



**Date:** Wednesday, December 11, 2024  
**From:** Michael Benner, Director of Development and Infrastructure  
**Subject:** **Z05/24 Wepler Zoning By-law Amendment**  
**Report** DEV2024-069

This document and its attachments are public and available in an accessible format upon request.

## Recommendation

That staff report “DEV2024-069, Z05/24 Wepler Zoning By-law” be received for information, and;

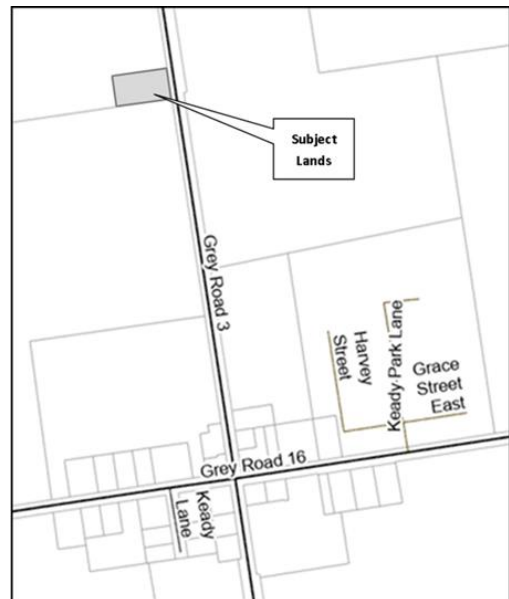
That the Mayor and Clerk be authorized to sign the zoning by-law amendment related to this proposal as substantially contained in this report.

## Application Summary

**Owner(s):** 982454 Ontario Inc.  
**Agent:** Rob and Ena Wepler  
**Civic Address:** 117064 Grey Road 3  
**Legal Desc:** Part Lot 2, Concession 9, Derby  
**Roll Number:** 420354000303501

The subject lands occupy approximately 4000 square metres of land just north of the hamlet of Keady. Application Z05/24 proposes to rezone lands currently zoned as Industrial M1-1 to a site-specific Agricultural use to allow the existing building containing an office and fabrication shop to be repurposed for 3 residential apartments.

The Industrial (M1-1) use was introduced through by-law 44-2003 and has operated as Air-Tech Mechanical until present. The current landowner wishes to retire and convert a part of the existing building into 3 apartments with associated parking and storage space.



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## **Policies Affecting the Proposal**

### Provincial Policy Statement 2024

The Provincial Policy Statement (PPS) is issued under Section 3 of the Planning Act and provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. In respect of the exercise of any authority that affects a planning matter, the Planning Act requires that decisions affecting planning matters “shall be consistent” with policy statements issued under the Act. The PPS is to be read in its entirety and the relevant policies are to be applied to each situation. Therefore, only excerpts from the PPS pertinent to the proposal are highlighted below.

The PPS strongly encourages the protection of prime agricultural areas for long-term use for agriculture. Section 2.3.3 provides the following permitted uses in Agricultural areas:

*2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-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. 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.*

*2.3.3.2 In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.*

*2.3.3.3 New land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*

### Grey County Official Plan

Schedule A of the County OP designates the subject lands as ‘Agricultural’. Section 5.2.1 provides policies for permitted uses in Agricultural areas that include the following policies related to residential use:

*4) Residential dwellings are generally permitted on existing lots of record, unless otherwise restricted by a zoning by-law amendment in the case of a surplus farmhouse severance. Where a new dwelling is permitted, Provincial Minimum distance separation formulae is applied to the new house. If there is no building area available which meets MDS I setbacks, then the house will be as far from the neighbouring livestock facility or*



*manure storage facility as possible. In the case of lots created after March 1, 2017, MDS I shall be met to the proposed house.*

