THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH PUBLIC MEETING AGENDA – MAY 10, 2021 @ 2:00 P.M. VIA WEB CONFERENCING

HOW TO JOIN

Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join. <u>https://us02web.zoom.us/j/82854899226</u> 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) or 1 438 809 7799 (long distance charges may apply) Webinar ID: 828 5489 9226

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CALLING TO ORDER - Mayor Lennox	
DISCLOSURE OF PECUNIARY INTEREST	
ZBA 09/21 Allen & Erma Martin (7522 Sideroad 3 E)	
ZBA 13/21 Hewvilla Farms Inc. (7076 Sideroad 2 E / 9851 Highway 6)	
ZBA 14/21 Christian F. Martin (Con 14, Pt Lot 16, Con 13, Pt Lt 16 & 17)	
OWNERS/APPLICANT	
ZBA 09/21 Allen & Erma Martin	
LOCATION OF THE SUBJECT LAND	
The land subject to the proposed amendment is described as Lot 6, Concession 5, with Civic address of 7522 Sideroad 3 E. The property is approximately 36.41 ha (89.98 ac) in size. <i>The location is shown on the map attached</i> .	5
PURPOSE AND EFFECT OF THE APPLICATION	
The purpose and effect of the proposed amendment is to rezone the subject lands to permit a dog kennel. The lands are currently zoned Agriculture (A) and Natural Environment (NE). The subject property is occupied by a dwelling, a barn and two sheds. The applicants are proposing to use an existing 136.75 m ² (1472ft ²) accessory structure for the dog kennel. 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 16, 2021.	
PRESENTATIONS	
 Asavari Jadhav, Junior Planner and Matthieu Daoust, Planner; County of Wellington, Township of Wellington North Planning Report dated March 15, 2021 	6

CORRESPONDENCE FOR COUNCIL'S REVIEW	
Michael Oberle, Environmental Planning Technician, Saugeen Conservation Letter dated April 7, 2021 (No Objections) 	13
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 Rick Rauwerda, Animal Control, R&R Animal Control Report dated May 3, 2021 (No Objections) Kennel Barn Layout Drawing submitted by Allen & Erma Martin 	20 22
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	
OWNERS/APPLICANT	
ZBA 13/21 Hewvilla Farms Inc.	
LOCATION OF THE SUBJECT LAND	
The land subject to the proposed amendment is described as Part Lot 3 EOSR RP 60R2771; PT 1, 2 E DIV 3 DIV 4, with Civic address of 7076 Sideroad 2 E. The property is 19.66 ha (48.56 ac) in size. <i>The location is shown on the map attached</i> .	23
PURPOSE AND EFFECT OF THE APPLICATION	
The purpose and effect of the proposed amendment is to rezone the 1.76 ha (4.36 ac) rural residential parcel from Site Specific Agricultural (A-120) zone to Site Specific Agricultural (A-1) zone. Furthermore, this application is seeking to amend the existing Site Specific Agricultural (A-120) zone for the retained agricultural portion of the property 17.9 ha (44.2 ac) to permit the existing horse breeding operation. This rezoning is a condition of severance application B78/20, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever a 1.76 ha (4.36 ac) rural residential parcel with an existing dwelling and shed. A 17.9 ha (44.2 ac) agricultural parcel will be retained with an existing dwelling and accessory buildings. 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 15, 2021.	
PRESENTATIONS	
 Matthieu Daoust, Planner; County of Wellington, Township of Wellington North Planning Report dated April 26, 2021 	24

CORRESPONDENCE FOR COUNCIL'S REVIEW	
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	
OWNERS/APPLICANT	
ZBA 14/21 Christian F. Martin	
LOCATION OF THE SUBJECT LAND	
The land subject to the proposed amendment is described as Con 14, Pt Lot 16, Con 13, Pt Lot 16 & 17. The property is approximately 104.95 ha (259.36 ac) in size. <i>The location is shown on the map attached.</i>	30
PURPOSE AND EFFECT OF THE APPLICATION	
The purpose and effect of the proposed amendment is to rezone the property to permit a new 557.4 m ² (6,000 ft ²) metal workshop and permit a maximum of 6 employees on site. 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 15, 2021.	
PRESENTATIONS	
 Matthieu Daoust, Planner; County of Wellington, Township of Wellington North Planning Report dated April 21, 2021 	31
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 Barbara M.J. Baranow, Analyst Land Support, Enbridge Gas Inc. Email dated April 15, 2021 (No Objections) 	38
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 May 10, 2021 be adjourned at pm.	

