

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
PUBLIC MEETING – FEBRUARY 22, 2021 @ 7:00 P.M.  
VIA WEB CONFERENCING**

**HOW TO JOIN**

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://us02web.zoom.us/j/83588606297>

Description: Public Meeting Under the Planning Act

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

855 703 8985 (Toll Free)

Webinar ID: 835 8860 6297

**PAGE  
NUMBER**

**CALLING TO ORDER - Mayor Lennox**

**DISCLOSURE OF PECUNIARY INTEREST**

**OWNERS/APPLICANT**

Harvey & Kathryn Martin

**LOCATION OF THE SUBJECT LAND**

The land subject to the proposed amendment is described as Part Lot 7, Concession 9, RP 834349102 with a civic address of 8330 Line 8, Kenilworth. The property is 39.7 ha (98.1 ac) in size. *The location is shown on the map attached.*

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**PURPOSE AND EFFECT OF THE APPLICATION**

The purpose and effect of the proposed amendment is to rezone the property to permit a commercial licensed mechanic shop to operate in the existing 772 m<sup>2</sup> (8,307 ft<sup>2</sup>) accessory structure. Additional relief may be considered at this meeting.

**NOTICE**

Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on January 29, 2021.

**PRESENTATIONS**

- Michelle Innocente, Senior Planner, County of Wellington, Township of Wellington North
  - Planning Report dated February 17, 2021

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**CORRESPONDENCE FOR COUNCIL'S REVIEW**

- Andrew Herreman, Resource Planning Technician, Grand River Conservation Authority
  - Letter & Map dated February 2, 2021 (No Objection)

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**REQUEST FOR NOTICE OF DECISION**

The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the by-law must submit a written request.

**MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS**

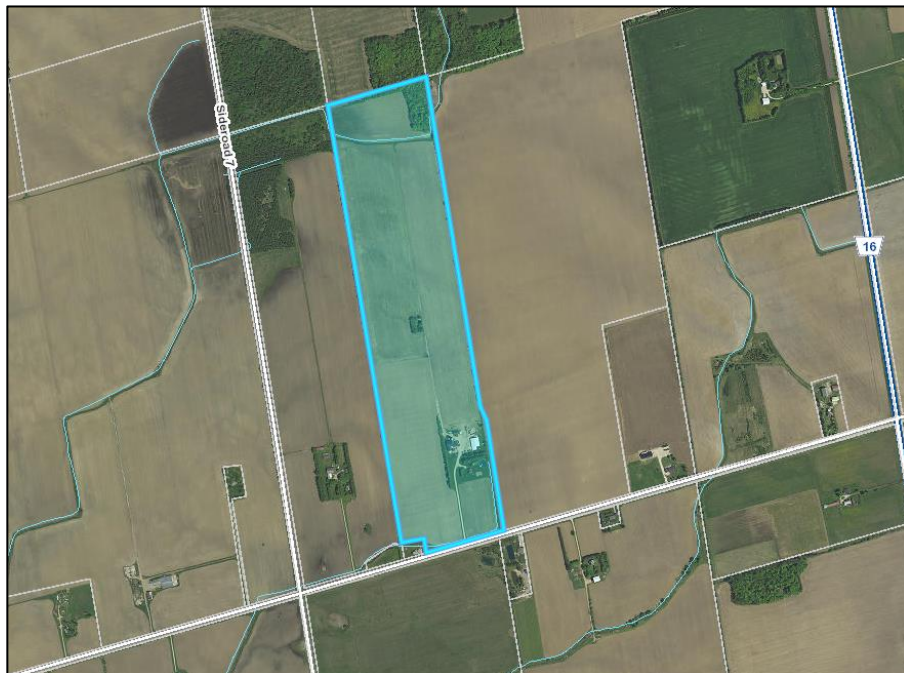
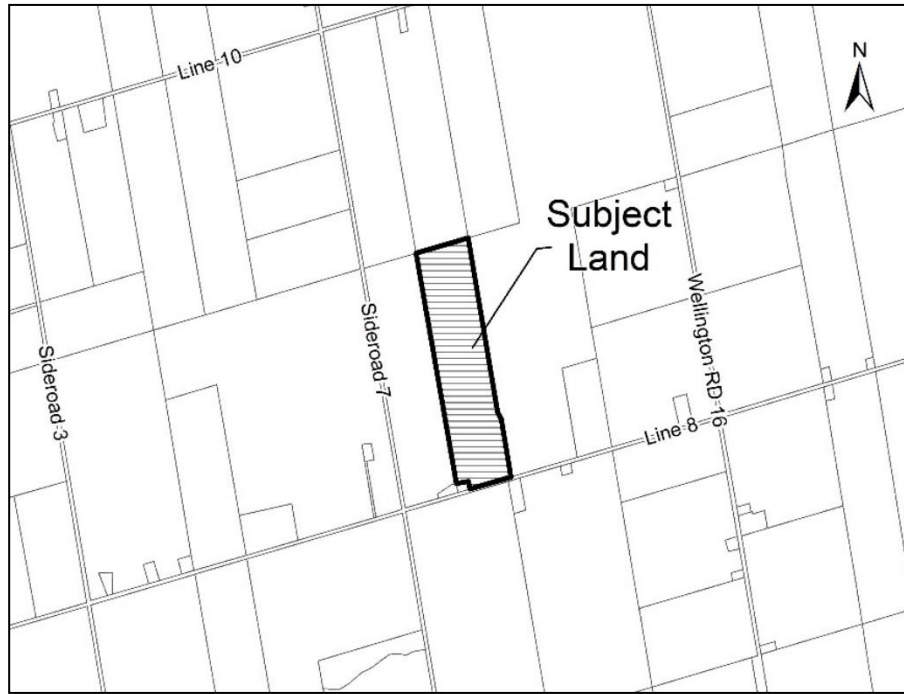
**COMMENTS/QUESTIONS FROM COUNCIL**

