



**KETH'S** TRAILER SALES

# PLANNING REPORT

January, 2023



**LONG ENVIRONMENTAL**  
CONSULTANTS INC.  
ENVIRONMENTAL ENGINEERS & PLANNERS  
ORANGEVILLE, ONTARIO



Keith's Trailer Sales Inc.

RECREATIONAL TRAILER SALES & SERVICE OPERATION

PLANNING REPORT

January 2023

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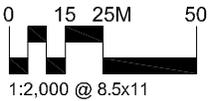
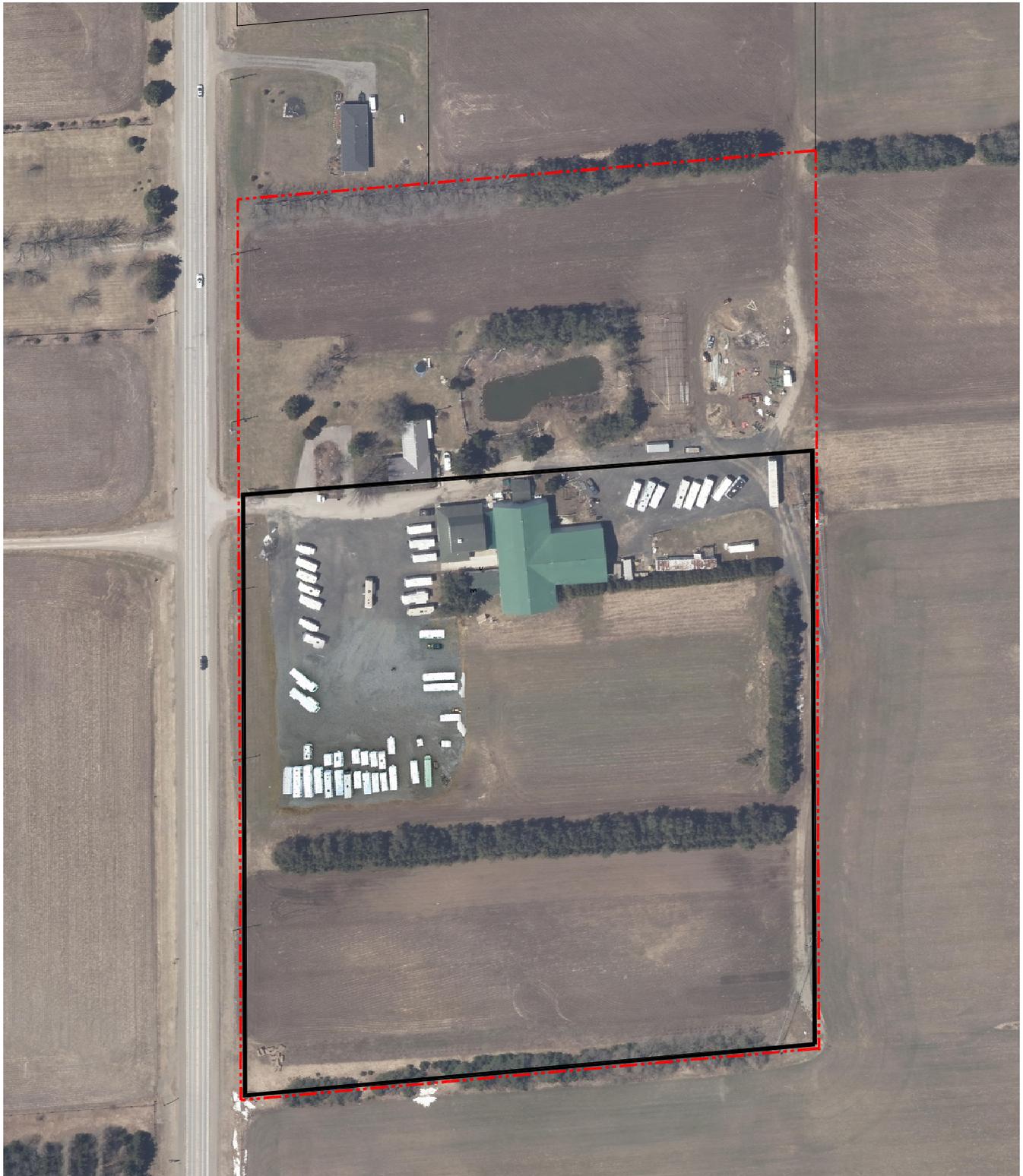


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**Figure 1**  
**2019 ORTHOPHOTO**



# **PLANNING REPORT**

## **1. INTRODUCTION**

Our Client, Mr. Keith Barrick, has operated his recreational trailer sale and service establishment on an 8 hectare property, at 6113 Trafalgar Road since April 2016. This business currently occupies approximately 2.5 ha. Mr. Barrick completed substantial building repairs to the 1,000 square metre processing building, for his trailer maintenance and repair shop. He and his wife Alexandra purchased the 8 ha property on March 27, 2020.

The property at 6113 Trafalgar Road was approximately 40 ha, less one 0.4 ha severed residential lot. Since the early 90s it was operated as Birkbank Farms, producing fruits and vegetables for distribution and sale. In 2013 it was acquired by the Taylors who operated Taylor's Country Market and Bakery Store. The Taylors sold to W. B. Petch Company Limited in 2015 and leased the country market area. However, the Taylor's business failed. On October 13, 2016 the County of Wellington Planning and Land Division Committee approved a Consent to Convey approximately 8 ha to enable the sale of the farm market buildings and parking areas. For almost 30 years, this area has been a commercial agricultural operation.

