

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING MINUTES JANUARY 29, 2024 AT 7:00 P.M.
HYBRID MEETING – IN PERSON AND VIA WEB CONFERENCING**
<https://www.youtube.com/watch?v=d3FUi502TrM>

Members Present:
Mayor: Andrew Lennox
Councillors: Sherry Burke
Lisa Hern (via Zoom)
Steve McCabe
Penny Renken

Staff Present:
Chief Administrative Officer: Brooke Lambert
Director of Legislative Services/Clerk: Karren Wallace
Deputy Clerk: Catherine Conrad
Director of Finance: Jerry Idialu
Human Resources Manager: Amy Tollefson
Chief Building Official: Darren Jones
Senior Project Manager: Tammy Stevenson
Manager Community & Economic Development: Mandy Jones
Recreation Service Manager: Tom Bowden
Senior Planner: Jessica Rahim

CALLING TO ORDER

Mayor Lennox called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest declared.

OWNERS/APPLICANT

ZBA 23/23 Gwen & Donald Cormack

LOCATION OF THE SUBJECT LAND

The land subject to the proposed amendment is described as WOSR PT LOT 6 DIV 3 TO 4 RP 60R2342 PARTS 1 TO 3 61R8418 PART 4 with a civic address of 9724 Highway 6. The subject property is approximately 47.1 ha (116.4 ac) in size.

PURPOSE AND EFFECT OF THE APPLICATION

The purpose and effect of the proposed amendment to rezone a portion of the subject lands (approximately 19.8 ha) from Agricultural (A) to Agricultural Commercial Site Specific (AC-xx) zone to facilitate the construction of a farm equipment sales and service dealership (Maple Lane Farms Services). Additional relief may be considered at this meeting.

NOTICE

Notices were mailed to property owners within 120 meters of the subject property as well as the applicable agencies and posted on the subject property on January 9, 2024.

PRESENTATIONS

Jessica Rahim, Senior Planner, County of Wellington, Township of Wellington North

- Planning Report dated January 22, 2024

PLANNING OPINION

The purpose of this zoning amendment is to rezone a portion of the subject land, approximately 19.8 ha (48.9 ac) from Agricultural (A) to Agricultural Commercial Site Specific (AC-xx) to facilitate the construction of a farm equipment sales and service dealership (Maple Lane Farm Service). The applicants are proposing to construct a new 10,200 m² (109,792 ft²) facility with an outdoor equipment display area. The subject property is approximately 47.1 ha (116.4 ac) in size.

The purpose of this report is to provide the Township with an overview of the proposed zoning amendment application and facilitate the public meeting. Further, this statutory public meeting will provide the opportunity for the community and area residents to ask questions and seek more information from the applicant. It will also provide the opportunity for the applicant to address any concerns that may have been raised through the notification process.

Following the public meeting, Planning Staff will consider any comments that are received and will prepare a final report and By-law for Council's consideration.

INTRODUCTION

The subject land is legally described as WOSR Pt Lot 6 Div 3 to 4 RP 60R2342 Parts 1 to 3 61R8418 Part 4 with a civic address of 9724 Highway 6. The subject property is approximately 47.1 ha (116.4 ac) in size and is currently being farmed.

PROPOSAL

The purpose of this zoning amendment is to rezone a portion of subject property (approximately 19.8 ha (48.9 ac)) from Agricultural (A) to Agricultural Commercial Site Specific (AC-xx) to facilitate the construction of a farm equipment sales and service dealership (Maple Lane Farm Service). The applicants are proposing to construct a new 10,200 m² (109,792 ft²) facility with an outdoor equipment display area. The existing buildings (dwelling and barns) will be demolished to facilitate the construction.

SUPPORTING STUDIES

The applicant has completed the following technical reports and studies in support of the proposed application:

- A Planning Justification Report prepared by Van Harten Surveying Inc.
- A Traffic Impact Study prepared by Salvini Consulting Inc.

