



# Council report

<b>Meeting date:</b>	October 18, 2021
<b>Title:</b>	ZA20.2021 – BAUMAN, Betzy and Sidney (Agent: BOWMAN, Israel)
<b>Prepared by:</b>	Lorelie Spencer, Manager of Planning and Development
<b>Reviewed by:</b>	Laura Johnston, CAO

## Recommendation

The council receive Planner Spencer’s report and considers 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> reading of the by-law at a subsequent council meeting.

## Executive summary

The subject lands are municipally identified as 460155 Road 110. The lands are legally described as Lot 110, Concession 2 SWTSR in the geographic Township of Glenelg.

The purpose of the application is to change the zone symbol on the subject lands from A1 (agricultural) to A1-438 (agricultural with exception). The effect of which will permit the construction of a small-scale dry industrial use on the subject lands.

A1-438 will be defined as follows in the zoning by-law, if approved:

*Notwithstanding section 8.0 of by-law 37-2006, as amended, those lands zoned A1-438 as shown on schedule ‘A’ shall be used in accordance with the ‘A1’ zone excepting however that:*

- a) A dry industrial use shall be permitted;*
- b) The dry industrial use shall be limited to 4000m<sup>2</sup> of maximum combined area; and*
- c) The lands shall be subject to site plan control.*

## Background and discussion

The subject lands are located on the northeast corner of West Back Line and Road 11. The subject lands are currently vacant. The applicant has submitted this application to request the establishment of a dry industrial use on the subject lands. As indicated on the site plan a house, barn and skid steer storage are also proposed as part of the development.

## Legal and legislated requirements

Planning staff have reviewed the application in the context of the Provincial Policy Statement, 2020 (PPS), County of Grey Official Plan (Recolour Grey), and the Municipality of West Grey Comprehensive zoning by-law.



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## 1. Provincial Policy Statement 2020 (PPS)

Land use planning decisions made by municipalities must be consistent with the Provincial Policy Statement.

The subject lands are designated as 'agricultural' under the County of Grey official plan. Policy 2.3.1 of the PPS states that prime agricultural areas shall be protected for long-term use for agriculture. Prime agricultural areas are further defined as areas where prime agricultural lands predominant. Policy 2.3.3.1 outlines the uses permitted in prime agricultural areas. Permitted uses include agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agriculture-related uses and on-farm diversified uses are required to 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. Policy 2.3.3.3 requires that new land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with minimum distance separation formulae.

The PPS defines agriculture-related uses as 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. Planning staff consider the dry industrial use to maintain the definition of an agriculture-related use within the PPS.

Planning staff have reviewed minimum distance separation formulae based on the information provided by the applicant's agent. The closest livestock facility in proximity to the subject lands is approximately 375.0m from the proposed dry industrial use. Based on MDS calculations conducted, minimum distance separation can be met.

Planning staff are satisfied the proposed use is consistent with the PPS and maintains minimum distance separation formulae.

## 2. County of Grey Official Plan (Recolour Grey)

The County official plan designates the subject lands entirely as 'agricultural' within schedule 'A'. Identified aggregate and significant woodlands are also identified on the southwest ½ of the property under schedules 'B' and 'C' with the official plan.

Development is proposed solely within the agricultural designation and outside of the identified aggregate resource and significant woodland area. Planning staff have requested comments from the Saugeen Valley Conservation Authority but do not anticipate any concerns in this regard. Tree removal will require consultation with the County of Grey in accordance with their tree cutting by-law.



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Policy 5.2 outlines the general policies related to agricultural uses. The agricultural land use type is not just traditional class 1, 2, 3 agricultural land classifications, but also includes the larger blocks of good agricultural land under active production, generally in blocks of 160 hectares (395 acres) or larger. This is intended to prevent the fragmentation of active agricultural land and to reduce the potential for nuisance complaints and farm limitations posed by non-agricultural uses. Policy 5.2.1 outlines the uses permitted in the agricultural land use type which includes agricultural-related uses. Table 7 further defines examples of agricultural-related uses. Agricultural-related uses are defined as 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 under section 9.18 which mirrors the definition in the PPS.

The applicant is proposing a shop on the subject lands to dry manufacture farm-related materials necessary for the on-site farm operation and farms in the surrounding neighbourhood. Planning staff will require further clarification from the applicant to determine if truck traffic is anticipated as a result of this dry industrial use. Planning staff however, are satisfied that the use in general maintains the intent and purpose of the official plan.

Planning staff have no further concerns in this regard.

### 3. Municipality of West Grey Comprehensive Zoning By-law 37-2006

The subject lands are currently zoned A1 (agricultural) under the municipality's zoning by-law. Section 8.1 denotes the permitted uses in the A1 zone. Agricultural uses are permitted within this zone but agricultural-related uses are not permitted. To permit the use requested by the applicant, a zoning by-law amendment was required.

An agricultural-related use is defined under section 5.6 as follows:

Means a commercial or industrial use directly related to agriculture and requiring proximity to farm operations and may include such uses as animal husbandry services, produce or grain storage/processing facilities, farm machinery sales and service outlets, feed and see warehouse and associated retail outlets. Dry industrial uses are defined under section 5.120 as an industry, which by nature of its operation, process or fabrication of raw materials or services rendered does not require a significant water supply and does not produce wastewater as part of the industrial. Planning staff are satisfied that the proposed use conforms to this definition.

The amending by-law further requires the implementation of site plan control. The site plan agreement will be registered on title to the subject lands at the owner's expense. Planning staff are satisfied that this mechanism can ensure the appropriate provision of parking, hours of operation, truck traffic (if required) and landscaping.



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Planning staff are satisfied that the proposed by-law maintains the general intent and purpose of the zoning by-law and have no further concerns in this regard.

## Financial and resource implications

None.

## Staffing implications

None.

## Consultation

All of the following comments were previously considered as part of the consent applications. Further comments are not anticipated.

- County of Grey Planning and Development Department
- Saugeen Valley Conservation Authority

## Alignment to strategic vision plan

Pillar: Build a better future

Goal: Review the County Official Plan and Municipal Zoning By-law

Strategy: Take a co-operative approach to development

## Attachments

- Application form
- Aerial and official plan mapping
- Aerial and zoning by-law mapping
- Draft zoning by-law
- Draft zoning schedule

## Next steps

Following this meeting, at a subsequent meeting of council that the by-law receive 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> reading. Following the appeal period and provided no appeals have been received, planning staff will notify the applicant. During the appeal period, the applicant can run their site plan application concurrently to expedite the process.



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Respectfully submitted:



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Manager of Planning and Development