ALLEN & ERMA MARTIN







PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development Department

DATE:	March 15, 2021
то:	Darren Jones, C.B.O.
	Township of Wellington North
FROM:	Asavari Jadhav, Junior Planner
	Matthieu Daoust, Planner
	County of Wellington
SUBJECT:	Allen & Erma Martin
	7522 Sideroad 3 E
	Lot 6 Concession 5
	Zoning By-law Amendment – Dog Kennel

Planning Opinion This zone amendment will rezone the property to permit a dog kennel to operate on a site specific basis on the subject lands. This amendment is required as the current by-law restricts the use in all zones unless specifically permitted by an amendment. The amendment is also required to comply with the Kennel Licencing process outlined in the Township's Kennel License Bylaw.

Planning Staff generally have no concerns with the rezoning application to permit a kennel on the property. Under the Township Kennel Licensing By-law, the applicant will have to submit a detailed site plan showing how outdoor access will be provided to the dogs to the satisfaction of the Township.

INTRODUCTION

The property subject to the proposed amendment is legally described as Lot 6 Concession 5 with a civic address of 7522 Sideroad 3 E and is approximately 36.41 ha (89.98 ac) in size.

PROPOSAL

The purpose of the application is to rezone the subject lands to permit the operation of a dog kennel within an existing 136.75 m² (1472ft²) accessory structure. The property is currently occupied by a dwelling, a barn and two sheds.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is located within a PRIME AGRICULTURAL area. Section 2.3.3.1 of the PPS states "In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses".

"Proposed agriculture-related and on-farm diversified uses shall be 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 objective."

GROWTH PLAN

The Growth Plan for the Greater Golden Horseshoe (GGH) provides growth management policy direction for the GGH, which includes Wellington County. All planning decisions are required to conform to the applicable policies and provisions of the Growth Plan. We are satisfied that the policies in the Growth Plan have been met and the proposed development generally conforms to the Growth Plan.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURAL within the County Official Plan. Kennels are considered a permitted use within the Prime Agricultural area under Section 6.4.3 of the Plan.

ZONING BY-LAW

The subject lands are zoned Agricultural (A). Section 6.5 of the by-law states:

"...a kennel is a restricted use in all zones within the Township of Wellington North. Kennels are prohibited uses unless specifically permitted by an amendment to this By-law. Where specifically permitted by an amendment to this By-law, no land, building or structure shall be used for a kennel, unless the land, building and structure is in compliance with the approved By-Law to regulate and provide for the keeping, control and licensing of dogs within the Township of Wellington North."

An amendment to the zoning by-law is required to permit a kennel on the subject property.

KENNEL LICENSING

The Township has recently updated the Kennel Licensing By-law (046-17), being a By-law to regulate and provide for the keeping, control and licensing of dogs within the Township of Wellington North. This by-law sets out a number of requirements and standards for kennel operations. Operators must apply for and obtain a license from the Township.

Under the Kennel Licensing By-law, a kennel may only be permitted on a property that is within an Agricultural zone and has a minimum lot area of 25 acres. The proposed kennel appears to meet the minimum eligibility requirements set out in the kennel by-law as the applicant's property is located within the agricultural area (zoned Agricultural (A)) and the property is 89.98 ac acres in size.

The applicants have indicated that the kennel will be located within an existing 136.75 m² (1472ft² accessory structure. Section 2.9.7 of the Kennel Licensing By-law requires that "access to a fenced area to the outside that permits the animals to access the outside area and return to the inside area on its own accord" be provided. The sketch provided by the applicant indicates a proposed location for the dog run.

Finally, Section 2.19 of the Kennel Licensing By-law outlines that a kennel shall not be located less than 150 m (492 ft) of any adjacent house or livestock barn. The proposed kennel is to be located approximately 322 m (1,056 ft) from the closest neighbours dwelling and 343 m (1,125 ft) from the closest barn housing livestock and 260 m (853 ft) from the closest vacant lot. Figure 1 below shows

the proposed location of the kennel on the subject property and approximate setbacks to the abutting uses.



Figure 1: Air Photo Showing Setbacks

Source: County of Wellington, 2015

PLANNING CONSIDERATIONS

Compatibility

The subject property is located on a farm and is surrounded by agricultural uses. The farm parcel located at 7514 Sideroad 3E contains a dwelling that is approximately 159.44 m (523.12ft) from the proposed kennel. The farm parcel across from the subject lands on 7513 Sideroad E has a dwelling and is 262.41 m (860.92 ft) from the proposed kennel. The farm parcel located on 7572 Sideroad E is approximately 288 m (944.88ft) from the proposed kennel. Section 2.26 of By-law 046-17 (Township Operation and Licensing of Kennel By-law) states the following with respect to setbacks:

No person shall own or operate a kennel or facility or structure used in connection with the kennel and established before the passage of this bylaw, located less than 150 metres (492 feet) of any adjacent property owners habitable building or buildings for the keeping of livestock. The setbacks exceed the minimum 150 metres required by By-law 046-17.