*5) A permanent second house on a farm property for full-time farm labour purposes is also permitted, where adequate reasoning is provided (i.e. where the size and nature of the operation requires additional employment), and where it cannot be achieved through seasonal temporary means. Seasonal housing units in the form of trailers, or bunkhouses are permitted for seasonal farm labour. Additional seasonal or permanent housing for farm labour purposes shall generally be located in the farm cluster.*

*6) Additional residential units are permitted in the main house and in a non-agricultural accessory structure, provided the appropriate servicing is available and it is not located within hazard lands. Additional residential units and garden suites are required to be in the farm cluster*

*7) At no point shall the total number of permanent residential units on a farm property exceed three; however housing for temporary farm labour shall not be considered within this unit total. Severances will not be permitted to sever a secondary dwelling, or additional residential unit from a farm property. Surplus farmhouse severances will still be considered where two houses are the result of farm consolidation. Farm consolidation is the acquisition of additional farm parcels to be operated as one farm operation. All severances are required to meet section 5.2.3 of this Plan.*

#### Township of Georgian Bluffs Zoning By-law 2020-020

The subject lands are currently zoned Industrial M1-1. The M1-1 exception permits a sheet metal heating and cooling light industrial use to occupy a maximum of 250 square metres space on the subject lands. This use was introduced though by-law 44-2003 and has operated as Air-Tech Mechanical until present. It is intended to replace the current M1-1 zone with a site-specific Agricultural (AG-X) zone that will recognize the intended residential use of the subject lands.

It should also be noted that the existing lot is approximately 4000 square metres (1 acre) in size and is located within the Agricultural designation in the Township's Official Plan. Changing the zone to a site-specific Agricultural zone will bring the property back into conformity with the Official Plan.

### **Relevant Consultation**

A Public Meeting regarding the application was held on September 18, 2024. At that time no public comments were received. However, since that date, Public Comments were received from the Grey County Planning and Development Services Department.



In summary, Grey County Planning staff noted that the property does not contain natural heritage features nor their adjacent lands. As such, an Environmental Impact Assessment (EIS) was not required. They also noted that it was their understanding that stormwater management infrastructure was not needed for the proposal. They did recommend that confirmation of adequate servicing be received from the proponent.

To that end, the applicant recognizes that an upgraded septic system will be required to accommodate the 3 new apartment units. This system will be designed by a qualified professional and sized accordingly. There is sufficient lands available on the existing lot to accommodate the upgraded system.

### **Approval Process**

In the past, multi-unit residential developments such as that proposed were required to proceed through a formal Site Plan Approval process under Section 40 of the Planning Act following Zoning Approval. However, recent changes to the Planning Act have exempted residential development of 10 units or less from Site Plan approval. Accordingly, the Building Permit process (building and septic) are the only remaining municipal approval process available following approval of the Zoning By-law amendment.

### **Conclusion & Recommendation**

It has been demonstrated that application Z05/24 for Rob and Ena Weppler which proposes to rezone lands currently zoned as M1-1 to a site-specific Agricultural use to allow the existing building, containing an office and fabrication shop to be repurposed with the addition of 3 residential apartments is consistent with the Ontario Planning Act, the Provincial Policy Statement, the Grey County Official Plan and the general intent and nature of the Township of Georgian Bluffs Zoning By-law.

It is recommended that Application Z-05/24 be approved, and the amending by-law be presented to Council for adoption.

Respectfully Submitted:

Original signed by Michael Benner

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Michael Benner, MCIP, RPP



## Report Approval Details

Document Title:	DEV2024-069 Z05-24 Wepler Zoning By-law Amendment.docx
Attachments:	<ul style="list-style-type: none"><li>- Application.pdf</li><li>- Site Plan.pdf</li><li>- Notice Of Public Hearing Z05-24.pdf</li><li>- County Comments_Z05.2024 982454 Ont Inc_2024 Sep 9 (1).pdf</li></ul>
Final Approval Date:	Nov 27, 2024

This report and all of its attachments were approved and signed as outlined below:

Niall Loble, Chief Administrative Officer