



Town of Erin

Corporate Report

Department: Community Services	Report Number: PD2022-19
Business Unit: Planning & Development	Meeting Date: 6/30/2022
Presented/ Prepared By: Jack Krubnik, Director of Planning & Development	

Subject

FINAL RECOMMENDATION REPORT Zoning By-law (Z22-01) Keith's Trailer Sales Inc, 6113 Trafalgar Road; and Amendment to extend the existing recreational trailer sales and service use for an additional three years and add the permission for fuel storage to permit the exchange of empty propane tanks for recreational trailer use

Recommendation

Be it resolved that Council hereby receive report number PD2022-19 "*Zoning By-law (Z22-01) Keith's Trailer Sales Inc, 6113 Trafalgar Road*";
And that Council approve the site-specific Zoning By-law Amendment Application by Keith's Trailer Sales Inc, 6113 Trafalgar Road, Town of Erin, and adopt the implementing Zoning By-law amendment.

Background

A Zoning By-law Amendment application has been submitted to the Town of Erin by Bob Long, on behalf of the landowners of 6113 Trafalgar Road.

LOCATION

The subject site is legally described as Part Lot 31, Concession 8, now Part 1 on Reference Plan 61R-21153, in the Town of Erin, and is municipally known as 6113 Trafalgar Road.

It is located on the east side of Trafalgar Road, south of Erin-Garafraxa Townline. The total lot area of the property is approximately 7.92 hectares, with approximately 315 metres of frontage along Trafalgar Road.

The lands subject to this application have a lot area of approximately 2.55 hectares (6.3 ac) and has a lot frontage of approximately 127 metres along Trafalgar Road. This portion of the lands are permitted recreational trailer sales and service until October 27th, 2023.

Surrounding land uses are agricultural and rural residential. St Mary's Cement is located to the south of the subject property. An aerial photo identifying the subject site is included with this report as **Appendix A**.

PURPOSE

The subject site's temporary Agricultural Site Specific, A-154(T) zoning will expire October 27th, 2023. The purpose of the proposed zoning by-law amendment is to extend the site's current temporary Agricultural Site Specific, A-154(T) zoning for an additional three years. In addition, the applicant is proposing to add the permission for fuel storage to permit the exchange of empty propane tanks for recreational trailer use.

The applicant's lands, on the north side of the subject site, are also subject to a separate application with the County of Wellington for a lot line adjustment (related County of Wellington Land Division Application B25-22).

CONSISTENT WITH PROVINCIAL PLANS AND POLICIES AND OFFICIAL PLANS

The subject property is identified as Prime Agricultural within the Provincial Agricultural System Mapping. The Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe (Growth Plan) require Prime Agricultural Areas to be protected for long-term agriculture use. Further, the County of Wellington Official Plan and Town of Erin Official Plan designate the lands as Prime Agricultural.

The *Planning Act* allows local municipalities to authorize the temporary use of land, buildings or structures for any purpose that is otherwise prohibited, through the passing of a temporary use by-law. Section 13.4 of the County's Official Plan and Section 5.9 of Erin's Official Plan have criteria for Council to consider, when passing new or extending current temporary use by-laws for a maximum of three years:

- The compatibility of the proposed temporary use with surrounding land uses;
- The availability of appropriate access to the proposed use;
- The proposed design and layout of the proposed temporary use;
- The availability of the proposed use to cease when the By-law expires;
- The adequacy of proposed services;
- The need for any impact assessment studies; and
- That the use is in general conformity with the intent and policies of the County and Town's Official Plan.

This use has operated at this property since 2016. In 2020, the applicant went through the rezoning process to obtain a temporary use by-law (expires October 27, 2023). In order to demonstrate conformity with the Temporary Use By-law provisions within the Official Plan, the following studies/reports were submitted with the application in 2020:

- Planning Justification Report, including Traffic Review;
- Minimum Distance Separation I (MDS I) Report; and
- Stage 1 Archaeological Assessment.

Through the review of the above studies/reports, Staff were satisfied that the temporary use is compatible with the surrounding land uses.

The applicant is using the existing private services (septic and well) and the existing access from Trafalgar Road. Through the site plan approval process, Staff will approve the design and layout of the use, ensuring it complies with the Town's Zoning By-law. In addition, through the site plan approval process Staff will obtain securities to ensure the lands are converted back to agricultural once the use ceases.

Staff is of the opinion that the proposed extension of the temporary use by-law is consistent with Provincial Policies and conforms to the County and Towns Official Plan policies.

PUBLIC AND AGENCY & TOWN COMMENTS

A statutory public meeting for this application was held on May 12, 2022. No members of the public spoke or expressed any concerns regarding the application and no written comments were received. County Staff, Town Staff and commenting agencies have also indicated no concerns with the application.

DRAFT ZONING BY-LAW

The property currently has a temporary Agricultural Site Specific zone (A-154(T)) in Erin's Zoning By-law 07-67, as amended, which temporarily permit a recreational trailer sales and service use until October 27, 2023, for 2.55 hectares of the site. The applicant is requesting this use be extended for an additional three years, and permit the exchange of empty propane tanks for the recreational trailer use.

A draft zoning by-law has been prepared for Council's consideration, as **Appendix B** to this report.

Strategic Pillar

Economic Prosperity

Financial Impact

There is no financial impact associated with the proposed recommendation.

Conclusion

Staff is of the opinion that the proposed rezoning is consistent with Provincial Policy and conforms with the County of Wellington Official Plan and the Town of Erin Official Plan.

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 – Draft Zoning By-law

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