



Town of Erin

Corporate Report

Department: Community Services

Business Unit: Planning & Development

**Presented/
Prepared By:** Jack Krubnik, Director of Planning &
Development

Report Number:
PD2023-06

Meeting Date:
3/9/2023

Subject

Zoning By-law (Z23-01) Keith's Trailer Sales Inc., 6113 Trafalgar Road, Part Lot 31, Concession 8, now Part 1 on RP 61R-21153, Town of Erin, Public Meeting

Recommendation

Be it resolved that Council hereby receives report number PD2023-06 "*Zoning By-law (Z23-01) Keith's Trailer Sales Inc., 6113 Trafalgar Road, Part Lot 31, Concession 8, Now Part 1 on RP 61R-21153, Town of Erin, Public Meeting*" for information.

Background

In response to the Notice of Public Meeting for this proposed rezoning application, we provide Council with the following comments:

Location

The subject site is legally described as Part Lot 31, Concession 8, now Part 1 on RP 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 6.42 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 temporarily permitted a recreational trailer sales and service, with fuel storage, until October 27th, 2026.

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**.

Proposal

The applicant is proposing to permanently permit the existing recreational trailer sales and service use with the exchange of empty propane tanks for the recreational trailer

use. The current use is permitted through a temporary use by-law. Temporary use by-laws allow municipal Councils to permit a use that would otherwise not be permitted, for a maximum of three years. The subject site's temporary Agricultural Site Specific A-154(T) zone will expire October 27th, 2026.

Provincial Regulations, Plans and Policies, Official Plans and Zoning

Provincial Policy Statement 2020 (PPS), Growth Plan for the Greater Golden Horseshoe: A Place to Grow, 2020 (Growth Plan) and Greenbelt Plan

All planning decisions are required to be consistent with the applicable policies of the PPS and conform to the Growth Plan and other provincial policies. In the event of a conflict between the PPS and Growth Plan, the Growth Plan prevails.

The PPS identifies rural areas are comprised of rural settlements, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. The subject property is identified as being in Prime Agricultural Areas, and is identified as Protected Countryside within the Greenbelt. The PPS, Growth Plan and Greenbelt Plan require Prime Agricultural Areas to be protected for the long-term use of agriculture. Permitted uses include agricultural uses, agriculture-related uses and on-farm diversified uses.

The submitted Planning Justification Report has stated that the current use is permitted within Prime Agricultural Areas, as it is a home industry (a type of on-farm diversified use). The Province has developed Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas which will help interpret the policies in the Provincial Policy Statement. Through the review of this application, Staff will review the applicable Provincial policies and guidelines.

County of Wellington and Town of Erin Official Plan

Within the County of Wellington Official Plan and Town of Erin Official Plan, the subject property is designated Prime Agricultural, as shown in **Appendix B**. The lands are also within the mineral aggregate resource overlay within the County's Official Plan. Prime Agricultural Areas are comprised of Class 1, 2 and 3 agricultural soils, associated Class 4 to 7 soils, and are protected for normal farming operations.

The use of lands in the Prime Agricultural Area designation are guided by the policies within Section 6.4 of the County's Official Plan. All uses permitted must be compatible with and not hinder surrounding agricultural uses. A home industry, which is secondary to the principal use of the property, may be permitted subject to zoning provisions, as a means of supplementing farm incomes and providing services in agricultural areas. Staff will review the proposal for conformity to the policies within the County and Town Official Plan.

Zoning By-law 07-67

The property currently has a temporary Agricultural Site Specific zone (A-154(T)) in Erin's Zoning By-law 07-67, as amended, as shown in **Appendix C**. The lands

temporarily permit recreational trailer sales and service use, with fuel storage, until October 27, 2026.

The applicant has submitted an application to permanently permit the existing recreational trailer sales and service use with the exchange of empty propane tanks for the recreational trailer use, by rezoning the property to Rural Commercial Site Specific (C3-XX).

See Section 4.17 of the Town's Zoning By-law 07-67, as amended, for Zoning Provisions for Home Industries.

Public Consultation and Comments

As prescribed by regulation under the *Planning Act*, a notice of the Statutory Public Meeting was mailed to all property owners assessed within 120 metres of the subject property and a Notice was placed in the February 16, 2023 edition of the Wellington Adviser; and, on the Town's website.

To date, comments were received from three members of the public in support for the proposal.

Christian Burrows , President of Yetti Construction Ltd.	<ul style="list-style-type: none">• Adjacent neighbor in support of proposed rezoning application.• Do not want to hinder their ability to grow in our community.• Keith and his family are active members in Erin, participating in local events, programs and activities.• They are also supportive of other businesses.
Chris Bailey , Owner of Brighten Up (67 Main Street)	<ul style="list-style-type: none">• Keith's Trailers is an asset to the Erin business community and supports a great number of community and charitable initiatives• Permanent zoning will provide operational certainty and enhance customer confidence
Ann Shanahan , Chair of Erin Chamber of Commerce and RE/MAX Sales Rep (14 Main Street)	<ul style="list-style-type: none">• In favour of permanently permitted Keith's Trailers in Hillsburgh• The company is well established in the community• Keith sits on the Board of Directors of the Erin Chamber of Commerce and is a prominent sponsor in the community• Recent indoor RV show hosted vendors from all over the community

Agency and Department Comments

Below is a summary of agency and department:

County of Wellington	<ul style="list-style-type: none">• At the time of writing this report, no comments have been received.
Erin Infrastructure Services	<ul style="list-style-type: none">• No comments.
Erin Building Services	<ul style="list-style-type: none">• At the time of writing this report, no comments have been received.
Erin Fire Services	<ul style="list-style-type: none">• At the time of writing this report, no comments have been received.
Canada Post	<ul style="list-style-type: none">• No comments.

Planning and Development Comments

The following are concerns staff have identified with this application:

- Consistency with Provincial policies and conform to County and Town policies for uses permitted within Prime Agricultural areas.
- Conformity with definitions and policies regarding home industries and on-farm diversified use within Zoning By-law 07-67, as amended.

Supporting Studies and Reports

- Planning Justification Report, prepared by LongEnvironmental Consultants Inc., dated January 2023
- Stormwater Management Brief, prepared by Triton Engineering Services Limited, dated November 24, 2022
- Minimum Distance Separation I Report Update, prepared by DBH Soil Services Inc., dated September 6, 2022

NEXT STEPS

Planning Staff will be in attendance at this public meeting, to hear the applicant's presentation and any public comments. A recommendation report will be presented to Council for consideration, following the public meeting and resolution of any outstanding issues.

Strategic Pillar

Growth Management

Financial Impact

There is no financial impact associated with the proposed recommendation.

Conclusion

That this Public Meeting Report PD2023-06, regarding Zoning By-law Amendment Z23-01, be received for information.

Attachments

- Appendix A – Location Map
- Appendix B – Town Official Plan Schedule
- Appendix C – Town Zoning Schedule
- Appendix D – Site Plan
- Appendix E – Draft By-law

Jack Krubnik

Director of Planning & Development

Nathan Hyde

Chief Administrative Officer