

HAMILTON BROS. FARMS LTD.
15 STATION STREET
GLEN HURON, ON
TOWNSHIP OF CLEARVIEW

ZONING BY-LAW AMENDMENT
APPLICATION

PLANNING JUSTIFICATION REPORT

DECEMBER 6, 2022



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1.0 OVERVIEW

Mountain Ridge Custom Homes Inc. was retained in August 2022 by Jamie Hamilton for Hamilton Bros. Farms Ltd. to provide planning services and site plan for a proposed commercial storage facility for the Hamilton Bros. Farm and Building Supplies commercial operation in Glen Huron, Ontario. The main store and operations are located at 2047 Concession 8, in Glen Huron, Township of Clearview.

Hamilton Bros. Farm and Building Supplies is a 6th generation family-owned business established in 1874 in Glen Huron which has grown over the years to several properties in Glen Huron that retails everything from farm and building supplies, to various products for your gardens and household needs. Their business has continued to grow which has led to their need for additional storage facilities for storing the lumber and products inside.

Jamie Hamilton had submitted a proposal to the Township staff to build a storage facility behind the main store located at 2047 Concession 8. The Township advised that the proposed building would not comply with the zone provisions and a Minor Variance Application would be required as well as NVCA approval. The Nottawasaga Valley Conservation Authority (NVCA) were provided a copy of the proposal and advised that they could not support the proposed storage building at the proposed location due to the potential flooding and erosion and inadequate setbacks from the Mad River.

Mr. Hamilton contacted our firm to see if we could assist them to find out what their options were for the proposed commercial storage structure. The Owners decided to pursue building the facility on their other parcel of land in Glen Huron located at 15 Station Street. There are no buildings on the property and the current use is for the outdoor storage of lumber and products. We checked the County of Simcoe Interactive maps and the 1978 air photo shows outdoor storage on this property back then. The property is within 230 metres from the store property which makes it close enough to meet their needs.

Our firm and associated consultant prepared a preliminary site plan and detailed zoning analysis for a proposed 'Commercial Storage Facility' (superstructure building) to be located on the property located at 15 Station Street in Glen Huron. The Pre-Consultation Request Form was completed and along with the detailed information on this proposal which was submitted to the Township on August 25, 2022. The Township circulated the Pre-Consultation Request Form and supporting documents to various internal departments and the NVCA for review and comments.

The Township provided comments on the proposal and a "Pre-Consultation Checklist". The proposed 'Commercial Storage Facility' to be located at 15 Station Street in Glen Huron would require a Zoning By-law Amendment Application as the current zoning does not permit a storage facility as a principal use. All commercial development is subject to Site Plan Control and the proposed development would require a Site Plan Control Application and approval. The Township provided various comments for the proposed use and zoning with respect to the use, outdoor storage, number of entrances permitted, fencing, garbage facility, and parking and loading requirements.

The NVCA provided comments that they have no concerns with the overall structure as proposed at the revised location of 15 Station Street. The property is within the NVCA regulated area and a permit will be required.

The subject property is zoned Service Commercial (C3) and Hazard Land (Overlay (FP)) which signifies the Nottawasaga Valley Conservation Authority's regulated area. The proposed zoning would be Service Commercial Exception No. XX (C3-XX) to add a "Commercial Storage Facility" as a permitted use and to provide site specific zone provisions for the proposed use. The proposed rezoning would also recognize the existing outdoor storage on the property. The proposed zoning and exceptions are described in detail further on in this report.

This Planning Justification Report is provided in support of the requested Zoning By-law Amendment (ZBA). It demonstrates how the proposal is consistent with provincial planning policy, conforms to the County of Simcoe and Township of Clearview official plans, meets the intent of the Township of Clearview Zoning By-law and represents good planning.

2.0 SUBJECT PROPERTY AND SURROUNDING USES

2.1 SUBJECT PROPERTY

The subject property is located at 15 Station Street within the Village of Glen Huron. The property has 113.13 metres (371 feet) of frontage on Station Street, 52.12 metres (170 feet) in depth, and an overall area of 5,813.4 square metres (1.43 acres). The property is vacant and is utilized for outdoor storage for the Hamilton Brothers Farm and Building Supplies business.

