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File No.: 2023-07

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Chief Building Official  
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PO Box 759, 322 Main Street South  
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**RE: Planning Justification Report  
Zoning By-law Amendment Application  
Zehrs Country Market, 70963 Bronson Line (County Rd 2), Dashwood**

On behalf of Justin Zehr and Paul Zehr ("Owners"), we are pleased to submit a Zoning By-law Amendment Application ("Application") for the land known municipally as 70963 Bronson Line, Dashwood, Municipality of South Huron, Huron County ("Site").

The Owner is proposing to utilize a portion of an existing building, being an area of approximately 46.5 square metres (500 square feet) to retail ancillary items, such as small food snacks, local products, and small giftware. The use is ancillary and secondary to the main permitted use, being an abattoir with retailing of products produced on-site. The Owner's intent is to provide value-added products to their existing customers and encourage additional patronage to the retail store, supporting the abattoir use.

The Site is currently zoned Agricultural Commercial-Industrial (AG3"), which permits the existing abattoir and retailing of associated products. The purpose of the Zoning By-law Amendment is to add a site-specific use, being ancillary retailing with a maximum gross floor area associated to the size of the building on site.

### **Site Overview**

The Site is location on the west side of Bronson Line, south of Dashwood, and has approximately 189.5 metres of frontage. The Site is legally described as Part Lot 23, Concession 13 Stephen, Part 1 on 22R-2646, Municipality of South Huron. The Site is rectangular in shape with two, full movement vehicular access points from Bronson Line. There is an existing residence on the northern portion of the Site.

The Site contains an existing Agricultural Processing Establishment building (Zehr Country Market) in the southerly portion. The business is an existing abattoir that includes a retail space to the front of the building. Supporting the business are 12 off-street parking spaces, including one (1) accessible parking space. Pedestrian walkways connect the building to the parking areas and Bronson Line.

There is a fire route around the building and a loading space to the rear for shipping and receiving. The grading has been created to convey drainage to the grass swale located at the east side of the Site, adjacent to Bronson Line. This swale is proposed to be enhanced to achieve pre-development quantity and quality control conditions. A private bed has been constructed to support the business and the Site is connected to municipal water services.