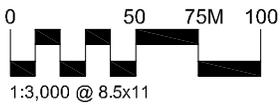
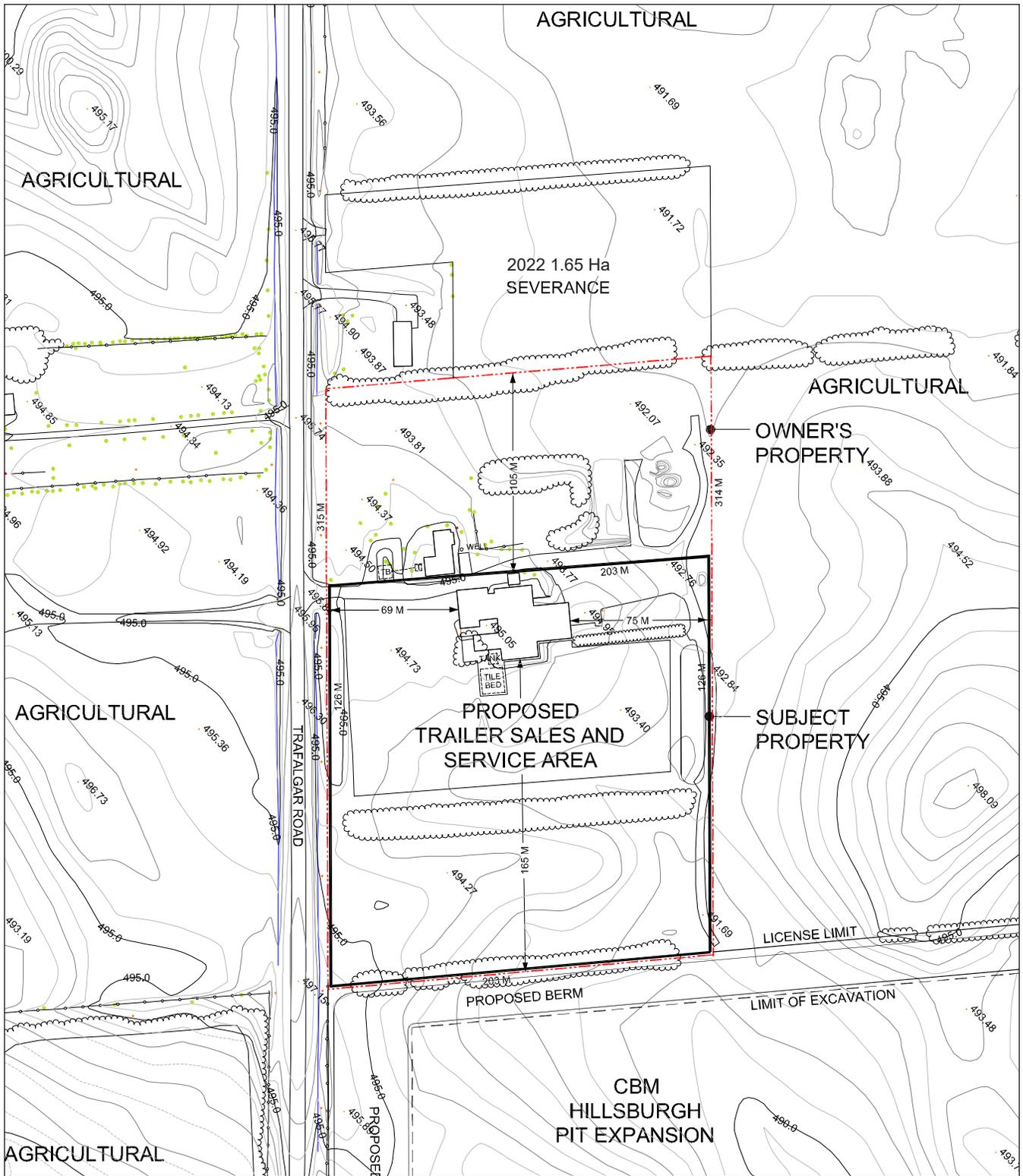
Keith's Trailer Sales and Service has been very successful, selling high quality used recreational vehicles and providing timely, efficient service for the owners of recreational trailers within the surrounding agricultural, rural and urban communities. Unfortunately, the property is designated and zoned Prime Agricultural. A recreational trailer sales and service business is not permitted. However, 44% of the 2019 property tax bill was allocated to "Commercial". The Waterloo-Wellington Community Futures Group recently approved a Keep Well Loan. The Company currently employs 12 persons.

The Planning Act, County of Wellington Official Plan and the Town of Erin Official Plan allow local municipalities to authorize the temporary use of land, buildings and structures for any purpose that is otherwise prohibited, through the passing of temporary use by-laws. Such by-laws may be in effect for a maximum of 3 years and they may be extended, for an unlimited number of times.

On October 27, 2020 Council passed By-law No. 20-41 to permit Keith's Trailer Sales to operate for a period of 3 years, until October 2023. This approval enabled several improvements to the property. However, the limited timing was a concern for Keith's Trailers continued operation. Consequently, an application to continue for an additional 3 years was submitted in 2022.

On June 30, 2022 Council passed By-law No. 22-31 to enable Keith's Trailers to operate for a further 3 years, until October 27, 2026. The permitted uses were expanded to include a propane exchange facility for recreational trailers. This approval enabled further site servicing and improvements. These improvements are subject to the Town's approval of a Site Plan Application, filed in part on August 10, 2022, and deemed "complete" on December 9th.