Figure 1

KEY MAP SHOWING THE LOCATION OF THE PROPERTY

(Source: Google Maps)



The front portion of the property is flat, cleared, and surfaced with gravel. The rear portion of the property has a steep incline up a slope/hill and is treed. There is a drainage ditch that runs from the west to the east long the toe of the slope which then meanders into the unopened road allowance and drains into the roadside ditch. There are three entrances into the property from Station Street. An unopened road allowance which is utilized as a driveway runs along the east lot line. There are currently rows of lumber products and supplies stored outside on the gravelled front portion of the property.

Figure 2

AIRPHOTO OF THE SUBJECT PROPERTY

(Source: Township of Clearview Interactive Maps)



The subject property is currently zoned *Service Commercial (C3)* and *Hazard Land (Overlay (FP))* in Township of Clearview Zoning By-law 06-54 and designated '*Commercial*' and in Glen Huron which is a '*Secondary Settlement Area*' in the Township of Clearview Official Plan (2002).

2.2 SURROUNDING LAND USES

The lands are surrounded by the following uses:

- North – across the street is a former agricultural barn (now empty) and commercial shop both zoned Service Commercial (C3);
- West - residential lot and dwelling;
- East - unopened Road allowance, residential; and
- South - farmland.

4.0 ZONING BY-LAW AMENDMENT

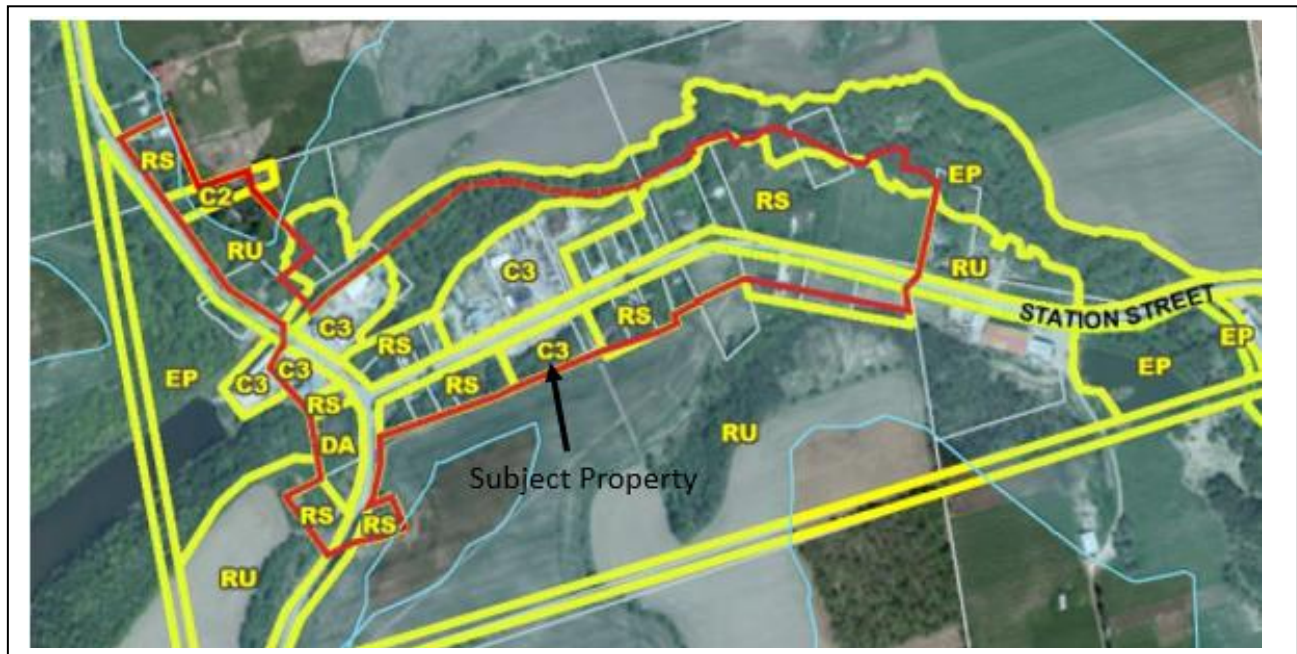
The subject property is zoned Service Commercial (C3) and Hazard Land (Overlay (FP)) which signifies it is within the Nottawasaga Valley Conservation Authority's (NVCA) regulated area. The C3 zone has a list of permitted commercial uses with primary uses being commercial parking lot; equipment sales and rental establishment; farm implement and supplies outlets and farm co-operative; gas bar; marine sales and service establishment; motor vehicles repairs, sales, and wash facility; recreational vehicles sales and services establishment; and towing compound.