RELATED APPLICATION

This rezoning application is a condition of approval of consent application B100/23. The lot line adjustment would sever the west side of the property and merge it with the adjacent farm parcel to the north. This will result in a retained 19.8 ha (48.9 ac) agricultural lot located at the northwest corner of Highway 6 and Sideroad 3 W (subject parcel to be rezoned). The application will be going to the February 10th, 2024, County of Wellington Land Division Committee meeting.

PROVINCIAL PLANNING POLICY

Zoning by-law amendments are subject to the Provincial Policy Statement and decisions of a Council “shall be consistent with” the PPS. The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.3.1 of the PPS allows for agriculture-related uses in the Prime Agricultural Area provided those uses are compatible with and shall not hinder surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

Guidelines on Permitted Uses in Ontario’s Prime Agricultural Area

The PPS further directs planning applications to be reviewed under more detailed guidelines to help interpret the policies in the PPS on the uses permitted in prime agricultural areas.

Section 2.2 of the guideline document provides criteria for agricultural-related uses in prime agricultural areas. Specifically, “agricultural-related uses are farm-related commercial and industrial uses. They 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”.

“Agricultural-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the areas, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as primary activity”.

Section 2.2.1 outlines the criteria that must be met to qualify as agricultural-related uses in prime agricultural areas which include:

1. The uses must be farm-related commercial or farm related industrial use;
2. Shall be compatible, and shall not hinder, surrounding agricultural operations;
3. Directly relates to farm operations in the area;
4. Supports agriculture;
5. Provides direct products and/or services to farm operations as a primary activity; and
6. Benefits from being in close proximity to farm operations.

The planning justification report prepared by Van Harten Surveying Inc. provides a detailed review of Provincial policy and the specific criteria for agricultural-related uses. The report covered that the proposed farm dealership can be considered an agricultural-related use and can be appropriately located in the prime agricultural area.

Minimum Distance Separation (MDS) Document

Section 2.3.3.3 of the PPS requires that new land uses in prime agricultural areas, shall comply with the minimum distance separation formulae. MDS guideline 35 (MDS setbacks for agricultural-related uses and on-farm diversified uses) states:

“MDS 1 setbacks from existing livestock facilities and anaerobic digesters will generally not be needed for land use planning applications which propose agricultural-related uses and on-farm diversified uses. However, some proposed agricultural-related uses

and on-farm diversified uses may exhibit characteristics that could lead to potential conflicts with surrounding livestock facilities or anaerobic digesters. Therefore, it may be appropriate for municipalities to require an MDS I setback to permit certain types of these uses.

Typically, this subset of uses may be characterized by a higher density of human occupation or activity or will be uses that may generate significant visitation by the broader public to an agricultural area.”

“MDS II setbacks to existing agriculture-related uses and on-farm diversified uses will generally not be needed for building permit applications for first or altered livestock facilities and anaerobic digesters. However, some existing agricultural-related uses and on-farm diversified uses may exhibit characteristics that could lead to potential conflicts with first or altered livestock facilities or anaerobic digesters. Therefore, it may be appropriate for municipalities to require MDS II setbacks to certain types of these uses.

Typically, this subset of uses may be characterized by a higher density of human occupation or activity or will be uses that may generate significant visitation by the broader public to an agricultural area.”

The planning justification report prepared by Van Harten Surveying Inc. provided a detailed review of Provincial policy and the specific criteria for agricultural-related uses related to MDS setbacks. The report indicated that the proposed farm dealership can be considered an agricultural-related use that does not require MDS I or MDS II setbacks. Planning Staff are satisfied that MDS I setback are not required, which is consistent with existing tractor dealership uses in the County that meet the criteria for agricultural-related uses.

COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURE and CORE GREENLANDS. The identified feature include Saugeen Valley Conservation Authority regulated Hazard Lands. Section 6.4.3 (c), of the plan provides consideration for agriculture related uses. Agriculture-related uses include “farm related commercial and industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation”.

