

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING AGENDA – NOVEMBER 8, 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. <https://us02web.zoom.us/j/81978743852>

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: 819 7874 3852

**PAGE
NUMBER**

CALLING TO ORDER - Mayor Lennox

DISCLOSURE OF PECUNIARY INTEREST

ZBA 22/21 Wayne & Doreen Gingrich

OWNERS/APPLICANT

Wayne & Doreen Gingrich

LOCATION OF THE SUBJECT LAND

The land subject to the proposed amendment is described as Part Lot 20, Concession 6 and known Municipally as 8891 Concession 7. The property is 30.4 ha (75.1 ac) in size and is currently occupied by an open wash pit and two steel clad barns. *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 a portion of the subject land from Agricultural (A) Zone to Agricultural Commercial (AC-24) Zone to expand the area of operation of the existing Livestock Transport Facility 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 October 15, 2021.

PRESENTATIONS

- Jessica Rahim, Planner, County of Wellington, Township of Wellington North
 - Planning Report dated November 2, 2021

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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

- Lawrence Metzger email request to participate.

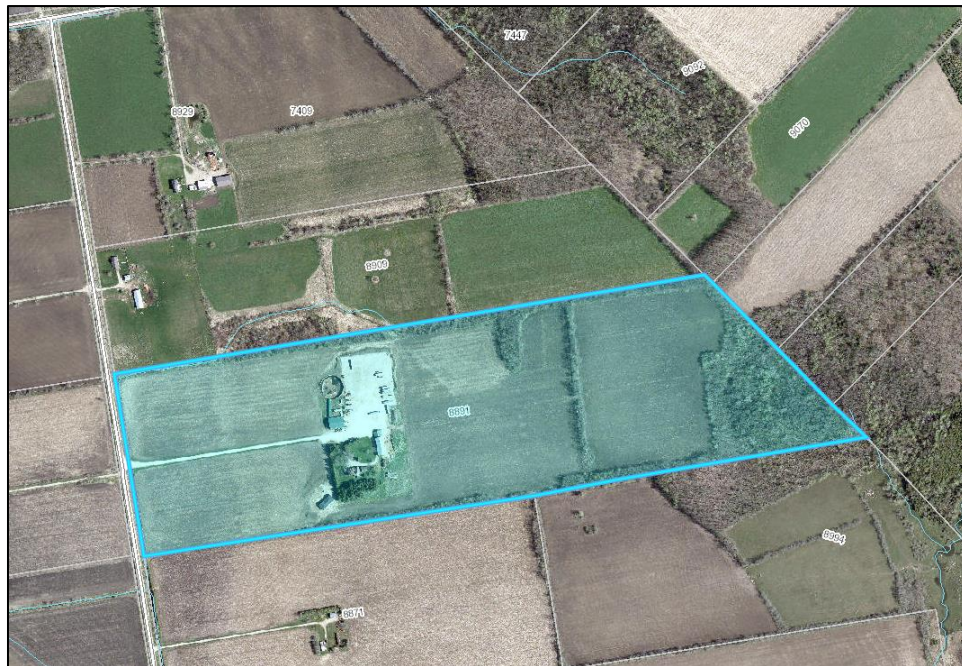
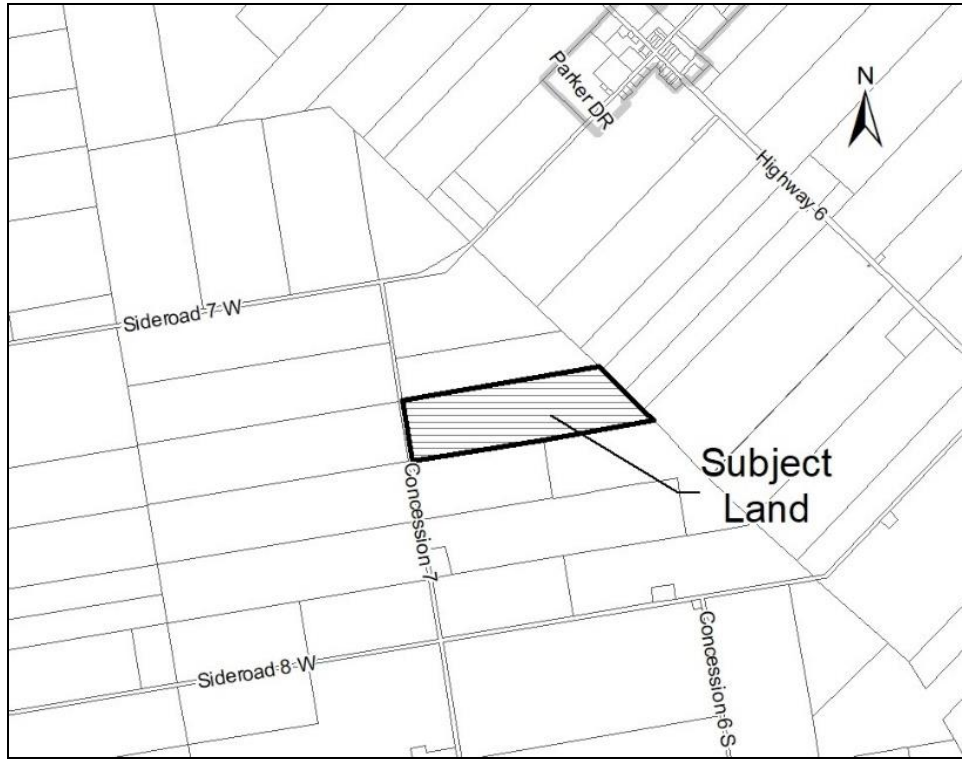
COMMENTS/QUESTIONS FROM COUNCIL