The C3 zone also permits the following accessory uses: accessory outdoor display and sales; accessory outdoor storage; and accessory restaurant.

The map below shows the zoning on the subject property is C3 and the highlighted blue area is the Hazard Land (Overlay (FP)). The red line outlines the settlement boundary for Glen Huron.

Figure 4

Portion of Zoning By-law 06-54, Schedule B12- Glen Huron Area
(Source: Township website - Township of Clearview Zoning By-law 06-54)



The proposed use “Commercial Storage Facility” is not listed as a permitted primary use. **The proposed zoning by-law amendment would add a “Commercial Storage Facility” as a primary use. The proposed zoning will include exceptions to vary zone provisions which are highlighted in the zoning analysis chart below plus the landscaping and parking requirements. The existing accessory outdoor storage is a permitted use once there is a primary use on the property. The proposed zoning by-law amendment will recognize the existing outdoor storage on the property and exempt it from the requirements set out in**

Section 2.25, Outdoor Storage provisions except that all outdoor storage shall have a minimum setback from all lot lines by 3 metres.

Zone Provisions – Service Commercial (C3) Section 3.24.2	Minimum Required	Existing/Proposed	Complies Yes/No
Lot Area	0.5 ha	5813.4 sq. m or 0.58 ha	Yes
Lot Frontage	50 m	113.13 m	Yes
Front Yard Setback	15 m	3 m	Exception required for reduced front yard setback.
Side Yard Setback	7.5 m	76.8 m east side 12 m west side	Yes
Exterior Side Yard Setback	15 m	n/a	
Rear Yard Setback	7.5 m	36.1 m	Yes
Max. Lot Coverage	40%	5%	Yes
Max. Height for Principal Bldgs & Structures	11 m	7.62 m	Yes
Landscaping Requirements (applicable provision) Section 2.13	3 m screening where commercial abuts a res. use or zone. This would be the west lot line	The lot to the west has a natural treed buffer so no landscaping is proposed.	Exception to not require landscaping.
Parking Requirements (applicable provision) Section 2.14	Warehouse requires 1 parking space per 100 sq. m GFA for the first 5,000 sq. m Proposed storage facility is 312.2 sq. metres would require 4 parking spaces.	Proposing 1 parking space and barrier free parking space.	Exception to require a Commercial Storage Facility parking requirements to be 1 space for up to 500 sq. metres of GFA.
Parking Requirements (applicable provision) Section 2.14	Parking area surfacing to be hard surfaced.	Existing surface is gravel. Proposed surfacing of parking area to be gravel with paved entrances in from the road 2 metres.	Exception to require a Commercial Storage Facility parking area surfacing to be gravel with paved entrances in from the road 2 metres.

The proposal for the property is strictly storage. The varied landscaping provisions are justified since there is commercial across the road to the north and to the west, east, and south the lot's perimeters have existing trees that create a natural buffer to any surrounding residential uses. The varied parking and loading requirements are justified since the deliveries and pick ups of supplies (loading areas) will be within the storage facility. The existing surfacing for the development area is gravelled. The Owners proposed to pave the entrances. Employees will not be stationed at the storage facility as they would be on site just for deliveries and pick ups thus no need for customer parking and/or for paving the site. Plus, the gravel surface would be better for some water infiltration. The proposal would be to have on site 1 parking space and 1 barrier free parking space. The full details on the zoning requirements and exceptions are included in a detailed Zoning Analysis submitted with the zba application.

The property's existing outdoor storage would be a legal non-conforming use. Hamilton Bros. Farm Ltd. need additional storage and need to continue to utilize this property for its current use and the proposed commercial storage facility. The commercial storage facility will house lumber and products that should not be stored outside. The outdoor storage is proposed to continue as it has for over 50 years. The current zoning by-law would restrict the area for outdoor storage to be 20% of the primary use and have increased setbacks from lot lines, etc. The proposal would be to recognize the existing outdoor storage on the property by exempting this use from the Outdoor Storage provisions. The details for the outdoor storage will be incorporated on the formal site plan and submitted with the Site Plan Control application when it is submitted.