Section 6.4.2 of Agriculture First policy 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”. We believe that the proposed use meets this intent.

Section 6.4.5 of the County Official Plan allows small scale agricultural-related businesses to serve agriculture and benefits from being in close proximity that are directly related to the farm operations. The proposed farm equipment sales and service dealership serves directly and only the agricultural community and benefits from being in close proximity to the farms.

Site Plan Approval

Planning Staff note that site plan approval will be required for the proposed development. Based on the provided site plan, it appears the closest neighboring dwelling is approximately 60 m (197 ft) from the proposed new AC zone. Screening and landscaping should be considered as part of the site plan review.

ZONING BY-LAW

The subject lands are zoned Agriculture (A) and Natural Environment (NE). No changes are proposed to the NE zone. The proposal is to rezone a portion of the subject lands (19.8 ha) from Agriculture (A) to a Site Specific Agricultural Commercial (AC-xx) zone to be used for a farm equipment sales and service facility. The proposed use is permitted within the AC zone. Site-specific regulations have also been requested as part of this application for parking and the minimum setbacks from residence on an adjacent lot. The following site-specific relief is being requested:

AC Zone (Section 23.2)	Minimum Required	Proposed	Difference
Setback from residential (Section 23.2.8)	121.9 m (400.0 ft)	60 m (197 ft)	61.9 m (203 ft)
Barrier Free Parking (Section 6.27.5)	8	3	5
Parking Regulations (Section 6.27.8 Table #3)	219	100	119

Planning Staff note that the zoning by-law does not have a parking calculation requirement for this exact use (Agricultural Commercial use). Therefore, the applicant has provided the minimum parking calculation based on “all other commercial uses” as outline in the Township zoning by-law. Due to the unique nature of the proposed use which requires the building to accommodate large machinery and considering that type of business that does not have typical peak “busy” hours, Planning staff are satisfied that the reduce parking being proposed is sufficient to accommodate staff (approximately 55 employees) and customers.

Draft Zoning By-law

A draft zoning by-law has been prepared by the applicant’s planner in support of the application.

NEXT STEPS

Following the public meeting, Planning Staff will consider any comments that are received and will prepare a final recommendation report and a draft zoning by-law amendment for Council’s consideration.

CORRESPONDENCE FOR COUNCIL’S REVIEW

Jason Dodds, Environmental Planning Technician, Saugeen Conservation

- Letter dated January 16, 2024 (Generally Acceptable)

Tammy Stevenson, Senior Project Manager, Township of Wellington North

- Letter dated January 22, 2024 (No Objection)

Katherine Noble, Administrator, Wellington Federation of Agriculture

- Letter dated January 26, 2024 (Concerns)

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 COMMENTS/QUESTIONS

Harvey Bowman, Maple Lane Farm Service Inc., and Chris Corosky, Van Harten Surveying Inc., Agent for the Applicant, were present to answer questions regarding the application.

Janet Harrop, Wellington Federation of Agriculture, Past President, stated the WFA is supportive of agricultural related businesses, but feels the parcel size of the land taken out of production is excessive, and inquired about plans for the undeveloped lands and use of existing buildings at the current site. With MDS requirements waived for agriculture-related businesses will neighbouring farms be limited in expanding their farm business with barns, manure storage, etc. once the new facility is built, or in the future with planned expansions. Mayor Lennox explained that the existing site is already zoned for only agricultural related commercial use. Any alterations to the use would require rezoning. No decision is being made tonight and there will be an opportunity to submit further comments.