**Figure 2**  
**LAND USE PLAN**

## 2. LAND USE AND PLANNING

### 2.1 Existing Land Use

Mr. Barrick established Keith's Trailer Sales & Service, on part of the southerly 2.5 ha. His family lives in the existing dwelling, to the north. The remaining area was leased to W. B. Pletch Company Limited. The former agricultural part of the property, now allocated for building access, trailer parking and the existing private sewage system comprises about 1 ha. On May 12, 2022 the Wellington County Planning and Land Division Committee approved the Application for Consent - Lot Line Adjustment to convey the northerly 1.65 ha of agricultural land to the adjacent farmer, Roy Livingston. The conveyance has been completed. This will reduce fragmentation and ensure long-term agricultural use.

The lands north of Hillsburgh are primarily agricultural and the CBM Hillsburgh Pit.

**South:** CBM Aggregates has expanded its existing Hillsburgh gravel pit to the south limit of the subject property. This increased the licence area by about 56 ha.

**West:** The Livingston property comprises active agricultural fields, with a grain drying and storage operation. There is one dwelling but no farm livestock buildings.

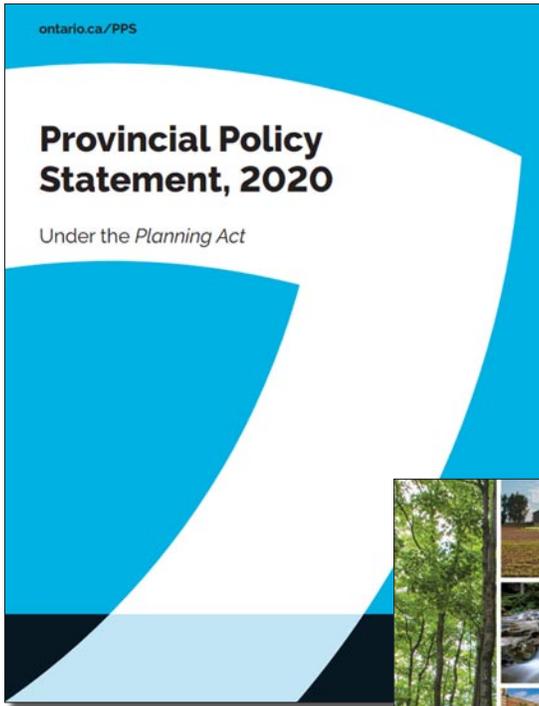
**North:** Land uses include the Applicant's existing dwelling and the 0.4 ha residential lot.

**East:** The 2016 Consent Sketch indicates that the retained farm land is approximately 32.2 ha. There are no farm buildings. This property is being actively farmed by Roy Livingston.

The former farm market uses of the property may have failed because of their distance to urban markets and lack of major highway exposure. As indicated in Section 1, Keith's Trailers provides service to the local rural and urban communities. A relatively level site, with major road access is required. Recreational trailers are not motorized. Therefore, servicing does not include the activities associated with automobile service centres, such as oil changes, which involve the generation of hazardous fluids. Mr. Barrick estimates that the average daily traffic generated is in the order of 24 vehicles, with perhaps 6 to 8 per hour during summer peaks.

Triton Engineering Services Limited was retained to prepare the Stormwater Management (SWM) Brief, required by the Town and the County. This new service requires a SWM pond, in the lowest corner of the property, within the vacant field south of the trailer sales and service area. Consequently, that area has been included in this application for permanent zoning.





**Figure 3**  
**PROVINCIAL PLANNING**



## 2.2 PROVINCIAL POLICY

The Province guides land use planning via a policy-led planning hierarchy. This hierarchy includes the Provincial Policy Statement; the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan. Municipal official plans are required to conform to these documents. The Provincial vision is to provide long-term prosperity and social well-being for strong, sustainable and resilient communities, for people of all ages, a clean and healthy environment and a strong and competitive economy. Section 3 of the Planning Act requires that land use decisions: “shall be consistent with policy statements issued under the Act”.

### (1) Provincial Policy Statement (PPS), 2020

The PPS provides policy direction on matters of Provincial interest related to land use planning and development, while enhancing the quality of life for all Ontarians. It is to be complemented by locally generated policies regarding matters of municipal interest: “When more than one policy is relevant, a decision-maker should consider all of the relevant policies.....”.

The subject property is designated, in the County and Town Official Plans as Prime Agricultural. The definition of Prime Agricultural Land: “means specialty crop areas and/or Canada Land Inventory (CLI) Class 1, 2 and 3 lands as amended from time to time, in this order of priority for protection.”

The subject 4 ha area has been developed for a substantial commercial use, albeit agricultural, with large buildings and parking areas. It is not a specialty crop area.

Subsection 1.1.4, Rural Areas promotes “healthy, integrated and viable rural areas.....providing opportunities for sustainable and diversified tourism.....for economic activities in prime agricultural areas, in accordance with policy 2.3”.

Subsection 1.1.5 - Rural Lands in Municipalities refers to the economic base and employment, including the promotion of recreational, tourism and other economic opportunities.

Section 2.3 - Agriculture provides for the protection of prime agricultural lands for longterm use for agriculture. “Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2 and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.”