The proposed zoning amendment would be to rezone the property to a **Service Commercial Exception No. XX (C3-XX) with the following exceptions:**

1. Add "Commercial Storage Facility" as a principal use;
2. Reduce the Minimum Front Yard Setback from 15 metres to 3 metres;
3. To establish exceptions to the required landscaping and parking provisions for the proposed "Commercial Storage Facility" as follows:
 - Landscaping – none required;
 - Parking – for Commercial Storage Facility 1 parking space per for up to 500 sq. metres of gross floor area with the parking area surfacing being gravelled provided the entrances are paved from the pavement edge on the road and in 2m from the front lot line.
4. Accessory Outdoor Storage is exempt from the provisions in Section 2.25 of the Zoning By-law and shall be setback a minimum of 3 metres to all lot lines.

The Hazard Land (Overlay (FP) would remain on the property.

5.0 PLANNING POLICY AND ANALYSIS

The following considers all relevant provincial, county, and municipal planning policy having application to the site.

5.1 Provincial Policy Statement (2020) (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Its aim is to enable appropriate forms of development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 3 of the Planning Act requires all decisions affecting planning matters "to be consistent with" the PPS and other policy statements issued under the Act.

The subject property is within Glen Huron which is recognized as a "Settlement" in the County of Simcoe Official Plan. Therefore, it is the "Settlement Areas" policies of the PPS that are relevant to this proposal.

The "Settlement Areas" policies in the PPS, Section 1.1.3, includes urban areas and rural settlement areas, and include cities, towns, villages, and hamlets. The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. "Settlement areas" shall be the focus of growth and

development. Land use patterns within *settlement areas* shall be based on a range of uses and opportunities for intensification and redevelopment.

The “*Employment*” policies in the PPS, Section 1.3, states planning authorities shall promote economic development by providing for an appropriate mix and range of employment uses.

The *Long-Term Economic Prosperity* policies in the PPS, Section 1.7 states long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness.

The PPS defines “*Employment area*” as those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

The proposed zoning by-law amendment would conform to the PPS as the property is in a “*Settlement Area*” where mix uses are permitted, and economic development is promoted.

5.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (APG) (2020)

The Growth Plan applies to the area designated as the Greater Golden Horseshoe Growth Plan which includes Simcoe County. All decisions made on a planning matter must conform to the Growth Plan unless there is a legislative or regulatory provision providing otherwise.

The ‘*Guiding Principles*’ policies of the Plan, Section 1.2.1, states the plan should provide flexibility to capitalize on new economic and employment opportunities. The Plan recognizes and promotes the important role of rural towns and villages as a focus of economic cultural and social activities that support surrounding rural and agricultural areas.

The “*Policies for Where and How to Grow*”, Section 2.2, states that limited development will be directed to settlement areas that are not serviced by existing or planned municipal water and wastewater systems.

The “*Rural Areas*”, Section 2.2.9, states “municipalities are encouraged to plan for a variety of cultural and economic opportunities within rural settlement areas to serve the needs of rural residents and area businesses.”

The subject lot is in a settlement area of Glen Huron which does not have existing or planned municipal water and wastewater systems. The Plan allows limited development within the rural settlement and encourages municipalities to plan for economic opportunities to serve the needs of the rural residents and area businesses. The proposed zoning by-law amendment to permit a “*Commercial Storage Facility*” and to recognize an existing commercial use on the property (outdoor storage) conforms to the Growth Plan as it supports economic development in a settlement area.

5.3 County of Simcoe Official Plan (Consolidated 2016)

The policies of the County of Simcoe Official Plan provide a policy context for land use planning taking into consideration the economic, social, and environmental impacts of land use and development decisions. The Plan applies to the sixteen Towns and Townships, the local municipalities, within the County of which Clearview Township is included. A zoning by-law amendment must conform to the policies of the County Plan.

The subject lot is within Glen Huron which is a recognized settlement area listed on the County OP Table 5.1.

The ‘*Settlement*’ policies, Section 3.5, focus population and employment growth and development within settlements with a particular emphasis on primary settlement areas.

Section 3.1.2 states, “*Settlements* include traditional mixed use central places such as towns, villages, and hamlets. In Simcoe County specific land use designation applying to lands within *settlement/settlement areas* shall rely on the *local municipal* official plan.”