ADJOURNMENT

Recommendation:

THAT the Public Meeting of November 8, 2021 be adjourned at _____ pm.

WAYNE & DOREEN GINGRICH





PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development Department

DATE: November 2, 2021
TO: Mike Givens, C.A.O
Township of Wellington North
FROM: Jessica Rahim, Senior Planner
County of Wellington
SUBJECT: **Wayne and Doreen Gingrich**
8891 Concession 7
Zoning By-law Amendment (ZBA 2021-22)

Planning Opinion

The proposal is to rezone a portion of the subject property from Agricultural (A) Zone to Agricultural Commercial Site Specific (AC-24) Zone in order to reconfigure the site specific zone on the subject property in order to capture the area of operation of the existing Livestock Transport Facility business.

Planning Staff generally have no concerns with the application provided that the business remains small scale and secondary to the main residence on the subject property. The application is consistent with applicable Provincial Policy and generally conforms with the Official Plan. A draft zoning by-law has been attached to this report for public viewing and Councils consideration.

INTRODUCTION

The property subject to the proposed amendment is described as Part Lot 20, Concession 6, with a civic address of 8891 Concession 7. The property is 30.4 ha (75.1 ac) in size. The location of the property is shown on Figure 1.

PROPOSAL

The purpose of this zoning amendment is to rezone a portion of the subject property from Agricultural (A) zone to Agricultural Commercial Site Specific (AC-24) Zone to reconfigure the area of operation and capture the location of the existing Livestock Transport Facility business on the subject property. The applicant has indicated that the existing AC-24 zone is approximately 34,836.25 sq. m where the proposed reconfigured AC-24 zone area is approximately 25,985.85 sq. m. in size. There is an existing wash bay that is 441 m² (4747 ft²) in size as well as an open wash pit and gravel parking area associated with the business. The applicants are proposing to construct a new shop with an office that is approximately 1,258 m² (13,544 ft²) in size. Details of the proposal can be found in Figure 2.



Figure 1: 2015 Aerial Photo

BACKGROUND

The previous owner applied for a zoning amendment in 2002 and the following site specific zoning was placed on a portion of the subject property:

AC-24 Notwithstanding the uses permitted in Section 23.1 or any other provisions to the contrary, the land zoned AC-24 may be used for a livestock transport facility and including buildings and structures associated with the permitted use. Accessory office uses may also be permitted in association with the permitted use within the existing residence on the property.

In addition, the following regulations shall apply to the land zoned AC-24:

- a) Off-Street parking of Trucks, transports and transport bodies is permitted within the front yard subject to the regulations of Section 6.27.
- b) Setback requirements of Section 6.20 from any NE Zone shall apply to the subject land.

Except as provided for above, the land zoned AC-24 will be subject to all other applicable regulations of this By-law as amended.