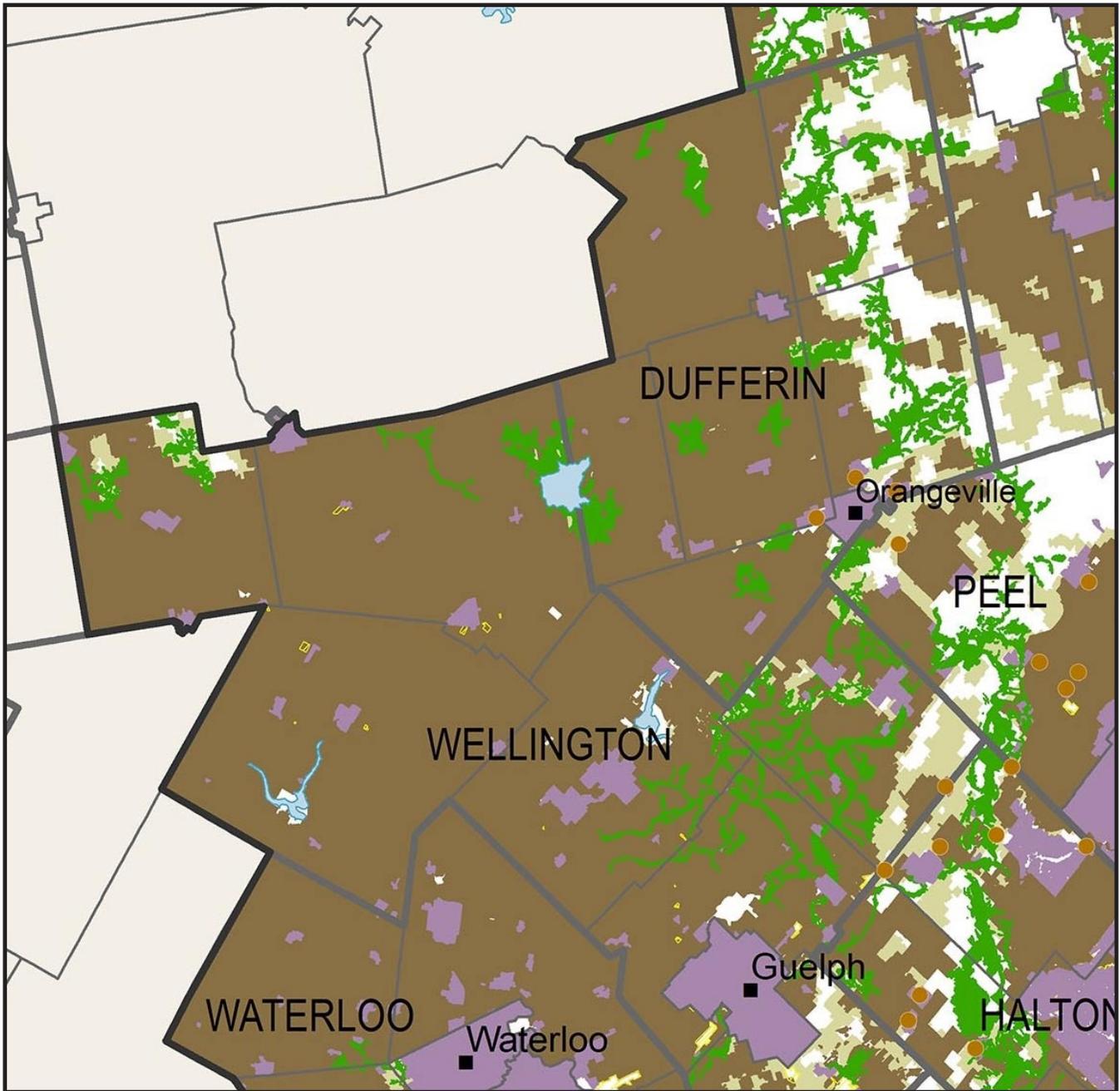
“In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.”

“New uses in prime agricultural areas, including the creation of lots and new or expanded livestock facilities, shall comply with the minimum distance separation formulae.”

Subsection 2.3.6.1 provides that, for non-agricultural uses: “Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.”

The proposal is to enable the continuation of an existing diversified land use.





February 7, 2018

**Figure 4**  
**GROWTH PLAN AGRICULTURAL LAND BASE**



## **(2) Growth Plan, 2019**

Wellington County is within the Outer Ring of the Growth Plan for the Greater Golden Horseshoe. It is forecast to reach a population of 122,000, with 54,000 employment opportunities by 2031. The Growth Plan, prepared and approved under the Places to Grow Act, requires that the operation of non-agricultural uses should minimize and mitigate adverse impacts on the agricultural system. Guiding principles include:

“Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors. Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network.”

Consistent with the Provincial Policy Statement (PPS), Prime agricultural land comprises specialty crop areas and Canada Land Inventory (CLI) Classes 1, 2 and 3 lands. However, a prime agricultural area also includes Class 4 through 7 lands.....which exhibit characteristics of ongoing agriculture.

Subject to the policies in Section 4, development outside of settlement areas may be permitted on rural lands for resource-based recreational uses and other rural land uses that are not appropriate in settlement areas provided they will not adversely affect the protection of agricultural uses and resource-based uses such as mineral aggregates.

Subsection 4.2.6 - Agricultural System, provides that prime agricultural areas, including specialty crop areas, will be designated in accordance with mapping by the Province.