**Image 1: Site**



*Source: County of Huron, 2020 GIS Imagery*

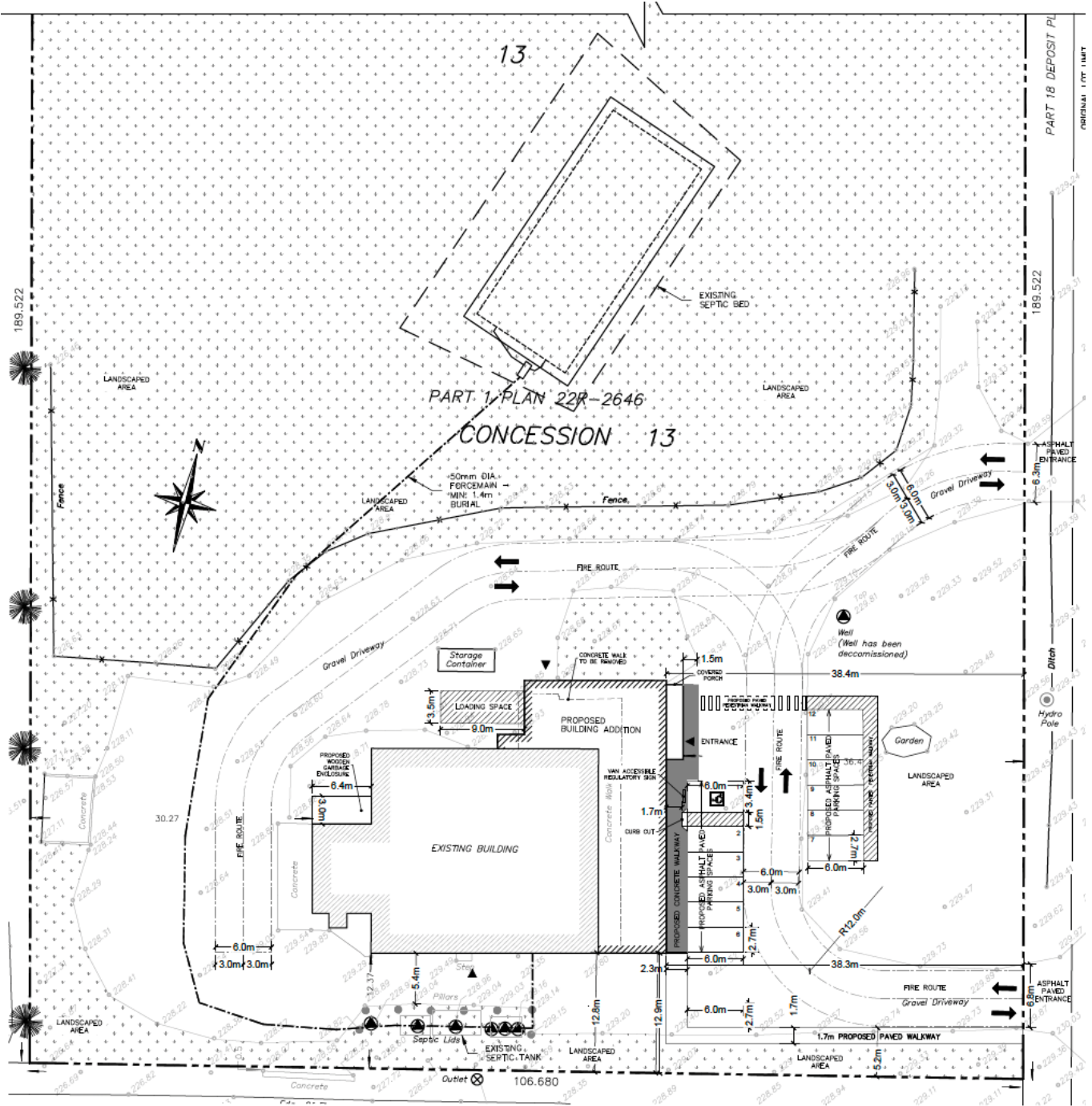
To the north, south and west, there are existing agricultural crop fields. To the east, across Bronson Line, there is a single detached residential dwelling.

**Image 2: Site Frontage on Bronson Line**



*Source: Google, Image Capture September 2013*

Figure 3: Approved Site Plan (By-law 54-2022)



## Proposed Zoning By-law Amendment

Specifically, the Zoning By-law Amendment is requested a site-specific provision within the AG3 Zone as follows:

6.10.\_\_\_\_\_. AG3 – \_\_\_\_\_  
*Notwithstanding the provisions of Section 6.0 Agricultural Commercial Industrial (AG3) to the contrary, where a permitted use is established, an ancillary retail use with a maximum gross floor area equal to 10% of the total gross floor area, may also be permitted. All other provisions of this By-law shall apply.*

## Planning Policy Framework

This section of the Planning Justification Letter provides an overview and assessment of the relevant planning policies to the proposed Zoning By-law Amendment Application.

### Planning Act, R.S.O. 1990, CHAPTER P.13

In our opinion, the Application has regard for matters of public interest, as provided in the Planning Act, R.S.O. 1990, CHAPTER P.13, and are appropriate to proceed. The Application provides for the efficient use and supply of energy, water, and services by using existing infrastructure; it provides for orderly support an existing agricultural-related use in the Municipality of South Huron.

### Provincial Policy Statement, 2020

The Provincial Policy Statement (“PPS”), 2020, is a Province-wide policy document that sets out the government’s land use vision for the built environment and the management of land and resources. The overarching intent of the PPS is to “provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.” The document is to be read in its entirety and all relevant policies are to be considered.

Section 1.1 of the PPS outlines the general policies for the development of efficient and resilient land use patterns and growth. Specifically, Section 1.1.1 outlines the policies to create sustainable, healthy, liveable and safe communities, including:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

Section 1.1.4 outlines policies that support the importance of rural areas. Section 1.1.4.1 identifies healthy, integrated and viable rural areas should be supported by, including but not limited to:

- a) building upon rural character, and leveraging rural amenities and assets;
- 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; and
- i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.

Section 2.3.3.1 of the PPS states that in prime agricultural areas, permitted uses and activities include agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. 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.