**ADJOURNMENT**

Recommendation:

THAT the Public Meeting of February 22, 2021 be adjourned at \_\_\_\_\_ pm.

HARVEY & KATHRYN MARTIN





## PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development Department

**DATE:** February 17, 2021  
**TO:** Mike Givens, C.A.O.  
Township of Wellington North  
**FROM:** Michelle Innocente, Senior Planner  
County of Wellington  
**SUBJECT:** **Harvey & Kathryn Martin**  
**8330 Line 8, Kenilworth**  
**Zoning By-law Amendment (ZBA 2021-01)**

### Planning Opinion

The proposal is to rezone a portion of the property to permit a motor vehicle inspection station.

Under the PPS and the Official Plan, on-farm diversified uses in prime agricultural areas may be permitted provided that they meet several criteria including demonstrating compatibility with the surrounding agricultural area. Based on the information provided with the application, Staff do not support the proposed motor vehicle inspection station as the use does not meet the policies of the Provincial Policy Statement (PPS) or the County Official Plan for permitted uses in the Prime Agricultural area.

### INTRODUCTION

The property subject to the proposed amendment is described as Part Lot 7, Concession 9, RP 83439102, with a civic address of 8330 Line 8, Kenilworth. The property is 39.7 ha (98.1 ac) in size. The location of the property is shown on Figure 1.

### PROPOSAL

The purpose of this zoning amendment is to rezone the subject agricultural property to permit a motor vehicle inspection station. The applicant has indicated that the area of land proposed to be rezoned is approximately 0.54 ha (1.33 ac) in size. There is an existing shop that is 772 m<sup>2</sup> (8,307 ft<sup>2</sup>) in size, a parking area that is 0.25 ha (0.63 ac) in size, and a loading area that 0.12 ha (0.3 ac) in size. Details of the proposal can be found in Figure 2.

### ADDITIONAL INFORMATION

The applicant has also indicated that Saugeen Agri Services Ltd. operates from this location. The property includes the large shop that was constructed in 2009, an office, mechanic shop, wash bay and yard for parking



Figure 1. 2015 aerial photo

vehicles and other equipment. The details of the scale and size of this business were not included with the application. The balance of the property is currently used for cash crop farming.



### PROVINCIAL POLICY STATEMENT (PPS)

Rezoning is subject to the Provincial Policy Statement and decisions of a Council are required to be “consistent” with it (Section 4.2).

The subject property is located within a PRIME AGRICULTURAL area. Section 2.3.3.1 states that in Prime Agricultural areas, permitted uses and activities are: agricultural uses, agricultural 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**.

An agriculture-related uses is defined as follows: “means 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”. It should also be noted that the PPS specifically lists off season/site storage facilities as uses that would not be considered as agriculturally related uses by example

A motor vehicle inspection station is not considered to be an agricultural related use.

An on-farm diversified use is defined as follows: “means uses that are **secondary to the principal agricultural use of the property**, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products”.