The County OP directs employment growth to “Settlements” and relies on the local OP to applying specific land use designation. The Township of Clearview OP designates the subject property as commercial which permits retail and service commercial use/employment uses.

Section 3.1.4, states “the *Plan* recognizes the need to enable and encourage the development of a wide range of business and employment opportunities to meet the needs of a growing population and changing global economics.”

The proposed ZBA to permit a “Commercial Storage Facility” and recognize the existing commercial use on the subject property would conform to the County of Simcoe Official Plan which encourages the development of business and employment opportunities and since the property is in a *Settlement* where employment growth is recognized in the local OP.

5.4 Township of Clearview Official Plan (2001)

The subject property is within the secondary settlement area of Glen Huron and is designated “Commercial” in the Township of Clearview Official Plan.

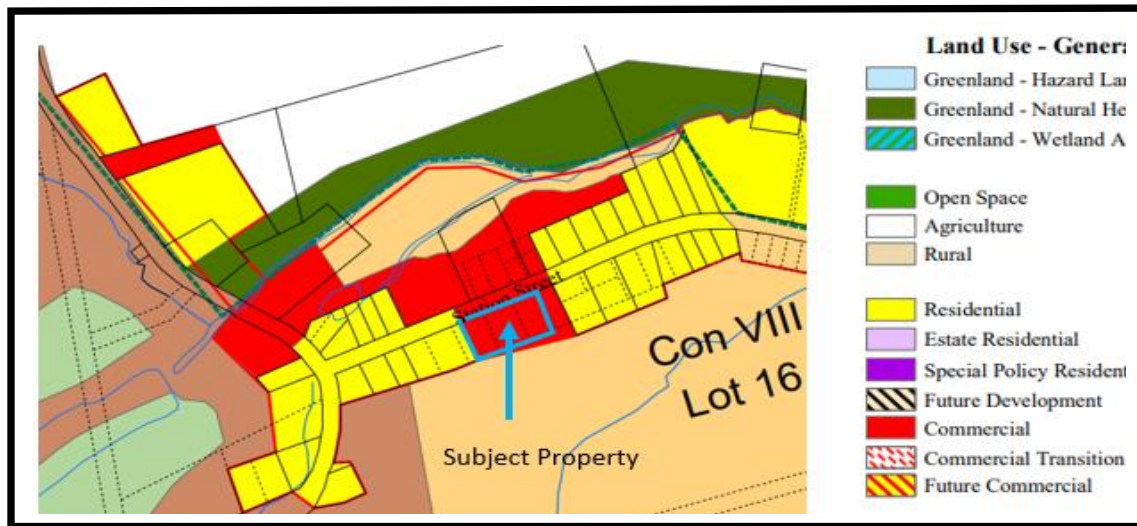
Section 4.7.1 states “a limited amount of additional commercial growth is to be permitted in Clearview’s secondary urban settlement areas through infilling and/or minor expansion of established commercial districts. It is the intent of this Official Plan to encourage the expansion of the municipality’s existing commercial base as a means of addressing the commercial needs of Clearview’s residents and optimizing tourist/recreational opportunities.”

Section 4.7.2 states “the Commercial designation, as delineated on Schedules A through A1 to this Official Plan, identifies those areas within the Township’s three primary and ten secondary urban settlement areas where commercial development may be permitted.”

Section 4.7.2.1, Downtown Commercial, 1., **Permitted Uses**, are uses which may be permitted include all forms of retail and service commercial facilities.

The proposed zoning by-law amendment to allow the proposed use “Commercial Storage Facility” and recognize the existing long term commercial use is encouraged and permitted by the Township’s Official Plan since the property is designated Commercial, commercial development is encouraged, and the use would be permitted as a retail and service commercial facilities.

Figure 5
Portion of the Official Plan Schedule “A7- Glen Huron”
Illustrating the Designation on the Subject Lot is Commercial
 (Source: Township’s website - Township of Clearview Official Plan)



6.0 CONCLUSION

Hamilton Bros. Farm and Building Supplies is a 6th generation family-owned business established in 1874 in Glen Huron which has grown over the years to several properties in Glen Huron that retails everything from farm and building supplies, to various products for your gardens and household needs. Their business has continued to grow which has led to their need for additional storage facilities for storing the lumber and products inside.