The applicant currently has 10 dogs and as the business scales up will be housing 25 dogs permitted. The proposed kennel is 136.75 m² (1472ft²) in size and will include 7 whelping area, 9 outdoor runs, 9 indoor penning and an outdoor exercise area. The applicant will be required to provide a detailed site plan as part of the kennel license application. This site plan will need to include an outdoor fenced area for the animals to access on their own accord.

DRAFT ZONING BY-LAW

A draft zoning by-law amendment has been attached to this report for public review and Council's consideration which introduces a site specific exception permitting a kennel on the subject lands.

Respectfully submitted

County of Wellington Planning and Development Department

Asavari Jadhav, Junior Planner

Matthieu Daoust, Planner

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH BY-LAW NUMBER ______.

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01 BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended.

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

- 1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Lot 6, Concession 5 in the Geographic Township of Arthur as shown on Schedule "A" attached to and forming part of this By-law from:
 - Agricultural (A) to Agricultural Exception (A-101)
- 2. THAT Section 33, Exception Zone 3 Rural Areas, is amended by the inclusion of the following new exception:

33.101	A-101	Notwithstanding any other section of this by-law to the contrary, a Kennel
Lot 6		may be permitted in addition to the uses permitted under the Agriculture
Concession 5		(A) Zone, and shall operate in accordance with the regulations set out in
7522 Sideroad		the Townships Dog Licencing By-law, as amended;
3 E		

- 4. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
- 5. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2021

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2021

MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO_____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exception (A-101)

Passed this _____ day of ______ 2021.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION being rezoned is legally described as Lot 6, Concession 5, with Civic address of 7522 Sideroad 3 E. The lands subject to the amendment is approximately 36.41 ha (89.98 ac) in size in size and is currently zoned Agriculture (A).

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to permit a Dog Kennel to operate on the subject lands.



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada NOG 1W0 Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY (tpringle@wellington-north.com)

April 7, 2021

Township of Wellington North 7490 Sideroad 7 West Kenilworth, Ontario NOG 2E0

ATTENTION: <u>Tammy Pringle, Development Clerk</u>

Dear Ms. Pringle,

RE: Proposed Zoning by-law Amendment 09-21 (Allen and Emma Martin) 7522 Sideroad 3E Roll No.: 234900000813100 Part Lot 6 Concession 5 Geographic Township of Arthur Township of Wellington North

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also reviewed the application as part of our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

According to the Notice of Public Hearing, the purpose and effect of the proposed amendment is to rezone the subject lands to permit a dog kennel. The lands are currently zoned Agriculture (A) and Natural Environment (NE). The subject property is occupied by a dwelling, a barn and two sheds. The applicants are proposing to use an existing 136.75 m2 (1472ft2) accessory structure for the dog kennel. Additional relief may be considered at this meeting.

Recommendation

SVCA staff find the application acceptable.

DELEGATED RESPONSIBILITY AND ADVISORY COMMENTS

SVCA staff has reviewed the development proposal through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the development proposal through our responsibilities as a



Watershed Member Municipalities

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands, Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce, Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North, Town of Saugeen Shores, Township of Southgate, Municipality of West Grey Township of Wellington North Proposed Zoning by-law Amendment 09-21 (Allen and Emma Martin) April 7, 2021 Page 2 of 5

service provider to the County of Wellington in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, and natural heritage as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

A portion of the property is designated Core Greenlands in the County of Wellington Official Plan (OP), Schedule A6 Wellington North, the same area appears to be zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law No. 66-01. The Core Greenlands designation and the NE zone are representing in part, the natural hazard features associated with the flood and erosion hazards and adjacent wetlands of an unnamed tributary of Bell's (Bethel Creek). In general, no new buildings or structures are permitted within the Core Greenlands designation or in the NE zone. Based on the application, the existing building to be used as a kennel is not located within the NE zone.

Provincial Policy Statement – Section 3.1

Section 3.1.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of hazardous lands, and hazardous sites. It is the opinion of SVCA staff that, based on the application, the development proposal is consistent with Section 3.1.1 of the PPS, 2020.

Wellington County OP Policies

Section 5.4.3 of the Wellington County OP generally directs development to be located outside of Hazardous Lands. It is the opinion of SVCA staff that, based on the application, the development proposal is consistent with Wellington County OP natural hazard policies.

Natural Heritage:

As part of SVCA staff's desktop review, the following significant natural heritage features were identified as affecting the property: significant woodlands, wetlands, significant wildlife habitat, fish habitat, and potentially the habitat of endangered species and threatened species.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant woodlands, fish habitat, significant wildlife habitat, and the habitat of endangered species and threatened species, and the adjacent lands to the above referenced features, except in accordance with Policies found in Section 2.1.