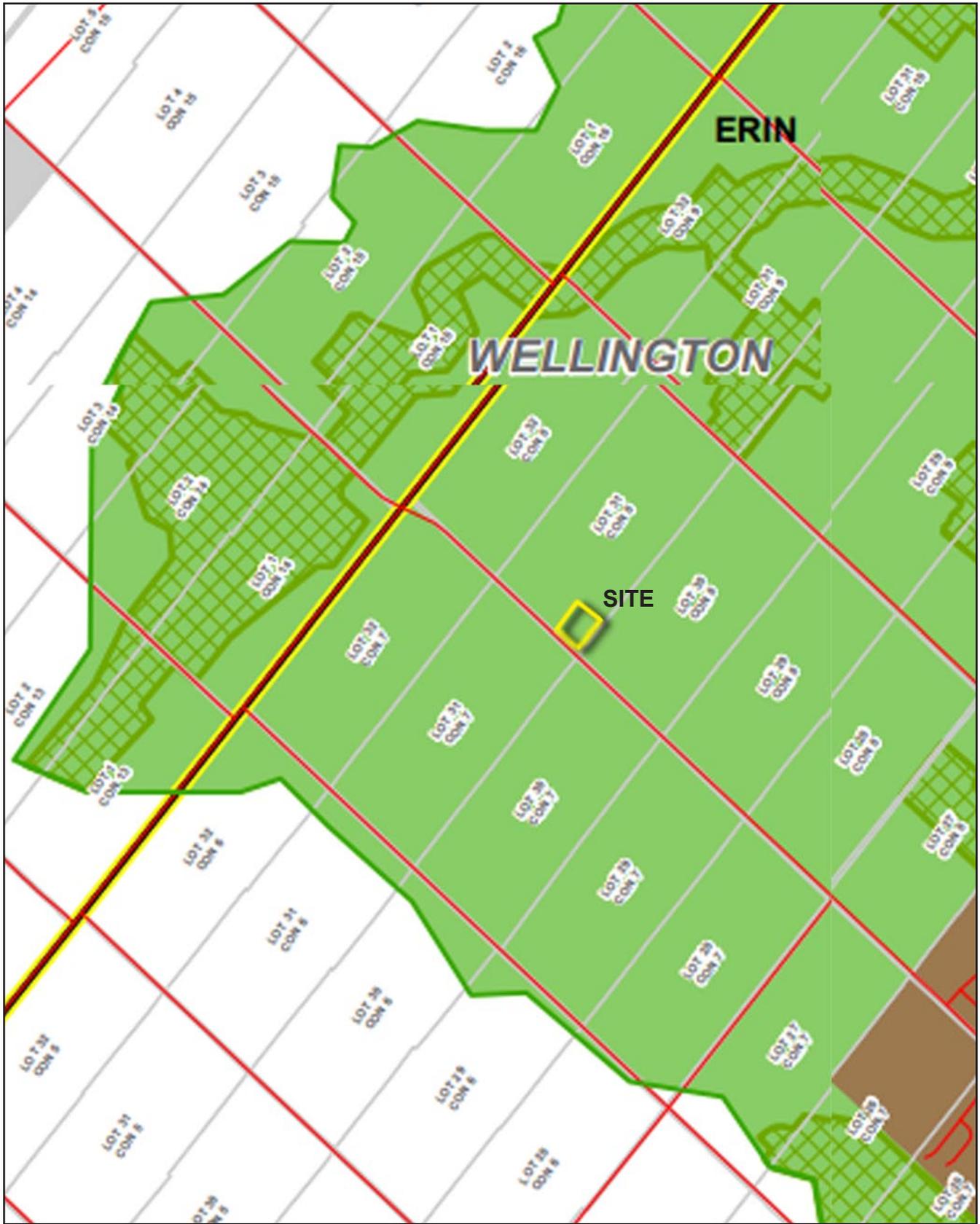
In March 2020 the Province issued its Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe. As illustrated on Figure 4, the Land Base Plan identifies essentially all of Wellington County, except settlements and natural areas, as designated Prime Agricultural Area. The Implementation procedures suggest that these prime agricultural areas will be “added to existing Official Plan designations”. This will substantially increase the Prime Agricultural Areas within the Town of Erin. The Agricultural System is intended to provide that: “rural lands used for agriculture help create a continuous land base for agriculture, link prime agricultural areas and may support elements of the agri-food network.”

Subsection 1.5.1 permits a variety of uses in Prime Agricultural Areas including “on-farm diversified uses” aligned with the PPS and OMAFRA's Publication 851 Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.

Consistent with the Growth Plan, as noted above, the broader definition of Prime Agricultural Areas: “may go beyond the areas municipalities have already identified.”

Therefore, any candidate location, outside of the settlements, will be Prime Agricultural.





**Figure 5  
GREENBELT PLAN**



### (3) Greenbelt Plan, 2017

The Credit Valley Watershed, including the easterly 40% of the Town of Erin is within the Greenbelt Plan. The subject property is designated Protected Countryside. As with other Provincial policy documents, prime agricultural lands are to be protected. Section 3.1.3.2 provides that:

1. All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected and a full range of agricultural uses, agriculture-related uses and onfarm diversified uses are permitted based on provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations.
2. Lands shall not be redesignated in official plans for non-agricultural uses except for:
  - a) Refinements to the prime agricultural area and rural lands designations, subject to the policies of section 5.3; or
  - b) Settlement area boundary expansions, subject to the policies of section 3.4.