The proposed zoning by-law amendment will rezone their property located at 15 Station Street in Glen Huron from Service Commercial (C3) to Service Commercial Exception No. XX (C3-XX) to add a “Commercial Storage Facility” as a permitted use with exceptions to the zone provisions which are appropriate for this use on the subject property. The long-term use on the property (more than 50 years) has been outdoor storage of their lumber and products. The proposed rezoning will recognize the Outdoor Storage on the property and set appropriate setbacks for the storage of lumber and products from all lot lines which maybe more than what currently exist.

All provincial plans and County of Simcoe Official Plan encourage and promote economic development in rural settlements areas to support the community needs. The County OP relies on the local Official Plan to designate the properties in Settlement Areas for their land use. The local Official Plan designated the property as Commercial. The proposed zoning by-law amendment to add a commercial use and recognize an existing commercial use would be consistent with the PPS and comply with the A Place to Grow Plan and County plan.

The Clearview Official Plan designates the property as Commercial. The Clearview Official Plan encourages expansion of the municipalities current commercial base. The Commercial designation permits commercial

retail and service facilities. The proposed commercial use, a retail service commercial storage facility and commercial outdoor storage is permitted by the OP. The proposed zoning by-law amendment will conform to the Township of Clearview Official Plan.

It represents good planning to allow existing commercial uses to continue to grow and be improved so long as the property is sufficient in size to accommodate the use and services and there are no impacts to surrounding use, which this proposal satisfies.

On behalf of the Owners, we respectfully request the Council of the Township of Clearview to look favourably on their request.

Respectfully,

Marie Leroux

Marie Leroux, MCIP RPP
Land Use Planner
Mountain Ridge Custom Homes Inc.
705-718-4313 cell



APPENDIX “B”

Draft Amending Zoning By-law

By-law Number 22-XX

The Corporation of the Township of Clearview

Being a By-law to regulate the use of land and the character, location and use of buildings and structures on lands municipally known as 15 Station Street in Glen Huron, and legally described as Plan 497, Lots 7 & 8, and Pt Lot 6 being Part 1 on Reference Plan 51R37030 formerly Nottawasaga Township, now in the Township of Clearview

(Zoning By-law Amendment – 15 Station Street, Glen Huron)

Whereas pursuant to Section 34 of the Planning Act R.S.O., 1990, c.P.13, as amended, Council of the Corporation of the Township of Clearview has passed By-law 06-54 being the comprehensive Zoning By-law for the Township of Clearview;

And Whereas the amendment is in conformity with the Township of Clearview Official Plan;

And Whereas Council deems it desirable and necessary to amend By-law 06-54;

Now Therefore Council of the Corporation of the Township of Clearview hereby enacts as follows:

1. That Schedule 'A1 or B12' of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 15 Station Street and Plan 497, Lots 7 & 8, and Pt Lot 6, formerly Nottawasaga, now in the Township of Clearview, from Service Commercial (C3) Zone to the Service Commercial Exception No. XX (C3-XX) Zone as shown on Schedule "1" attached hereto and forming part of this By-law.
2. That Section 3.24.3, Service Commercial Zone Exceptions is hereby further amended by adding the following exception.

Service Commercial Exception No. XX (C3-XX)
Plan 497, Lots 7 & 8, and Pt Lot 6, Formerly Nottawasaga
(15 Station Street, 010-010-13810)

Additional Permitted Use:

- Commercial Storage Facility

Altered or Additional Provisions:

- Reduce the Minimum Front Yard Setback from 15 metres to 3 metres;

- To establish exceptions to the required landscaping and parking provisions for the proposed “Commercial Storage Facility” as follows:
 - Landscaping – none required;
 - Parking – for Commercial Storage Facility 1 parking space per for up to 500 sq. metres of gross floor area with the parking area surfacing being gravelled provided the entrances are paved from the pavement edge on the road and in 2m from the front lot line.
 - Accessory Outdoor Storage is exempt from the provisions in Section 2.25 of the Zoning By-law and shall be setback a minimum of 3 metres to all lot lines.
3. That all other provisions of By-law 06-54, as amended, which are not inconsistent with the provisions of this By-law, shall continue to apply when the By-law comes into effect.
4. This By-law shall come into force and take effect in accordance with the provisions of the Planning Act R.S.O, 1990 c. P.13.

