

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH**  
**MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT**  
**FEBRUARY 12, 2024 AT 2:00 P.M.**  
**HYBRID MEETING – IN PERSON AND VIA WEB CONFERENCING**  
[https://www.youtube.com/watch?v=jti\\_wgygrUE](https://www.youtube.com/watch?v=jti_wgygrUE)

**Members Present:**

**Chair:** Andrew Lennox  
**Members:** Sherry Burke (via Zoom)  
Lisa Hern  
Steve McCabe  
Penny Renken

**Staff Present:**

**Chief Administrative Officer:** Brooke Lambert  
**Director of Legislative Services/Clerk:** Karren Wallace  
**Deputy Clerk:** Catherine Conrad  
**Executive Assistant to CAO:** Tasha Grafos  
**Director of Finance:** Jerry Idialu  
**Human Resources Manager:** Amy Tollefson  
**Chief Building Official:** Darren Jones  
**Manager Environment & Development Services:** Corey Schmidt  
**Compliance Analyst:** Sara McDougall  
**Manager Community & Economic Development:** Mandy Jones  
**Economic Development Officer:** Dale Small  
**Recreation Service Manager:** Tom Bowden  
**Director of Fire Services:** Chris Harrow  
**Manager of Development Planning:** Curtis Marshall  
**Risk Management Official:** Kyle Davis

**CALLING TO ORDER**

Chair Lennox called the meeting to order.

**DISCLOSURE OF PECUNIARY INTEREST**

No pecuniary interest declared.

**MINUTES OF PREVIOUS MEETING**

Committee of Adjustment, January 15, 2024 (A20/23, A21/23)

RESOLUTION: COA 003-2024

Moved: Hern

Seconded: Renken

THAT the Committee of Adjustment meeting minutes of January 15, 2024 –A20/23 & A21/23 be adopted as presented.

CARRIED

## **APPLICATION**

A01/24 – Wayne Gingrich

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Concession 3 Part Lot 2 N Part Lot 3 and is Municipally known as 9570 Concession 2. The property is approximately 73.7 ha (182.1 ac) in size.

**THE PURPOSE AND EFFECT** of the application is to provide relief from the Minimum Distance Separation II (MDS II) setback requirements. The applicant is proposing to construct an addition to the existing barn and cannot meet the minimum distance required of 209 m (686 ft) to the nearest Type A land uses (dwelling). Other variances may be considered where deemed appropriate.

## **SECRETARY TREASURER**

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on January 29, 2024.

## **PRESENTATIONS**

Curtis Marshall, Manager of Development Planning, reviewed the report prepared by Jessica Rahim, Senior Planner, County of Wellington, Township of Wellington North

- Planning Report dated January 31, 2024

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion: The variance requested would provide relief from the Minimum Distance Separation II (MDS II) setback requirements. The applicant is proposing to construct an addition to the existing barn and cannot meet the minimum distance required of 209 m (686 ft) to the nearest Type A land uses (dwelling).

We have no concerns with the relief requested for the new barn addition. The location of the new barn provides operational efficiency. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor, desirable and appropriate for the development of the subject property.

## **SUBJECT PROPERTY AND LOCATION**

The location of the subject property is described as Concession 3, Part Lot 2 N & Part Lot 3 and is Municipally known as 9570 Concession 2. The property is approximately 73.7 ha (182.1 ac) in size and is occupied by a barn, drive shed, shop, and dwelling.

## **PROPOSAL**

The purpose of this application is to provide relief from the Minimum Distance Separation II (MDS II) setback requirements. The applicant is proposing to construct an addition to the existing barn and cannot meet the minimum distance required to the nearest dwelling at 9586 Concession 2.

## **Provincial Policy Statement (PPS)**

The subject property is within a PRIME AGRICULTURE, GREENLANDS and CORE GREENLANDS area. New or expanding livestock facilities shall comply with the

minimum distance separation formulae. Guideline #43 of the MDS Implementation Guidelines outlines that minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.

#### WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The proposed barn appears to be located outside the Core Greenlands and Greenlands regulated area by the Saugeen Valley Conservation Authority (SVCA). In Prime Agricultural Areas, all types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards. Furthermore, Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

#### TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Agriculture (A) and Natural Environment (NE). The proposed barn appears to be located outside the NE zone. The location of the proposed barn addition does not meet the Minimum Distance Separation II (MDS II) from the nearest neighboring residential dwelling at 9586 Concession 2.

The applicants have indicated that the location of the new barn addition will provide operational efficiency. Therefore, the following relief is required in order to facilitate this proposal:

Barn Addition	Required	Proposed	Difference
<b>MDS II to Type A Land Use</b> (Section 6.17.2 & 8.6)	209 m (686 ft)	122 m (400 ft)	87 m (286 ft)

#### CORRESPONDENCE FOR COMMITTEE'S REVIEW

Jason Dodds, Environmental Planning Technician, Saugeen Conservation

- Letter dated January 29, 2024 (No Objections)

#### REQUEST FOR NOTICE OF DECISION

Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.

#### CHAIRPERSON OPENS FLOOR FOR COMMENTS/QUESTIONS

Wayne Gingrich, Applicant, was present to answer questions regarding the application.

## COMMENTS/QUESTIONS FROM THE COMMITTEE

Councillor Renken inquired what the purpose of the extension is for citing a concern with odours if it is going to house animals. Mr. Gingrich stated that it will be for beef cattle. Councillor Renken asked if there have been any objections from the neighbours. Mr. Gingrich commented that he has spoken to the neighbours, and they are in support of the proposed addition and have no concerns.

Councillor Burke questioned if the neighbouring farms would be affected by the proposed addition if they want to expand. Darren Jones, CBO, explained that there is no required set back from one barn to another barn so it would not have a negative impact on agricultural buildings on another property.

Councillor Hern asked if there will be a loafing yard at the end of the barn. Mr. Gingrich commented that there will be a covered loafing area. There will also be an overshoot with the roof on the east side of the barn.

## DECISION

CALL FOR VOTE: SHOW OF HANDS

THAT the minor variance applied for in Application A01/24, for the property described as Concession 3 Part Lot 2 N Part Lot 3, with a civic address of 9570 Concession 2, to provide the following relief;

1. **THAT a reduced MDS II to Type A Land Use of 122m (400 ft) be permitted, for a proposed barn addition be permitted, whereas the By-Law requires 209m (686 ft).**

APPROVED

## ADJOURNMENT


RESOLUTION: COA 004-2024

Moved: McCabe

Seconded: Burke

THAT the Committee of Adjustment meeting of February 12, 2024 be adjourned at 2:24 p.m.

CARRIED

DocuSigned by:  
  
00AF05F09D204A3...  
**CHAIRPERSON**

DocuSigned by:  
*Karren Wallace*  
F00A11507102409...  
**SECRETARY TREASURER**