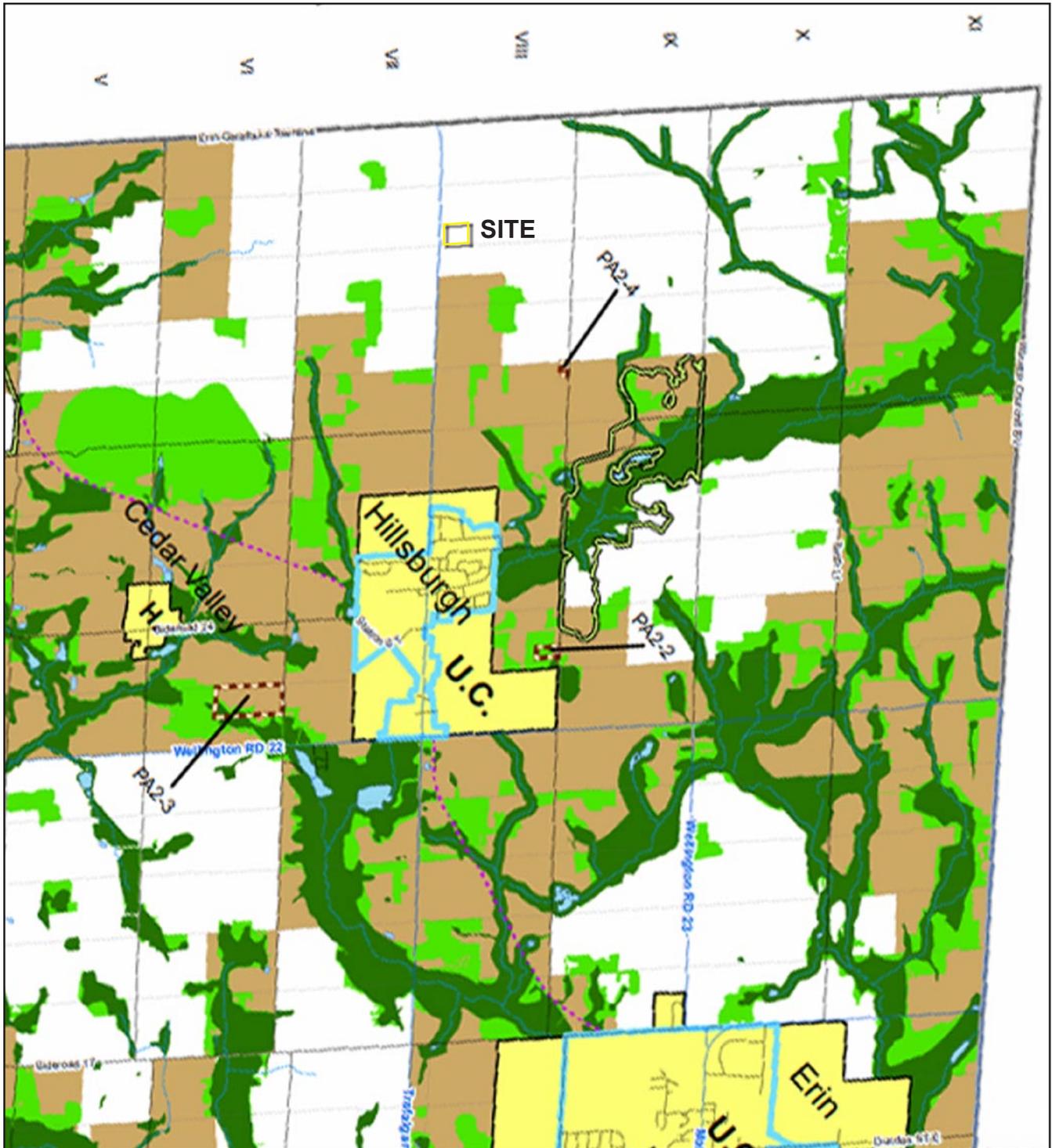
Consistent with the PPS and Growth Plan Implementation Procedures, on-farm diversified uses are defined as:

Means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas....." (PPS, 2020)

Neither the PPS nor the Greenbelt Plan include a definition of home industry. However, the Provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas sets out the following criteria:

1. On-Farm Diversified
2. Located on a farm
3. Secondary to the principal *agricultural use* of the property
4. Limited in area
5. Includes, but is not limited to, home occupations, home industries, *agri-tourism uses* and uses that produce value-added agricultural products
6. Shall be compatible with, and shall not hinder, surrounding agricultural operations





PRIME  
AGRICULTURAL



SECONDARY  
AGRICULTURAL

**Figure 6**  
**SCHEDULE A2 - ERIN**



## 2.3 County of Wellington Official Plan

The property is within the Prime Agricultural designation on Schedule A2 - Erin. Only agricultural and agricultural-related uses are explicitly permitted. The Plan includes an “Agriculture First” policy which provides for the protection of agriculture and that: “land use activities which do not support agriculture will be discouraged”.

Subsection 6.4 sets out the County’s policies for Prime Agricultural Areas and Subsection 6.4.4 refers to home industries which are secondary to the principal use:

*Home industries which are small in scale with limited employees, and minimal off site impact.*