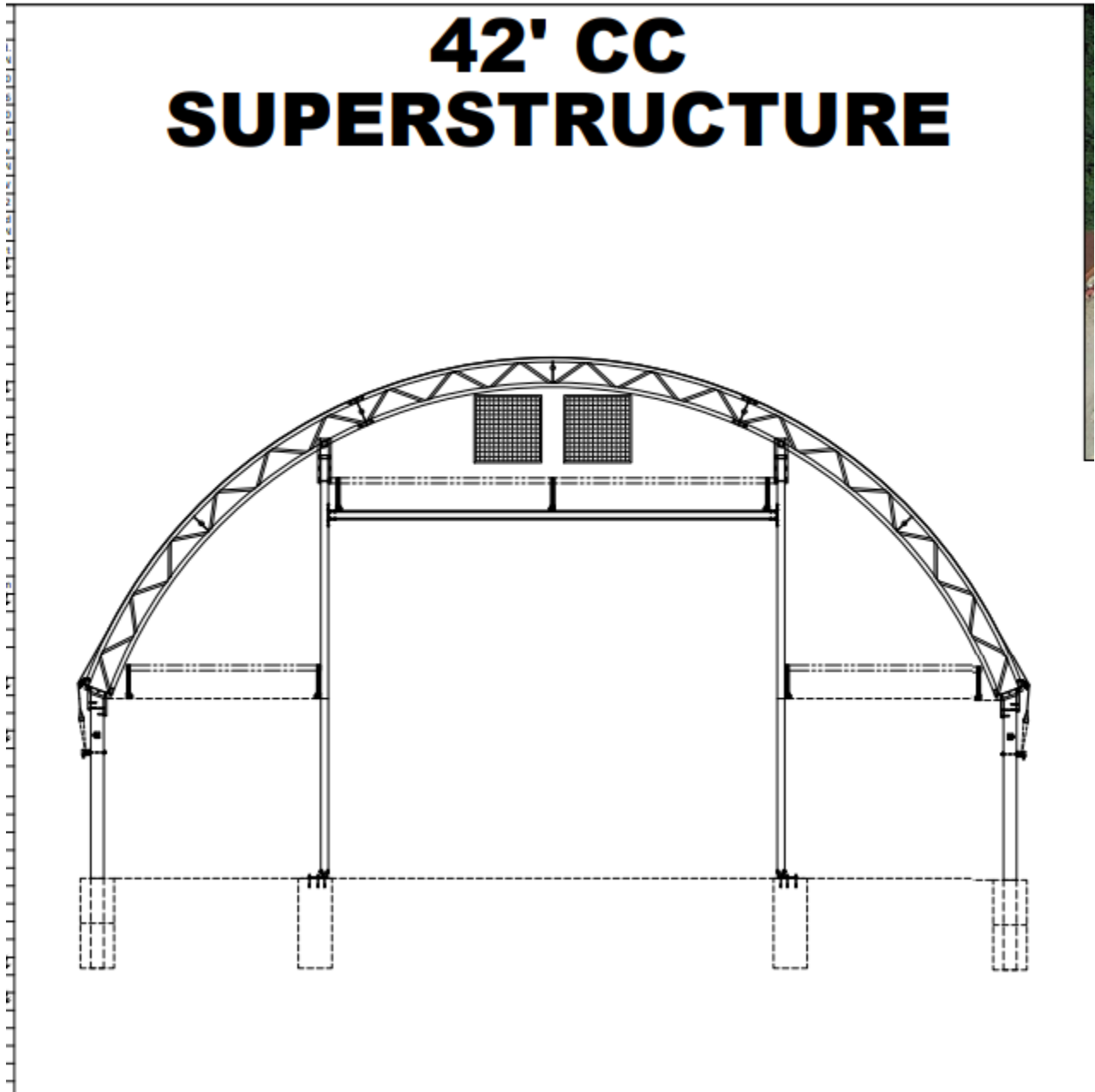
By-law Number 22-XX read a first, second and third time and finally passed this day of , 2022.

Doug Measures, Mayor

Sasha HelmKay, Clerk

APPENDIX "C"

Elevation Drawing of Commercial Storage Facility



APPENDIX "D"

Pictures of the Property & Existing Storage



This is looking east at the subject property.



This is looking west at the subject property.