The applicants are proposing to reconfigure the site specific zoning on the subject property to capture the location of the proposed expansion and allow for an office within the proposed shop. See figure 2 below (Red is existing AC-24 zone and Blue is Proposed AC-24 zone location).

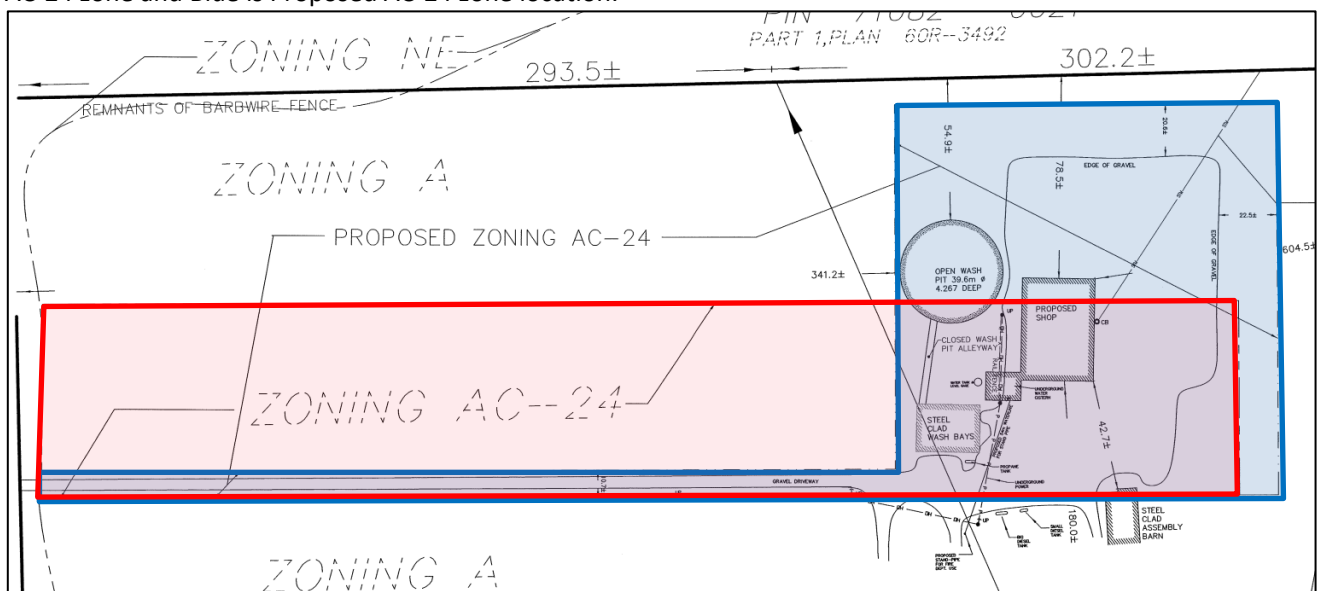


Figure 2: Existing (red) and proposed (blue) area of operation (Source: Wilson-Ford Surveying & Engineering)

PROVINCIAL POLICY STATEMENT (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 use 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”.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS in the Wellington County Official Plan. Identified features in the Core Greenlands area includes Flood Plain and identified features in the Greenlands area includes Significant Wooded Area.

Permitted uses within the Prime Agricultural area include secondary uses such as home businesses and farm businesses, and agricultural-related uses. Agricultural-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”*.

Sections 6.4.4 and 6.4.5 of the County Official Plan provide consideration for secondary uses and agriculture-related uses. The intention is to allow businesses which supplement farm income or provide services in agricultural areas. The Official Plan as well as the Provincial Policy Statement direct larger industrial and commercial uses to Hamlets or Urban Centres.

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 livestock trucking business serves directly and only the agricultural community and benefits from being in close proximity to the farms.

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”. We believe that the proposed use meets this intent.

ZONING BY-LAW

The subject lands are zoned Agricultural (A), Natural Environment (NE) and Agricultural Commercial Site Specific (AC-24) Zone. There are no proposed buildings to be built within the NE zone.

The applicant is seeking to reconfigure the site specific zone on the property to properly capture the location of the Livestock Transportation Facility on the subject lands and permit an office space within the proposed shop.

Site Plan Control

The applicants have already entered into a site plan agreement with the Township, which has been registered on title.