All of the following criteria must be met to qualify as on-farm diversified uses, in accordance with the PPS:

1. Located on a farm
2. Secondary to the principal agricultural use of the property
3. Limited in area
4. Includes, but is not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products
5. **Shall be compatible with, and shall not hinder, surrounding agricultural operations.**

With respect to Criteria 5 noted above, details of the proposed motor vehicle inspection station use were not provided with the application in terms of anticipated number of employees, number of vehicles, size of vehicles, parking of vehicles. Based on the information provided with the application, staff cannot determine whether or not Criteria 5 can be met. It should also be noted that some uses may be better suited to settlement areas where municipal services are available. Further, municipalities should consider how effectively any impacts can be mitigated before allowing different uses in prime agricultural areas.

#### **WELLINGTON COUNTY OFFICIAL PLAN**

The subject lands are designated PRIME AGRICULTURE, CORE GREENLANDS and GREENLANDS. Under section 6.4.3 of the Plan, secondary uses including home businesses and farm businesses are permitted. Section 6.4.4 further outlines that home and farm businesses are secondary to the principal use of the property and are allowed as a means of supplementing farm incomes and providing services in the agricultural areas.

Taking into account also the Agriculture First policy of Section 6.4.2 which states that “As a general rule, land use activities that support agriculture will be encouraged and land use activities that do not support agriculture will be discouraged”.

According to the **Ministry of Transportation**, under the **Motor Vehicle Inspection Stations** Program, the Ministry licenses qualified, garage operators to conduct mandatory motor vehicle safety and structural inspections to certify that vehicles meet minimum safety requirements. Inspections are required either at specified time intervals, or when an event such as the sale of a used vehicle takes place. The Motor Vehicle Inspection Station (MVIS) program oversees the inspection of vehicles at approved facilities and the issuing of safety standards certificates, structural inspection certificates and annual and semi-annual inspection certificates and stickers. The program ensures that vehicles meet a minimum safety standard before they receive a certificate or sticker. *(Source: Ministry of Transportation)*

Motor Vehicle Inspection Stations provide inspections for a variety of vehicles and are not limited to agriculturally based vehicles. Planning staff believe that the proposal for the addition of a motor vehicle inspection station is not in keeping with the Official Plan.

### **ZONING BY-LAW**

The subject lands are zoned Agricultural (A) and Natural Environment (NE).

The applicant is seeking to add a motor vehicle inspection station as a permitted use on a portion of the property currently zoned Agricultural. The applicant has indicated that the area of land proposed to be rezoned is approximately 0.54 ha (1.33 ac) in size. There is an existing shop that is 772 m<sup>2</sup> (8,307 ft<sup>2</sup>) in size, a parking area that is 0.25 ha (0.63 ac) in size, and a loading area that 0.12 ha (0.3 ac). Details of the proposal can be found in Figure 2 above.

A draft by-law will be provided following the public meeting and based on Council direction.

### **PLANNING DISCUSSION**

Planning staff are not in a position to support the proposed motor vehicle inspection station at this time.

The PPS outlines five criteria that must all be met to qualify as an on-farm diversified use. The proposed use is not compatible within a prime agricultural area as it services many different types of motor vehicles that are not related to agriculture. The information provided with the application does not demonstrate that the use is compatible with the surrounding agricultural area. Such a use would more appropriately be located within an urban centre.

Respectfully submitted

County of Wellington Planning and Development Department



Michelle Innocente, Senior Planner



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**PLAN REVIEW REPORT: Township of Wellington North  
Tammy Pringle, Development Clerk**

**DATE:** February 2, 2021

**YOUR FILE:** ZBA01-21

**RE:** **Zoning By-law Amendment ZBA 01-21**  
8330 Line 8, Township of Wellington North  
Harvey and Kathryn Martin

**GRCA COMMENT:\***

The Grand River Conservation Authority (GRCA) has no objection to the proposed zoning by-law amendment.

**BACKGROUND:**

**1. Resource Issues:**

Information currently available at this office indicates that portions of the property contain watercourses, wetland and the regulated allowance adjacent to these features.

**2. Legislative/Policy Requirements and Implications:**

The proposal to allow a commercial mechanic shop to operate within the existing accessory structure is not in or near any of the features noted above. As such, GRCA staff do not have any concerns with the proposed application.

Due to the presence of the above-noted features, a portion property is regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.

**3. Additional Information/Suggestions provided in an advisory capacity:**

We note the applicable plan review fee in the amount of \$430.00 for the processing of this application will be invoiced under separate cover.

Yours truly,

  
Andrew Herreman, CPT  
Resource Planning Technician  
Grand River Conservation Authority

Encl (1)

c.c. Harvey and Katheryn Martin (via email only)

\* ***These comments are respectfully submitted and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***





**Legend**

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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 Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.  
 The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

