate provided positive comments are received from the Conservation Authority regarding the Provincially Significant Wetlands; and the D6 guidelines can be addressed, County Planning staff have no concerns with the subject application.

The SVCA indicate the application is acceptable to SVCA staff.

No comments were received from the public.

Financial Considerations:

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

2020	Assessment	Tax Rate	Taxation
RT (Residential)	\$ 250,000	1.279978%	\$ 3,199.95
FT (Farm)	\$ 300,000	0.283931%	\$ 851.79
	<u>\$ 550,000</u>		<u>\$ 4,051.74</u>

2021	Assessment	Tax Rate	Taxation
RT (Residential)	\$ 400,000	1.301060%	\$ 5,204.24

FT (Farm)	\$ 365,468	0.288527%	\$ 1,054.47
	\$ 765,468		\$ 6,258.71
JT (Industrial)	\$ 150,000	2.982098%	\$ 4,473.15
	\$ 915,468		\$ 10,731.86

Of the total taxes of \$10,731.86 above, the Township receives \$5,917.93 (\$2,154.73 pertaining the shop), The County receives \$2,742.13 and the local Board of Educations receive \$2,071.79.

This is increased revenue every year and therefore after a period of 10 years one shop without including the residence or its portion of Education and County taxes, would generate \$21,547.30 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 would also generate \$17,857.34 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 \$40,517.40 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 \$125,175.94 in property taxes and development charge revenue, which is 3.09 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 proposed Industrial use supports farming and grows the rural economic base. 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 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 increase in size of the existing 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 expanded 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 new Township Official Plan has been approved and is now in force and effect. However, the clergy principle dictates that an application should be evaluated based on the policy regime that it was submitted under. I have reviewed the new policy and the Proposal still conforms to the new Official Plan Policy, but a review of the applicable policy is provided below.

The Township of Southgate Official Plan (OP) designates the subject lands "Wetland" and "Rural" and "Hazard lands". The area where the development is occurring is in the Rural designation so those are the policies that will be focused on. 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 construct a shop up to 750 m² in size. The outdoor storage area will be approximately 500m². The proposal appears to comply with the above policy and when the definition of small scale is examined below it further confirms the proposal is in conformity with the Official Plan.

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 Agricultural Designation.

Section 5.2.3 Development Policies

5. The maximum structure size for new or expanding small scale commercial and industrial uses shall be 750 square metres, with a maximum outdoor storage size of 500 square meters. 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. Such uses will only be permitted on farm parcels greater than 20 hectares, all subject to satisfying the Development Policies as outlined in this Section. Council may, in the future, limit the commercial or industrial use through the implementing Zoning Bylaw Amendment.

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 construction of 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 proposed zoning by-law amendment would change the existing area to be zoned zoning of the A1-61 exception zone to allow for the construction of a new small scale

Industrial use shop on the property. The dry industrial use may include metal working, wood working, plastics or powder coating and painting and other similar type manufacturing uses. The zoning will also provide regulations for setbacks for the use. Site Plan control will also be required in order to implement specific control measures to address potential nuisance issues such as noise, dust and visual impact. The closest residence is over 200m to the south of the proposed shop.

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.