Wellington County OP Policies

Significant Woodlands

Significant woodlands are included in the Core Greenlands and Greenlands designation and are shown on Schedule A6 of the Wellington County OP in accordance with section 5.5.4 of the Wellington County OP. The woodlands on and on lands adjacent to the property are considered significant woodlands. Based on the application, the existing detached building for the proposed kennel will not be located within the woodlands or

Township of Wellington North Proposed Zoning by-law Amendment 09-21 (Allen and Emma Martin) April 7, 2021 Page 3 of 5

the adjacent lands to the woodlands. Therefore the preparation of an environmental impact study (EIS) to address the significant woodlands is not recommended by SVCA staff at this time.

<u>Wetlands</u>

SVCA mapping has identified unevaluated wetlands on the property. According to section 5.4.1 of the Wellington County OP, all wetlands are included in the Core Greenlands designation and are shown on Schedule A6 Wellington North of the Wellington County OP. Based on the application, development will not be located within the wetlands or its adjacent lands. Therefore, the preparation of an EIS to address the wetlands is not recommended by SVCA staff at this time.

<u>Fish Habitat</u>

An unnamed tributary of Bell's Creek (Bethel Creek) flows through the property. The watercourse is considered fish habitat by SVCA staff, and section 5.4.2 of the Wellington County OP is applicable. However, based on the application the existing detached building for the proposed kennel will not be located within fish habitat or its adjacent lands. Therefore, the preparation of an EIS to address fish habitat is not recommended by SVCA staff at this time.

Significant Wildlife Habitat

It has come to the attention of SVCA staff that significant wildlife habitat may be located on and/or adjacent to the property. Section 5.5.1 of the Wellington County OP states, in part, that development and site alteration shall not be permitted within significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts to the habitat or its ecological functions. However, it is the opinion of SVCA staff that based on the application the existing detached building for the proposed kennel will not have negative impacts to significant wildlife habitat resulting from this proposal, and the preparation of an EIS to significant wildlife habitat is not recommended by SVCA staff at this time.

Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or on lands adjacent to the property. Section 5.4.2 of the Wellington County OP states in part that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant/landowner to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be sent via email to: SAROntario@ontario.ca.

STATUTORY COMMENTS

SVCA staff has reviewed the development proposal as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland. Township of Wellington North Proposed Zoning by-law Amendment 09-21 (Allen and Emma Martin) April 7, 2021 Page 4 of 5

A portion of the property is located within the SVCA's Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Regulated Area requires the permission from SVCA, prior to work commencing.

"Development" as defined under the Conservation Authorities Act means:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- c) site grading; or,
- *d)* the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

And; "Alteration" as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

For the property, the SVCA Approximate Screening Area is representing the natural hazard features associated with the flood and erosion hazards and adjacent wetlands of an unnamed tributary of Bell's (Bethel Creek), and an offset distance from these features. To determine the SVCA Approximate Screening Area on the property, please refer to the SVCA's online mapping program, available via the SVCA's website at http://eprweb.svca.on.ca. Should you require assistance, please contact our office directly.

SVCA Permission for Development or Alteration

Development or alteration including construction, reconstruction, conversion, grading, filling, or excavation, including agricultural tile drainage, within the SVCA Approximate Screening Area may require permission (SVCA Permit) prior to those works commencing.

Based on the application, the existing buildings and structures located in the farmstead area are not within the SVCA Approximate Screening Area. A permit from the SVCA will not be required for the proposed kennel.

<u>Summary</u>

SVCA staff has reviewed the application in accordance with our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

The proposed application is acceptable to SVCA staff.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated;
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated, with the exception of endangered species and threatened species policy, which must be addressed by the applicant/landowner; and

Township of Wellington North Proposed Zoning by-law Amendment 09-21 (Allen and Emma Martin) April 7, 2021 Page 5 of 5

 Consistency with local planning policies for natural hazards and natural heritage has been demonstrated, with the exception of endangered species and threatened species policy, which must be addressed by the applicant/landowner.

Please inform this office of any decision made by the planning approval authority with regards to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,

Michael Obele

Michael Oberle Environmental Planning Technician Saugeen Conservation MO/ cc: Allen and Emma Martin, owners (via regular mail) Karen Wallace, Clerk, Township of Wellington North (via email) Steve McCabe, SVCA Member representing the Township of Wellington North (via email)

From:	ONTUGLLandsINQ < ONTUGLLandsINQ@enbridge.com>
Sent:	April 16, 2021 10:37 AM
То:	Tammy Pringle
Subject:	RE: NOTICE OF A 2ND PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE
-	COMPREHENSIVE ZONING BY-LAW 66-01: ZBA 09/21 7522 Sideroad 3 E

Thank you for your correspondence with regard to the proposed Site Plan Application. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed Site Plan.

Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner.

