

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
PUBLIC MEETING MINUTES – APRIL 25, 2022 @ 7:00 P.M.  
VIA WEB CONFERENCING <https://www.youtube.com/watch?v=KpE169ndn-Y>

**Members Present:**

**Mayor:** Andrew Lennox  
**Councillors:** Sherry Burke  
Lisa Hern  
Steve McCabe  
Dan Yake

**Staff Present:**

**Chief Administrative Officer:** Michael Givens  
**Director of Legislative Services/Clerk:** Karren Wallace  
**Deputy Clerk:** Catherine Conrad  
**Director of Operations:** Matthew Aston  
**Community Recreation Coordinator:** Mandy Jones  
**Manager of Recreation Services:** Tom Bowden  
**Human Resources Manager:** Amy Tollefson  
**Economic Development Officer:** Dale Small  
**Chief Building Official:** Darren Jones  
**Director of Fire Services:** Chris Harrow  
**Senior Planner:** Jessica Rahim

**CALLING TO ORDER - Mayor Lennox**

Mayor Lennox called the meeting to order.

**DISCLOSURE OF PECUNIARY INTEREST**

No pecuniary interest disclosed.

**OWNERS/APPLICANT**

Kyle Woods, 9638 Concession 8

**LOCATION OF THE SUBJECT LAND**

The lands subject to the proposed amendment is described as Concession 9, Part of Lot 1 RP 60R2423, Part 1, and known Municipally as 9638 Concession 8 and the Northeast corner of Part of Lot 1, Concession 9 known Municipally as 9630 Concession 8, Geographic Arthur Township. The property subject to the proposed amendment is approximately 0.89 ha (2.2 ac) in size.

**PURPOSE AND EFFECT OF THE APPLICATION**

The purpose and effect of the proposed amendment is to rezone the subject lands to permit a commercial licensed automotive body repair shop, automotive sales and service establishment, and salvage yard (commercial towing, salvage, vehicle storage and light and heavy vehicle repairs) on the property. The property is currently zoned Agricultural with a site specific provision (A-25) which permits an Agricultural Equipment Rental Business. 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 April 1<sup>st</sup>, 2022.

## PRESENTATIONS

Jessica Rahim, Senior Planner, County of Wellington, Township of Wellington North reviewed her Planning Report dated April 14, 2022.

### Summary

The purpose of this zoning amendment is to rezone the subject lands to permit a commercial licensed automotive body repair shop, an automotive sales and service establishment and a salvage yard on the property. The proposed amendment would recognize the current business which includes commercial towing, salvage, vehicle storage and light and heavy vehicle repairs.

The current business was operating out of the building that was destroyed by a fire in 2020. The applicant's intent is to construct a new 3,500 ft<sup>2</sup> shop on the subject property in order to continue to operate the business. The current zoning (A-25) permits an Agricultural Equipment Rental Business, which does not allow for the existing business.

This report provides an overview of the proposed zoning by-law amendment application and any comments received to date. A Public Meeting is scheduled for April 25, 2022. This meeting will provide the opportunity for the community and area residents to ask questions and seek more information from the proponent regarding the application.

### INTRODUCTION

The lands subject to the proposed amendment are described as Concession 9, Part of Lot 1 RP 60R2423, Part 1, and known Municipally as 9638 Concession 8 and the Northeast corner of Part of Lot 1, Concession 9, known Municipally as 9630 Concession 8, Geographic Arthur Township. The property subject to the proposed amendment is approximately 0.89 ha (2.2 ac) in size.

### PROPOSAL

The purpose and effect of the proposed amendment is to rezone the subject lands in order to permit a commercial licensed automotive body repair shop, automotive sales and service establishment, and a salvage yard (commercial towing, salvage, vehicle storage and light and heavy vehicle repairs) on the subject property. The property is currently zoned Agricultural with a site specific provision (A-25) which only permits an Agricultural Equipment Rental Business.

### PROVINCIAL POLICY STATEMENT (PPS)

Section 4.2 of the PPS outlines that decisions of Council for zoning by-law amendments shall be "consistent" with the policies of the PPS.