Chris Corosky, Van Harten Surveying Inc., Applicant's Agent, stated that the current site is about ten acres. The shape and size of the property has changed as Maple Lane Farm Services has grown their business. It is a thriving business dedicated to improving operations and efficiencies in the agricultural sector. The buildings on the current site are almost 50,000 sq. ft. but is on two floors. The new location is needed to better serve customers with better flow on one storey. It is an extensive space with big machinery that takes up a lot of room with an outdoor display area or a queuing area for machinery that is in for repair. The concept plan for the proposed larger site illustrates how the development can work with 100,000 sq. ft. of floor space, storage areas, display areas, and parking, which takes up about half of the site. If approval is given the next step will be a site plan approval application showing much more detail of the site. Any land not developed as part of phase one will continue to be farmed. There is no projection of when phase two will be developed. If the severance is approved the parcel will be just under 20 ha. About 1.3 to 1.5 ha is a natural environment including a drain at the west side, which is the back of the site. It is identified as natural environment in the Township Zoning By-law and the County OP. Storm water management will be required, and we expect there will be a pond at the west side with the outlet being the drainage ditch. They currently employ over fifty people and will grow with the expansion of the operation. The site will accommodate immediate current needs and future growth. We understand that the WFA vision to conserve prime farm land and it is a similar vision of the owners of Maple Lane Farm Service. If not this site it would be another agricultural site in the Township. They want to stay in the Township where they have grown their business. In response to WFA written comments, there are no sites that are zoned for agricultural commercial that could accommodate this use. The location has good visibility and good access at the north west corner of Highway 6 and Sideroad 3. The existing access on Highway 6 will be closed and replaced with at least two access points on Sideroad 3 West. Provincial policy and OMFRA guidelines confirm that this type of use is appropriate in an agricultural area because it is there to help farming. Nothing has been decided regarding the existing site. It could be used as a satellite for the new location, rented, sold, or turned back to agricultural. MDS does not apply. OMAFRA guidelines identify the use as permitted because it is a key linkage to the

agricultural community. Adjacent farms would be able to expand. MTO requested a traffic impact assessment but no response has been received. The conservation authority wants to ensure that the natural area is not impacted.

Kent Benson, 9357 Highway 6, inquired why Maple Lane Farm Service can't expand at their current site. Mr. Bowman explained that it is becoming difficult to organize with too many additions at the current location. They had looked at another addition but determined it is not practical.

COMMENTS/QUESTIONS FROM COUNCIL

Mayor Lennox asked if the draft by-law provides relief for neighbours for future MDS. Ms. Rahim responded that based on the guidelines, if someone wanted a barn expansion, they wouldn't be required to meet the MDS setbacks to this agricultural zone. MDS1 and MDS2 for this particular use does not apply. Mayor Lennox confirmed that the site would be rezoned to allow for future expansion but will be farmed until then. At the time of expansion, it would come back for site plan.

Councillor Burke asked about the provision for the current site. Is there any intent to turn it back into agricultural or will those buildings stay? Mr. Bowman stated they would keep it until the new site is built and it is decided if it is still needed or not.

Councillor Hern stated that Maple Lane Farm Services is extremely important to the fabric of the Wellington North farm community and beyond. The new location could be safer in terms of traffic. Would it be possible to rezone only half of it? Mayor Lennox commented that he had discussed the site with Mr. Bowman and recommended rezoning the whole parcel at this time to avoid multiple future rezonings. We have a provision in place through site plan agreement to deal with expansion on the other portion of the property. The use would have to be agricultural commercial. It makes sense when they are severing along a physical barrier to include the whole property.

Councillor Renken was supportive of the proposal but expressed concern with the loss of prime agricultural land. She would not be supportive of even more land being taken for future expansion.

Councillor Hern commented that there will be more farm equipment on the roads and inquired if it is possible through the site plan process to establish more signage along roadways. Darren Jones, CBO, stated that they will look at a traffic impact study and discuss it with MTO. Traffic will be looked at during the site plan approval process.

ADJOURNMENT


RESOLUTION: PM-2024-001

Moved: Councillor McCabe

Seconded: Councillor Burke

THAT the Public meeting of January 29, 2024 be adjourned at 8:07 p.m.

CARRIED

DocuSigned by:

MAYOR

DocuSigned by:

CLERK