If there is any work (i.e. underground infrastructure rebuild or grading changes...) at our easement and on/near any of our existing facilities, please contact us as early as possible (1 month in advance at least) so we can exercise engineering assessment of your work. The purpose is to ensure the integrity of our main is maintained and protected.

Confirmation of the location of our natural gas pipeline should be made through Ontario One Call 1-800-400-2255 for locates prior to any activity.

We trust the foregoing is satisfactory.

Barbara M.J. Baranow Analyst Land Support

Enbridge Gas Inc. 50 Keil Drive North, Chatham, ON N7M 5M1

Integrity. Safety. Respect

From: Tammy Pringle <<u>tpringle@wellington-north.com</u>>
Sent: Friday, April 16, 2021 10:14 AM
Subject: [External] NOTICE OF A 2ND PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE
COMPREHENSIVE ZONING BY-LAW 66-01: ZBA 09/21 7522 Sideroad 3 E

EXTERNAL: PLEASE PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

TOWNSHIP OF WELLINGTON NORTH

A NOTICE OF A SECOND PUBLIC MEETING A PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE COMPREHENSIVE ZONING BY-LAW 66-01

TAKE NOTICE that the Council of the Corporation of the Township of Wellington North has received a complete application to consider a proposed amendment to the Comprehensive Zoning By-law 66-01, pursuant to Section 34 of the *Planning Act, R.S.O.* 1990, as amended.

A Public Meeting will be held by the Wellington North Council to consider this on:

Monday, May 10, 2021 @ 2:00 p.m. Via Zoom electronic meeting

The public is invited to watch the remote meeting:

HOW TO JOIN

Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join. <u>https://us02web.zoom.us/j/82854899226</u> 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: 828 5489 9226



Tammy Pringle

Development Clerk, Township of Wellington North

519.848.3620 ext. 4435 7490 Sideroad 7 W, PO Box 125, Kenilworth, ON NOG 2E0



Focused on Building Capacity

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R&R Animal Control

Report by : Rick Rauwerda Animal Control Report written on May 3 2021 Report for: Kennel application by Allen and Irma Martin at 7522 Sideroad 3E Wellington North

History:

January 20 2021 visited 7522 sideroad 3E from a report of an unlicensed Kennel on the property. Spoke with Allen Martin at this time and he was cooperative and allowed me to inspect his kennel area and barns to my satisfaction. Kennel was relatively clean and the dogs appeared to be in good health. Kennels were a reasonable size no accumulation of faeces etc. Food and water were readily available and there was a small outdoor exercise area that seemed to be in use. There were 13 dogs total on site at that time. Mr Marten did indicate that he had been operating as a kennel for a number of years.

April 30 2021 I visited Mr Allen Martin at 7522 Sideroad 3E to discuss details of his kennel renovation and its conformation to our bylaws and the CVMA (Canadian Veterinary Medical Association) "A code of practice for Canadian Kennel Operations"

Mr Martin demonstrated to me that he was planning on revamping his kennel to new standards.

I received verbal confirmation of proper building materials for walls ceilings and kennels. Outdoor and indoor exercise and whelping areas of proper size etc. Proper heating and ventilation including infloor hydronic heating, hot and cold running water. Record keeping as it pertained to our guidelines etc was also discussed.

I suggested that a written updated plan on his operations and how he was going to follow our guidelines would show due diligence on his part. A guide like that may take some time on his part and I have not yet seen that.

Summary:

The Martins appear to be willing to adhere and conform to all of our guidelines and bylaws going forward.



Scale

1/0" = 1' 0"

Allen and Erma Martin 7522 Sdrd. 3 East RR#6 Mount Forest, ON N0G 2L0

HEWVILLA FARMS INC.







PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development Department

DATE:	April 26 th , 2021	
то:	Darren Jones, C.B.O.	
	Township of Wellington North	
FROM:	Matthieu Daoust, Planner	
	County of Wellington	
SUBJECT:	Hewvilla Farms Inc	
	Pt Lot 3 EOSR RP 60R2771; Pt 1, 2 E DIV 3 & 4	
	Zoning By-law Amendment (ZBA 2021-13)	

Planning Opinion

The purpose of this zoning amendment is to replace the existing Agricultural Site Specific (A-120) zoning on the retained lands to remove the second dwelling provisions. The retained lands will be rezoned to A-1 zone which prohibits any new livestock operations. The existing livestock barn for horse breeding can continue to operate under the new A-1 zone. Furthermore, the zone amendment will amend the existing A-120 zone on the severed lands to prohibit any new livestock facilities and address the MDS deficiency from the closest barn located on the retained lands.

This rezoning is a condition of severance application B78/20, that was granted provisional consent by the Wellington County Land Division Committee. The consent will sever a 1.76 ha (4.36 ac) rural residential parcel with an existing dwelling and shed from the retained 17.9 ha (44.2 ac) parcel with an existing dwelling and accessory structures.