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 Guidelines on Permitted Uses in Prime Agricultural Areas specifically lists off automotive dealerships, towing

companies, machine shops or wrecking yards as uses that would not be considered as agriculturally related uses.

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 the criteria listed above, the proposed commercial use is not located on a farm, and therefore is not secondary to the principal agricultural use of the property. It should also be noted that some uses may be better suited to settlement areas where municipal services are available.

#### WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE, and a small portion is CORE GREENLANDS. Under section 6.4.3 of the Plan, secondary uses including home businesses and farm businesses are permitted as agricultural related uses.

Section 6.4.4 further outlines that home and farm businesses are to be 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.

Section 6.4.5 further outlines that “small scale agricultural-related businesses as required to serve agriculture and directly related to farm operations may be allowed in appropriate locations and subject to zoning provisions, where they are needed in close proximity to farms”.

#### ZONING BY-LAW

The subject lands are zoned Agricultural Site Specific (A-25) and Natural Environment (NE). The property was rezoned in 2006 to permit an Agricultural Equipment Rental Business. The business was considered to be an “agriculturally related use” under Provincial Policy and the County Official Plan. The applicant provided supporting information about the business, which demonstrated that the Agricultural Rental Business served farmers and was required to be in close proximity to the farmers.

The current application is seeking to add a commercial licensed automotive body repair shop, automotive sales and service establishment, and salvage yard as permitted uses on the property. These automotive uses are typically located in urban centres where municipal services are available.

The Township zoning by-law currently prohibits a ‘Salvage or Wrecking and Recycling Facility’ in all zones.

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

## SITE PLAN CONTROL

The proposed development will be subject to Site Plan Review by the Township. Site design, grading, servicing, stormwater management, landscaping, parking, fencing etc. will be reviewed as part of the site plan review.

## NEXT STEPS

A final report and planning recommendation will be provided following the public meeting and resolution of any outstanding matters.

## CORRESPONDENCE FOR COUNCIL'S REVIEW

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated April 20, 2022 (No Objections)

## REQUEST FOR NOTICE OF DECISION

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

## MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

Kyle Woods, Applicant, was present to answer questions regarding the application. He noted that the zoning amendment isn't necessarily for the body shop, but is mainly for towing, vehicle storage, enclosed impound and to be able to build a new shop since the fire happen a year and a half ago.

## COMMENTS/QUESTIONS FROM COUNCIL

Councillor Burke inquired about the salvage portion of the proposal, noting many salvage yards have multiple vehicles piled up and she wondered how we get around requests to have by-law enforcement involved in things. What is the intent of the salvage yard? Mr. Woods explained that the salvage was added because as of 2019 businesses must be registered with the Environmental Activity and Sector Registry (EASR) to have end of life vehicles on the property and deals in mostly these types of vehicles. Mr. Woods wants to be able to process those vehicles that are end of life as soon as possible to maximize his income and profitability. He is not looking for a wrecking yard or to sell parts. In the proposal there is a plan for a larger enclosed compound that will be fenced to keep things out of sight. He wants to be able to get rid of the storage trailers that have been in use since the fire and clean up the property.

Ms. Rahim added that the salvage yard is not technically permitted in any uses in the Township Zoning By-law. This would be site specific to recognize the salvage yard. It is also subject to site plan approval. They could come back with two separate by-laws: one allowing the automotive uses and salvage yard and one with just the automotive uses. Council would have the opportunity to look at both at the next meeting.

Mayor Lennox inquired if it would be recommended to put those provisions in the zoning by-law amendment or if it would be better dealt with through site plan. Ms. Rahim suggested that a few of the provisions would be within the site-specific zoning to narrow that down and allow for situations similar to this where there was an old rezoning on the property and then goes to a new owner. Right now, the site-specific zoning doesn't have much detail and only allows for agricultural repair. They will include more detail regarding location through the zoning and the screening would be through the site plan agreement.

## **ADJOURNMENT**

RESOLUTION: 003-2022

Moved: Councillor McCabe

Seconded: Councillor Hern

THAT the Public Meeting of April 25, 2022 be adjourned at 7:27 pm.

CARRIED

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**MAYOR**

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**CLERK**