



# Town of Erin

## Corporate Report

**Department:** Community Services

**Business Unit:** Planning

**Presented/**

**Prepared By:** Angela Sciberras, Planning Consultant

**Report Number:**  
PD2021-06

**Meeting Date:**  
2/16/2021

### Subject

FINAL RECOMMENDATION REPORT Zoning By-law Amendment (Z20-09) 8809 Wellington Road 124, Erin (*Jones*); an Amendment to replace the permitted uses to allow for a dwelling unit, veterinary clinic and ancillary uses. Pt Lot 13, Con 2; 8809 Wellington County Road 124

### Recommendation:

**Be it resolved that** the Council of Erin hereby receive report number PD2021-06; “*Zoning By-law Amendment (Z20-09) Jones*” for information;

**And that** Council approve the site-specific Zoning By-law Amendment Application by Alison Jones, Part of Lot 13, Concession 2; being Parts 3 & 4, Registered Plan 61R-10019, 8809 Wellington Road 124, Town of Erin, and adopt the implementing Zoning By-law amendment.

### Background

A Zoning By-law Amendment Application was submitted to the Town of Erin by JL Cox Planning Consultants Inc., on behalf of the Owner, Dr. Alison Jones, DVM, for lands municipally known as 8809 Wellington Road 124. The application sought approval to remove the current site-specific permitted uses (retail and wholesale furniture sales, etc.); and, to replace them with the following uses; a *dwelling* unit, a *veterinary clinic*, including *companion animal hospital*, an *accessory dwelling*, and *uses accessory* to the foregoing *uses* within the *existing* buildings; and, the provision of 13 parking spaces.

The boarding of animals not under medical care; and, outdoor kennels or runs, was not proposed and would not be supported by the Town.

The Owner intends to reside on site in the existing single-family dwelling.

No building additions are proposed and, therefore, Site Plan Approval will not be required for the proposed new uses. A building permit will be required for any/all interior renovations which result in material changes. Ministry of Health approval of any proposed x-ray installations is required.

## LOCATION

The land subject to the proposed zoning by-law amendment (Application Z20-09) is legally described as Part of Lot 13, Concession 2; being Parts 3 & 4, Registered Plan 61R-10019, in the Town of Erin; and, is municipally known as 8809 Wellington Road 124 (WCR 124).

The subject site is occupied by a single detached dwelling, a large 486 m<sup>2</sup> (5,230 sq. ft.) retail building, a smaller 40 m<sup>2</sup> (430 sq ft) accessory building, paved parking area; and, a large landscaped area.

Surrounding land uses are primarily agricultural and rural residential uses with some highway commercial and rural industrial uses in the area.

An aerial photo identifying the subject land is included with this report (*Appendix A*).

## PURPOSE

The purpose of the application is to rezone the subject land to:

- Replace the existing C3-102 (Rural Commercial Exception) site-specific permitted uses (retail and wholesale furniture sales, furniture fabricating and repair), to facilitate a new C3-Exception zone to permit a *veterinary clinic*, including *companion animal hospital* and buildings, structures and accessory uses within the existing buildings. The existing veterinary clinic (*Alma Street Veterinary Clinic*) is to be relocated from its current location in Rockwood.
- The owner of the veterinary clinic, Dr. Alison Jones, DVM, intends to reside in the existing dwelling, which includes a 2-car garage.
- The main building will be utilized for the veterinary clinic and will contain all examination, surgery and recovery areas. No boarding or outdoor kennels or runs are proposed. Boarding will only be permitted as required for convalescence.
- One practitioner (the owner) will be operating out of the veterinary clinic along with several support staff and will utilize the existing parking area.

## PROVINCIAL PLANS AND POLICIES, OFFICIAL PLANS AND ZONING

### **Provincial Policy Statement 2020 (PPS)**

All land-use planning decisions are required to be consistent with the applicable provisions of the PPS in accordance with Section 3(5) of the *Planning Act*. The subject lands are identified as “Rural Lands”, which are lands located outside of settlement areas and prime agricultural areas. The PPS allows for a range of uses on rural lands which, are compatible with the rural landscape, utilize planned or available infrastructure; and, support a diversified rural economy while ensuring non-related agricultural uses are directed to areas that will minimize constraints on agricultural uses.

The proposed uses utilize existing buildings, structures and infrastructure and will have no impact on surrounding agricultural or related uses. The veterinary clinic and

companion animal hospital will service the local and surrounding community and supports a diversified rural economy.