Section 1.7 of the PPS provides a detailed list of policies to support long-term economic prosperity in the Province, and includes:

- a) promoting opportunities for economic development and community investment-readiness; and
- i) sustaining and enhancing the viability of the *agricultural system* through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the *agri-food network*.

#### Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, 2016

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) document, Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, ("Guidelines") was written to provide additional guidance for "municipalities, decision-makers, farmers and others (to) interpret the policies in the Provincial Policy Statement, 2014 (PPS) on the uses that are permitted in prime agricultural areas." It specifically addresses the permission in the PPS for agriculture-related uses within prime agricultural areas and the policies in Section 2.3.3.1.

Section 1.3 outlines that the criteria for the uses permitted in *prime agricultural areas* revolve around two key objectives:

1. maintaining the land base for agriculture (PPS Policy 2.3.1)
2. supporting a thriving agricultural industry and rural economy (PPS Vision and PPS Policy 1.1.4).

Section 2.1 of the Guideline provides guidance on the permission for agricultural related uses. Agricultural-related uses “add to the vitality and economic viability of *prime agricultural areas* because they are directly related to and service farm operations in the area as a primary activity. These uses may be located on farms or on separate *agriculture-related* commercial or industrial properties.”

The existing abattoir and associated retailing use is considered an agricultural related use under the PPS and the associated Guidelines.

The Guideline provide evaluation criteria for agricultural-related uses in Section 2.2.1 and the following table provides a summary these criteria in relation to the Proposed Development.

**Table 2-1: Summary of Criteria for Agricultural-Related Uses**

	<b>Criteria</b>	<b>Analysis</b>
1	Farm-related commercial and farm-related industrial use.	The primary use of the Site continues to be the agricultural-related use, being the abattoir and associated retailing. The ancillary use of more general retailing will support and increase the customer base for the meat products.
2	Shall be compatible with, and shall not hinder, surrounding agricultural operations.	The ancillary retailing is located within an existing building and does not includes the need for additional land area (buildings, parking, access, etc.). The built-form and design of the Site will remain as exists and continues to provide the appearance of a country-style market. There is no impact on MDS distances to surrounding farming operations. Services to support the use are existing on the Site
3	Directly related to farm operations in the area.	The primary use on the Site is directly related to agriculture in the area, supporting livestock operations. Minor ancillary retailing is proposed through the Zoning By-law Amendment Application to support the continued use of the Site for the permitted use.

Based on the foregoing, it is our opinion that the Proposed Development and implementing application is consistent with the PPS and have regard for the applicable policies and guidelines as outlined above.

The Proposed Development provides for a value-added use to support the existing agricultural-related use. The proposed development does not hinder nor impact area agricultural operations. The use is consistent with the parameters set-out in the PPS and the Guidelines.

### County of Huron Official Plan

The purpose and implementation of the Huron County Official Plan ("County OP"), consolidated October 18, 2021, is outlined in Section 1.2, stating that:

*The County Official Plan is a statement of the community and is presented in the words of the community. It is a record and guide. Not only does it provide direction for the activities of individuals and community organizations, the County Official Plan provides guidelines to local municipalities for the development of local official plans. The policies and actions are general policies and are provided as-guidance.*

The County OP includes six (6) resource maps, provided as reference, not land use designations. Detailed mapping and land use designations are to be provided in the local official plans. The Site is identified as "Prime Agricultural Lands (Class 1-3)" on the Agricultural Resource Map.

Section 2 states that agriculture in Huron is of national significance. Section 2.2 provides Community Directions with regard to agriculture and under Changing Farm Practices states "the goal of the community is to support changing farm practices that contribute to agricultural diversification, opportunity and security."

The County OP recognizes the importance of agriculture-related uses to the farm economy in Section 2.3.6, provided the use is compatible with and does not hinder the surrounding agricultural operations and is related to farm operations in the area.

In our opinion, the principle use of the Site for the abattoir and associated retailing is permitted and the use of a smaller portion of the space for ancillary retailing serves to support the permitted use and long-term successful operation.