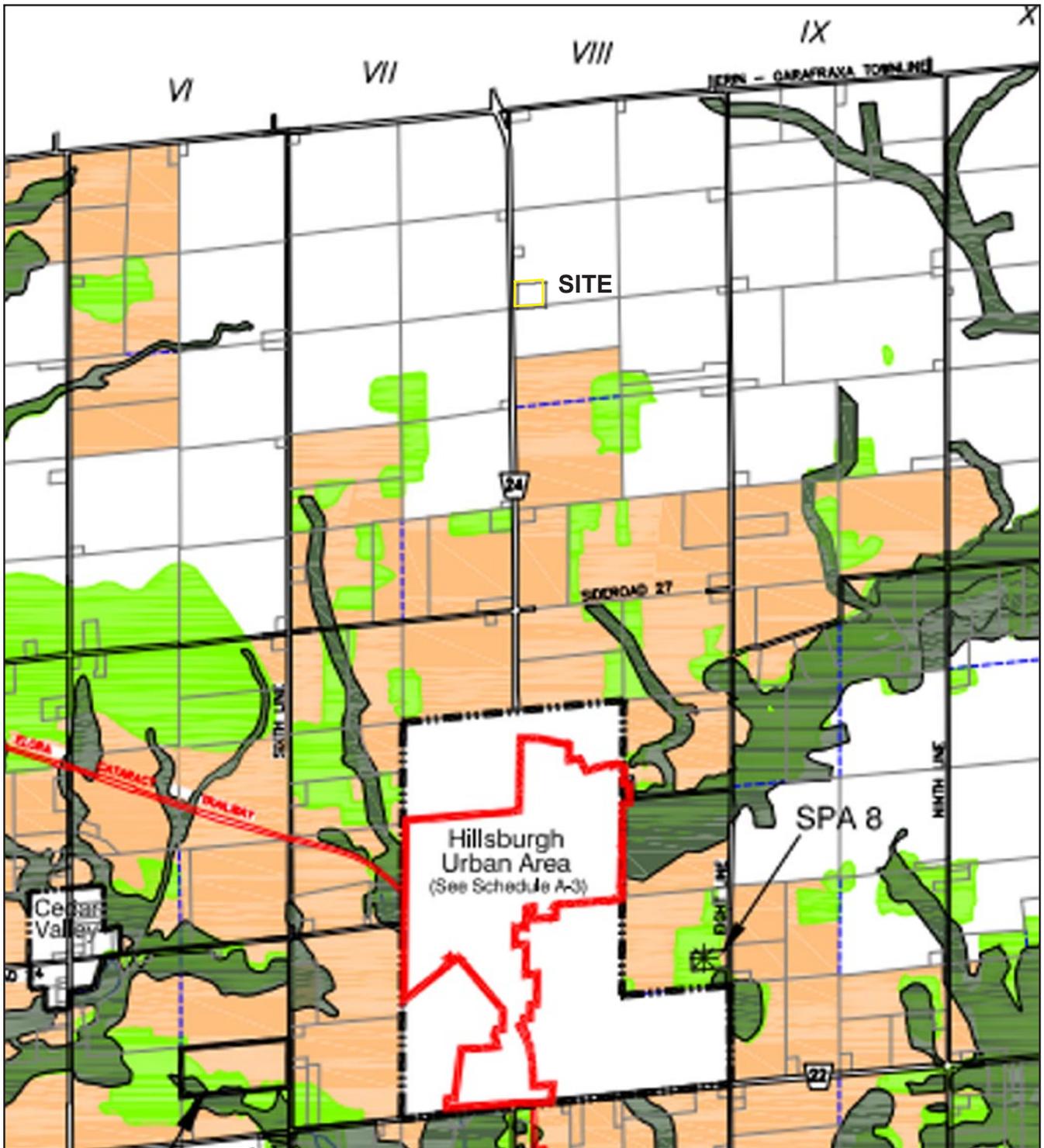
The property comprises 2.1 ha of residential, the owners’ dwelling; the current 2.6 ha trailer sales and service area; and the 1.7 ha south field, part of which is required for stormwater management.

The County Official Plan includes a Policy Direction, in Subsection 4.3.3. The following excerpts are considered relevant to this existing, zoned and growing diversified use:

- a) *ii) Studies demonstrate that limited non-residential use is appropriate.*
  
- c) *Limited non-residential uses, other than aggregate extraction, may only take place in prime agricultural areas if the need for the use can be demonstrated and provided that there are no reasonable alternative locations which avoid prime agricultural areas with lower priority agricultural lands. In considering need and alternative locations, decision makers will be guided by the following:*
  - i) Need*
    - *availability and efficiency of servicing*
    - *need for a variety of opportunities to encourage economic development and satisfy housing and business demand*
  
  - ii) Alternative Locations*
    - *Impacts on agricultural land and operations*
    - *Degree of land fragmentation in the area*

Keith’s Trailer Sales and Service has demonstrated a high degree of economic development with the need to expand to satisfy local business demand. Since Council passed By-law No. 20-41, business has doubled and the number of employees has increased to 12. There is no impact on agriculture and land fragmentation has been reduced.





PRIME  
AGRICULTURAL



SECONDARY  
AGRICULTURAL

**Figure 7**  
**MODIFIED SCHEDULE A-1**



## 2.4 Town of Erin Official Plan

Modified Schedule A-1 indicates that the property is designated Prime Agricultural. The basic objective is the promotion of agriculture and related uses. Prime Agricultural Areas: “will be protected for farming uses.” Within Secondary Agricultural Areas, a broader range of uses, including employment will be allowed. The development of non-agricultural uses is governed by the policies in the Wellington County Official Plan, referred to in the preceding section.

The Town has a Secondary Agricultural Area designation for: “non-prime farmland”. However, the Growth Plan implementation policies would seem to preclude an amendment. It is intended that: “agriculture will continue to be the dominant use”.

### 5.7.1 Status Zoning

A legally established use which does not conform with the policies of this Official Plan may be recognized as a permitted use in the Zoning By-law in accordance with its current use and performance standards. A Council may also consider zoning the property to allow a similar or more compatible use or to provide for a limited expansion of the current use. Council shall have regard for the following:

- a) The need for change or extension of use;
- b) The proposed use is not offensive with regard to noise, vibration, smoke, dust fumes, odour, lighting and complies with the Health Protection and Promotions Act;
- c) Compatibility with the surrounding uses of land;
- d) The need for landscaping, screening, buffering and setbacks;
- e) Traffic impacts and parking;
- f) The adequacy of services; and
- g) Impacts on the natural environment.