The proposed rezoning is consistent with the applicable policies of the PPS.

### **Greenbelt Plan 2017**

The subject property is outside of the Greenbelt Plan area.

### **County of Wellington Official Plan**

The subject land is designated SECONDARY AGRICULTURAL, within the County's Rural System. There are no identified natural features located on the subject land.

Permitted uses on Secondary Agricultural lands include: all uses allowed in the Prime Agricultural Area; small scale commercial, industrial and institutional uses; and, public service facilities.

Prime Agricultural Area permitted uses include: agricultural uses, secondary uses (including home businesses and farm businesses), agriculture-related uses, existing uses; and, single detached homes.

Section 6.5.4 Commercial, Industrial & Institutional policies, provides that, small scale commercial, industrial and institutional uses may be permitted provided that:

- a) Appropriate sewage and water systems can be established
- b) The proposed use is compatible with surrounding uses
- c) The use requires a non-urban location due to:
  - Market requirements
  - Land requirements
  - Compatibility issues
- d) The use will not hinder or preclude the potential for agriculture or mineral aggregate operations; and,
- e) The use will be small scale and take place on one lot and large scale proposals or proposals involving more than one lot will require an official plan amendment.

As previously indicated, the proposed uses will take advantage of existing buildings and infrastructure.

The veterinarian use is compatible with the surrounding area and will not hinder or preclude existing or future agricultural uses within the area. Boarding, outdoor kennels and runs will not be permitted to mitigate potential issues with neighbouring dwellings.

The use is small-scale and contained within the existing lot.

Through review and consideration of applicable policies from the Wellington County Official Plan, including those referenced above, I submit that the requested zoning-by-law amendment conforms to the County's Official Plan.

## **Town of Erin Official Plan**

The subject lands are designated SECONDARY AGRICULTURAL within the Town's Official Plan. Town policies allow for broader range of residential, employment and community uses within the Secondary Agricultural designation, provided the use does not adversely impact existing agricultural operations and is in keeping with the rural character of the area.

The use of lands in the Secondary Agricultural designation is guided by the policies contained in Section 6.5 of the County's Official Plan. The requested zoning-by-law amendment, therefore, conforms to the Town's Official Plan.

## **Town of Erin Zoning By-law 07-67, as amended**

The subject lands are currently zoned Rural Commercial Exception (C3-102) Zone which includes the following site-specific provisions:

- may only be used for retail and wholesale furniture sales, furniture fabricating and repair, an *accessory dwelling*, and *buildings, structures and uses accessory to the forgoing uses*.
- may not contain any *outdoor storage*.
- A total of 13 *parking spaces* are required.

The application proposes to amend the current site-specific exception to permit:

- a) a *veterinary clinic*, including *companion animal hospital* and *buildings, structures and uses accessory to the foregoing uses*;
- b) an *accessory dwelling*; and,
- c) A total of 13 *parking spaces* would continue to be required.

It should be noted that the proposed *veterinary clinic* and *companion animal hospital* are permitted uses within the Rural Commercial (C3) Zone.

The Town's Zoning By-Law requires 6 parking spaces per practitioner. A total of 13 spaces exists on site which is sufficient for the proposed use; and, would allow for an additional practitioner in the future if desired, without further amendment to the by-law.

All other zoning provisions of By-law 07-67 would continue to apply.

No building additions, new parking areas or landscaped areas are proposed or affected by the application, therefore, Site Plan Control would not be required in this instance.

A building permit will be required for any/all interior renovations which result in material changes. Ministry of Health approval of any proposed x-ray installations is required.

A copy of the draft amending By-law for Council's review is attached as *Appendix B*.

## **PUBLIC, AGENCY & TOWN CONSULTATION**

A statutory public meeting for this application was held on December 15, 2020. No members of the public spoke to the application at the meeting and no written comments

were received. County, Town and agency Staff have also indicated no concerns with the application.

## **Strategic Pillar**

Economic Prosperity

## **Financial Impact**

There is no financial impact associated with the proposed recommendation.

## **Conclusion**

The application meets the policies of the Town's Official Plan, conforms to or does not conflict with the County's Official Plan, and Provincial Policy Statement.

Review and consideration of the applicant's proposal in the context of all applicable policies and regulations, and consideration of comments received, form the basis of this recommended approval and the attached implementing by-law in *Appendix B*.

## **Attachments**

Appendix A: Location Map

Appendix B: Zoning By-law

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*Nathan Hyde*

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Chief Administrative Officer