Planning Staff have prepared a draft Zoning By-law amendment for Council's consideration which is attached to this report.

INTRODUCTION

The property subject to the proposed amendment is legally described as 7076 Sideroad 2 E DIV 3 DIV 4 Pt Lot 3 EOSR RP 60 R2771; Pt 1, municipally known as 9851 Highway 6. The proposal is a condition of a recent severance application on the property, B78/20. The proposed severed parcel is a 1.76 ha (4.36 ac) rural residential parcel with an existing dwelling and shed. The retained 17.9 ha (44.2 ac) parcel contains an existing dwelling and accessory structures. The location of the property is shown on Figure 1.



PROPOSAL

The purpose of this zoning amendment is to replace the existing Agricultural Site Specific (A-120) zoning on the retained lands to remove the second dwelling provisions. The retained lands will be rezoned to A-1 zone which prohibits any new livestock operations. The existing livestock barn for horse breeding can continue to operate under the new A-1 zone. Furthermore, the zone amendment will amend the existing A-120 zone on the severed lands to prohibit any new livestock facilities and address the MDS deficiency from the closest barn located on the retained lands. This rezoning is a condition of severance application B78/20, that was granted provisional consent by the Wellington County Land Division Committee. Planning Staff did not support the proposed severance application which severed a second dwelling from the farm operation.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE and CORE GREENLANDS areas. Identified environmental features include a Saugeen Valley Conservation Authority regulated Hazard Lands. This application is required as a result of a severance application B78/20.

WELLINGTON NORTH ZONING BY-LAW

The subject lands are zoned Site Specific Agricultural (A-120) and Natural Environment (NE). Permitted uses in the Agricultural zone include agricultural uses, single detached dwellings and accessory uses, buildings and structures. The existing site specific provisions permit a livestock operation for the breeding of horses, and a second dwelling permitted outside the farm building cluster.

PLANNING REPORT for the Township of Wellington North Hewvilla Farms Inc April 26, 2021 The purpose of this zoning amendment is to replace the existing Agricultural Site Specific (A-120) zoning on the retained lands to remove the second dwelling provisions. The retained lands will be rezoned to A-1 zone which prohibits any new livestock operations. The existing livestock barn for horse breeding can continue to operate under the new A-1 zone. Furthermore, the zone amendment will amend the existing A-120 zone on the severed lands to prohibit any new livestock facilities and address the MDS deficiency from the closest barn located on the retained lands. The restriction on additional livestock buildings is being applied to the property as it is located within 1 km of the Mount Forest Urban Area. Properties located within 1 km of a settlement area are placed in a site specific zone which does not permit new livestock facilities.

Draft Zoning By-law Amendment

A draft zoning by-law amendment has been prepared and attached to this report for Council's consideration.

Respectfully submitted County of Wellington Planning and Development Department

Matthieu Daoust, RPP MCIP Planner

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH BY-LAW NUMBER ______.

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01 BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

- THAT Schedule 'A' Map 1 to By-law 66-01 is amended by changing the zoning on lands legally described as 7076 Sideroad 2 E DIV 3 DIV 4 Pt Lot 3 EOSR RP 60 R2771; Pt 1, with civic address 9851 Highway 6, as shown on Schedule "A" attached to and forming part of this By-law from:
 - Agricultural (A-120) to Agricultural Exception (A-1)
- 2. That Section 33, Exception Zone is amended by deleting Exception A-120 and replacing it with the following:

0		
33-120	A-120	1. The provisions of Section 33.1 (A-1) of the Rural Area Exception
7076 Sideroad 2 E		zone apply to this property.
DIV 3 DIV 4 Pt Lot 3		2. The existing MDS setback of 93m is recognized to the existing
EOSR RP 60 R2771;		barn at 7076 Sideroad 2 E.
Pt 1.		
9851 Highway 6		
(Hewvilla Farms)		

- 3. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
- 4. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2021

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2021

MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO.



Schedule "A"

This is Schedule "A" to By-law_____.

Passed this ____ day of _____2021

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER ______.

THE LOCATION OF THE SUBJECT LANDS

The subject property is legally described as 7076 Sideroad 2 E DIV 3 DIV 4 Pt Lot 3 EOSR RP 60 R2771; Pt 1, with civic address 9851 Highway 6. The lands subject to the amendment is 19.66 ha (48.6 ac) in size and are currently zoned Site Specific Agriculture (A-120).

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to replace the existing Agricultural Site Specific (A-120) zoning on the retained lands to remove the second dwelling provisions. The retained lands will be rezoned to A-1 zone which prohibits any new livestock operations. The existing livestock barn for horse breeding can continue to operate under the new A-1 zone. Furthermore, the zone amendment will amend the existing A-120 zone on the severed lands to prohibit any new livestock facilities and address the MDS deficiency from the closest barn located on the retained lands.





PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development Department

DATE:	April 21, 2021
TO:	Darren Jones, C.B.O.
	Township of Wellington North
FROM:	Matthieu Daoust, Planner
	County of Wellington
SUBJECT:	Christian Martin
	Con 14, Pt Lot 16, Con 13, Pt Lot 16 & 17
	Zoning By-law Amendment (ZBA 2021-14)

Planning Opinion

The proposed zoning amendment would provide relief from the regulations of the home industry to establish a 557.4 m² (6,000 ft²) m² metal workshop and permit a maximum of six (6) employees. The property is currently zoned Agricultural (A) and Natural Environment (NE). The proposal would amend the lands currently zoned Agricultural.

The home industry criteria provided in the zoning by-law is intended to regulate the size and scale of these types of uses in the Prime Agricultural areas. This criterion was established under the former Provincial Policy requirements for secondary uses in Prime Agricultural areas in which small scale was defined and further regulated through local zoning by-laws. Under the current Provincial Policy State (PPS) criteria, the size and scale is contained by an area of operation that shall not exceed 2% of the area of the farm to a maximum area of 1 ha. This proposal does not exceed the aforementioned figures.

Based on the PPS criteria staff are satisfied that the proposal is in general conformity with the County of Wellington Official Plan and we are supportive of the request to rezone the property. The business remains secondary to the main agricultural use and complies with the other home industry regulations under the Zoning By-law.

INTRODUCTION

The subject property is legally described as Con 14, Pt Lot 16, Con 13, Pt Lot 16 & 17. The property is approximately 104.95 ha (259.36 ac) in size. The land is currently a vacant agricultural property.

PROPOSAL

The proposed amendment is to rezone the subject lands to provide relief from the regulations of the home industry to establish a 557.4 m² (6,000 ft²) m² metal workshop and permit a maximum of six (6) employees. The proposal would amend the current Agricultural zone.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is located within the PRIME AGRICULTURAL area. Under the PPS permitted uses within prime agricultural areas include: agricultural uses, agricultural related uses, and on-farm diversified uses. An on-farm diversified use is defined as: uses that are secondary to the principal agricultural use of the property, and are limited in area. Onfarm diversified uses include, but are not limited to home occupations, home industries, agri-tourism uses, and uses that



produce value-added agricultural products.

According to the Province's *Guidelines on Permitted Uses in Ontario's prime Agricultural Areas* (*Publication 851*), a home industry on a commercial farm is not limited to producing products that are agriculturally related. The guidelines also recommend that such uses not occupy more than 2% of the area of a farm (up to a maximum of 1 hectare in area). Municipalities may set building size limits/caps to regulate building size to a scale deemed appropriate in the prime agricultural area.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE, GREENLANDS and CORE GREENLANDS. Identified environmental features include a Provincial Significant Wetland, Significant Wooded Area, an Environmental Sensitive Area and a Saugeen Valley Conservation Authority regulated Hazard Lands. The proposed use is beyond the required 30m set back from the environmental feature on the subject property.

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 a home business includes home industries which "are small in scale with a limited number of employees, and minimal off site impacts – examples include minor equipment repair, woodworking, crafts, and welding".

ZONING BY-LAW

The subject property is zoned Agricultural (A) and Natural Environmental (NE). The area subject to the proposed zoning amendment is zoned Agricultural. Home Industries are permitted within the Agricultural zone subject to criteria outlined in Section 6.14. Section 6.14 b) a home industry

PLANNING REPORT for the Township of Wellington North Martin April 21, 2021 may include such uses as a woodworking shop, welding shop, and machine shop among others. Under 6.14 d) the maximum square footage for any or all buildings or structures used for a home industry shall not exceed 232.25 m² (2,500 ft²) of floor area which shall include but is not limited to: generator room, lunchroom, office, mechanical room, basement area and inside storage area.

An amendment to the zoning by-law is necessary to permit the proposed increase in area for the home industry use. The applicant is proposing to utilize 557.4 m² (6,000 ft²) for the metal workshop and permit a maximum of six (6) employees as the business scales up.

PLANNING DISCUSSION

Home Industry criteria

The home industry criteria provided in the zoning by-law is intended to regulate the size and scale of these types of uses in the Prime Agricultural areas. The criteria was established under the former PPS requirements for secondary uses in Prime Agricultural areas in which small scale was defined and further regulated through local zoning by-laws. The current PPS (2020) policies for on-farm diversified uses which replaces secondary uses has broadened the area of operation to reflect the farm size. Under the new PPS criteria, the size and scale is contained by an area of operation that shall not exceed 2% of the area of the farm to a maximum area of 1ha (10,000 m²). In this instance, based on the plan submitted with the application (Figure 2), the workshop operation does not exceed the aforementioned figures.