Draft Zoning By-law Amendment

A draft Zoning By-law amendment has been prepared for public review and Council’s consideration, and is attached to this report. The proposed by-law revises the site specific AC-24 zone.

Respectfully submitted

County of Wellington Planning and Development Department



Jessica Rahim, Senior 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-3' of By-law 66-01 is amended by changing the zoning on lands described as Part Lot 20, Concession 6 and Municipally know as 8891 Concession 7, as shown on Schedule "A" attached to and forming part of this By-law from **Agricultural (A)** to **Agricultural Commercial Exception (AC-24)**;
2. That Section 33, Exception Zone 3 – Rural Areas, 33.24 be deleted and replaced with the following:

33.24 Part Lot 20, Con 6, 8891 Concession 7 (Gingrich)	AC-24	Notwithstanding the uses permitted in Section 23.1 or any other provisions to the contrary, the land zoned AC-24 may be used for a livestock transport facility and including buildings and structures associated with the permitted use. Accessory office uses may also be permitted in association with the permitted use within the proposed shop on the property. In addition, the following regulations shall apply to the land zoned AC-24: a) Setback requirements of Section 6.20 from any NE Zone shall apply to the subject land. Except as provided for above, the land zoned AC-24 will be subject to all other applicable regulations of this By-law as amended.
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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

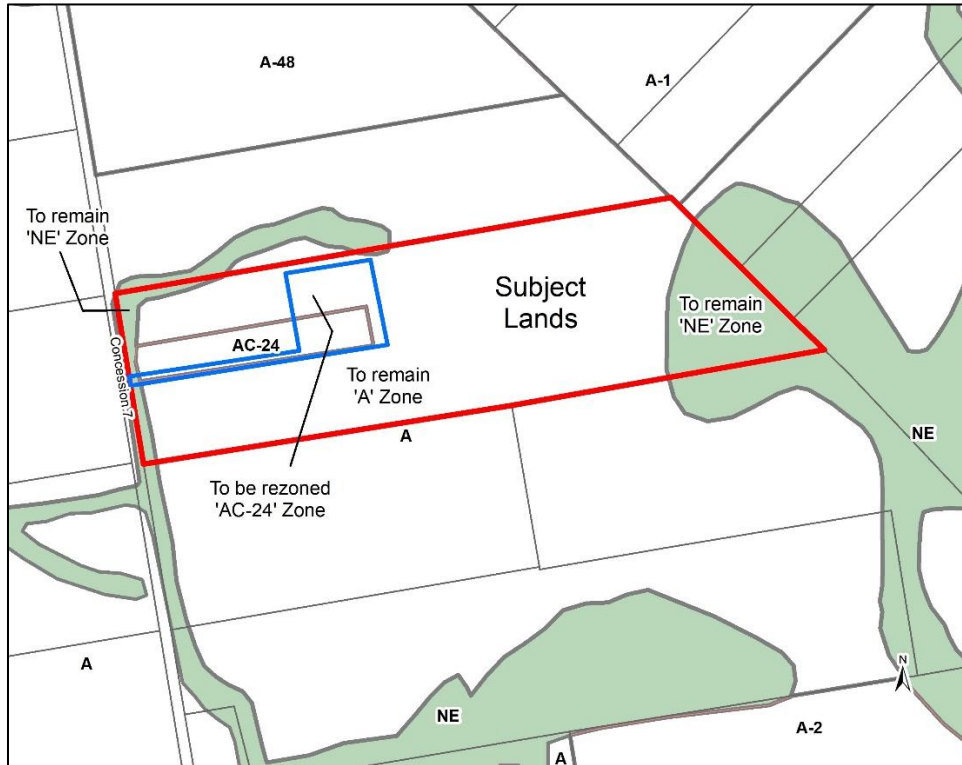
 MAYOR

 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 property subject to the proposed amendment is described as Part Lot 20, Concession 6 and known Municipally as 8891 Concession 7. The property is approximately 30.4 ha (75.1 ac) in size and currently zoned Agricultural (A), Natural Environment (NE) and Agricultural Commercial Site Specific (AC-24).

THE PURPOSE AND EFFECT of the proposed amendment is to rezone the subject lands from Agricultural (A) to Agricultural Commercial Site Specific (AC-24) to expand the area of operation of the existing Livestock Transport Facility business and permit an office within the proposed shop.