### South Huron Official Plan, Consolidated December 2022

The Site is designated as "Mineral Aggregates" and "Agriculture" on Schedule B1 to the South Huron Official Plan (OP). Appendix 1 to the OP shows the property located within the "Class 2 Agricultural Land Classification" and Appendix 7 to the OP shows the property located within the "Secondary - No constraints Aggregate Resource".

The purpose of the policies within the OP is to identify the resources, capabilities, and constraints of the land and the community, and to enhance the stewardship of the Municipality's environment.

For land designated as "Mineral Aggregates", 6.4.3 of the OP states that agriculture and natural environment uses shall be permitted before and after any mineral aggregate extraction. Agriculture buildings and structures and accessory uses are encouraged and permitted.

Within the Agriculture designation, Section 4.4.6 of the OP states "commercial and industrial uses that process agricultural products or service farms will be permitted in agricultural areas provided they are directly related to farm operations, support agriculture, and are required in close proximity to farm operations."

The proposal for the ancillary retail in conjunction with the existing permitted agricultural process establishment meets the criteria established in Section 4.4.6 for said uses, as follows:

- The main use of the property is a permitted agriculture-related commercial and industrial process that is directly related to livestock operations in the area
- The ancillary retailing use is minor in scale and impact, and provides a supportive and complementary use to drive a larger customer base
- The proposed ancillary retailing use does not alter the required buildings and/or structures on the Site and does not result in further removal of prime agricultural land
- A Site Plan Agreement has been entered into, and demonstrates that the development can be serviced, and matters related to safe access from an open public road have been addressed

Based on the foregoing it is our opinion that the Proposed Development conforms to the OP.

South Huron Zoning By-law, Consolidated February 2023

The South Huron Zoning By-law ("By-law"), zones the Site as "Agricultural Commercial-Industrial (AG3)", which permits an Agricultural Processing Establishment. Through this Zoning By-law Amendment Application, it is requested that a site-specific by-law provisions be added to the Site as follows:

6.10. \_\_\_\_\_. AG3 – \_\_\_\_

*Notwithstanding the provisions of Section 6.0 Agricultural Commercial Industrial (AG3) to the contrary, where a permitted use is established, an ancillary retail use with a maximum gross floor area equal to 10% of the total gross floor area, may also be permitted. All other provisions of this By-law shall apply.*

The following table outlines the applicable zoning regulations for the AG3 zoning category and the compliance of the Proposed Development.

Regulation	AG3	Proposed Application	Complies?
Minimum Zone Area	4,000 sq.m.	20,000 sq.m.	Yes
Minimum Lot Frontage	30.0m	189.52m	Yes
Front Yard Depth	20.0m	36.7m	Yes



Regulation	AG3	Proposed Application	Complies?
Interior Side Yard Width (Minimum)	15.0m or 1/2 height of building, whichever is greater	12.37m existing 12.8m proposed	No
Exterior Side Yard Width (Minimum)	20.0m	N/A	N/A
Rear Yard Depth (Minimum)	7.5m	30.27m	Yes
Zone Coverage (Maximum)	30%	4.3%	Yes
Parking (Minimum) Industrial: 3 spaces for every 4 employees Retail: 1 per 20sq.m. of retail floor space	Industrial = 10 employees/4 x 3 = 7.5 spaces Retail = 70sq.m./20sq.m = 3.5 spaces	12 parking spaces (Incl. 1 Type A Barrier Free)	Yes
Driveway Size	min. 3.0m, max. 9.0m	6.3m / 6.8m	Yes

## Summary

In our opinion, the Zoning By-law Amendment Application to include a Site Specific Provision is appropriate, represents good land use planning and is in the public interest, as it provides the opportunity to modestly intensify the existing Agricultural Processing Establishment with an accessory commercial sales component containing complementary products. In support of the Application, please find enclosed the following:

- The Zoning By-law Amendment Application Form through CloudPermit
- The Site Plan Agreement, including Site Plan, Stormwater Management Report, and Functional Servicing Report
- The applicable application fee, being \$2,067.00 to the Municipality of South Huron.

We trust the submission can be accepted and circulated for review. Should you have any questions or comments, please let us know and we would be happy to discuss further.

Kind regards,



Caroline Baker, MCIP, RPP  
Principal

c.c Paul and Mark Zehr