Figure 2: Proposed building layout

PLANNING REPORT for the Township of Wellington North Martin April 21, 2021

Site Plan Control

The Township Site Plan Control By-law (2013-079 as amended) is applicable. This proposal will be subject to site plan approval.

Draft Zoning By-law:

Planning Staff have prepared a draft site specific by-law that provides relief from the regulations of the home industry to establish a 557.4 m² (6,000 ft²) m² metal workshop and permit a maximum of six (6) employees. The draft by-law is attached to this report for public viewing and Council's consideration.

We trust these comments will be of assistance to Council in their consideration of this matter.

Respectfully submitted County of Wellington Planning and Development Department

Matthieu Daoust, MCIP RPP Planner

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH BY-LAW NUMBER ______.

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01 BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

 THAT Schedule 'A' Map 1 to By-law 66-01 is amended by changing the zoning on lands legally described as Part Lot 16 Concession 14, Concession 13 Part Lot 16 & 17, as shown on Schedule "A" attached to and forming part of this By-law from Agricultural (A) to Agricultural Exception (A-104)

31.104	A-104	Notwithstanding Section 6.14 d) of this By-law, a maximum floor area of	
Part Lot 16 Con		557.4 m ² (6,000 ft ²) for all buildings is permitted for a home industry	
14, Con 13 Part		which shall include but is not limited to; generator room, lunchroom,	
Lot 16 & 17		office, mechanical room, basement area and inside storage areas.	
Christian Martin			
		Notwithstanding Section 6.14 f) of this By-law, a maximum of six (6)	
		employees who are not permanent residents on the property shall be	
		engaged in the Home Industry.	

- 2. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
- 3. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS	DAY OF	, 2021
READ A THIRD TIME AND PASSED THIS	DAY OF	, 2021
 		<u> </u>
MAYOR		CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO.

Schedule "A"



This is Schedule "A" to By-law_____.

Passed this ____ day of _____2021

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER ______.

THE LOCATION OF THE SUBJECT LANDS

The subject property is legally described as Part Lot 16 Concession 14, Concession 13 Pt Lot 16 & 17. The lands subject to the amendment is 104.95 ha (259.36 ac) in size and are currently zoned Agriculture (A) and Natural Environment (NE).

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to permit an on farm diversified use. The applicant is proposing to construct a 557.4 m^2 (6,000 ft²) metal shop and seeking relief to permit a maximum of six (6) employees on site.

From:	ONTUGLLandsINQ < ONTUGLLandsINQ@enbridge.com>
Sent:	April 15, 2021 9:10 AM
То:	Tammy Pringle
Subject:	RE: NOTICE OF PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE
-	COMPREHENSIVE ZONING BY-LAW 66-01: ZBA 14-21 Line12 & Sideroad 15

Thank you for your correspondence with regard to the proposed Site Plan Application. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed Site Plan.

Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner.

If there is any work (i.e. underground infrastructure rebuild or grading changes...) at our easement and on/near any of our existing facilities, please contact us as early as possible (1 month in advance at least) so we can exercise engineering assessment of your work. The purpose is to ensure the integrity of our main is maintained and protected.

Confirmation of the location of our natural gas pipeline should be made through Ontario One Call 1-800-400-2255 for locates prior to any activity.

We trust the foregoing is satisfactory.

Barbara M.J. Baranow Analyst Land Support

Enbridge Gas Inc. 50 Keil Drive North, Chatham, ON N7M 5M1

Integrity. Safety. Respect.

From: Tammy Pringle <<u>tpringle@wellington-north.com</u>> Sent: Thursday, April 15, 2021 9:08 AM Subject: [External] NOTICE OF PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE COMPREHENSIVE ZONING BY-LAW 66-01: ZBA 14-21 Line12 & Sideroad 15

EXTERNAL: PLEASE PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

TOWNSHIP OF WELLINGTON NORTH

A NOTICE OF A PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE COMPREHENSIVE ZONING BY-LAW 66-01

TAKE NOTICE that the Council of the Corporation of the Township of Wellington North has received a complete application to consider a proposed amendment to the Comprehensive Zoning By-law 66-01, pursuant to Section 34 of the *Planning Act, R.S.O. 1990*, as amended.

A Public Meeting will be held by the Wellington North Council to consider this on:

Monday, May 10, 2021 @ 2:00 p.m. Via Zoom electronic meeting

The public is invited to watch the remote meeting:

HOW TO JOIN

Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join. <u>https://us02web.zoom.us/j/82854899226</u> 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: 828 5489 9226



Tammy Pringle

Development Clerk, *Township of Wellington North*

519.848.3620 ext. 4435 7490 Sideroad 7 W, PO Box 125, Kenilworth, ON NOG 2E0



Focused on Building Capacity

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