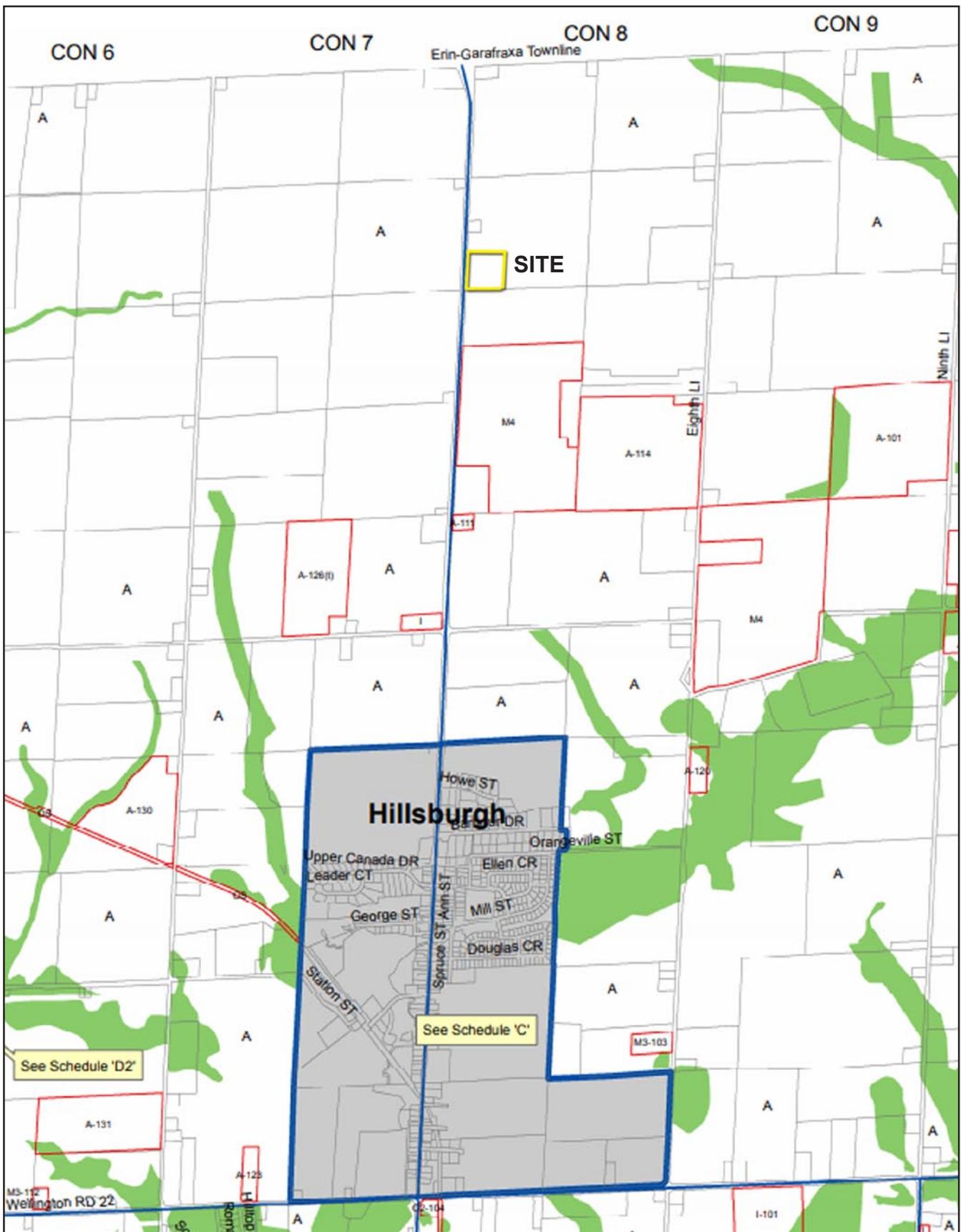
The existing use has been approved and expanded, as legally established, but only until October 2026. During the June 30th Public Meeting for Temporary Use By-law No. 22-31, members of Council indicated that a permanent zoning solution should be sought.

In its June 30th Corporate Report, Town officials confirmed that: “.....the proposed rezoning is consistent with Provincial Policy and conforms with the County of Wellington Official Plan and the Town of Erin Official Plan.”

With respect to compatibility, staff also confirmed: “Through the review of the above studies/ reports, Staff were satisfied that the temporary use is compatible with the surrounding land uses.”

The proposed permanent zoning enables the recognition of Keith’s Trailer Sales as a permitted use and provides for a limited expansion to accommodate the required stormwater management system.





**Figure 8**  
**BY-LAW 07-67 SCHEDULE A**



## 2.5 Town of Erin By-law 07-67

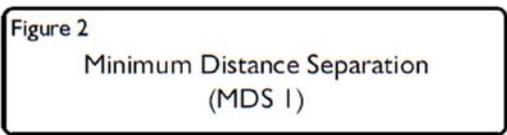
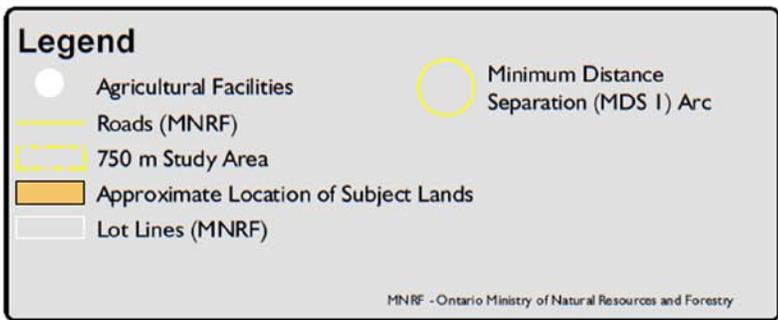
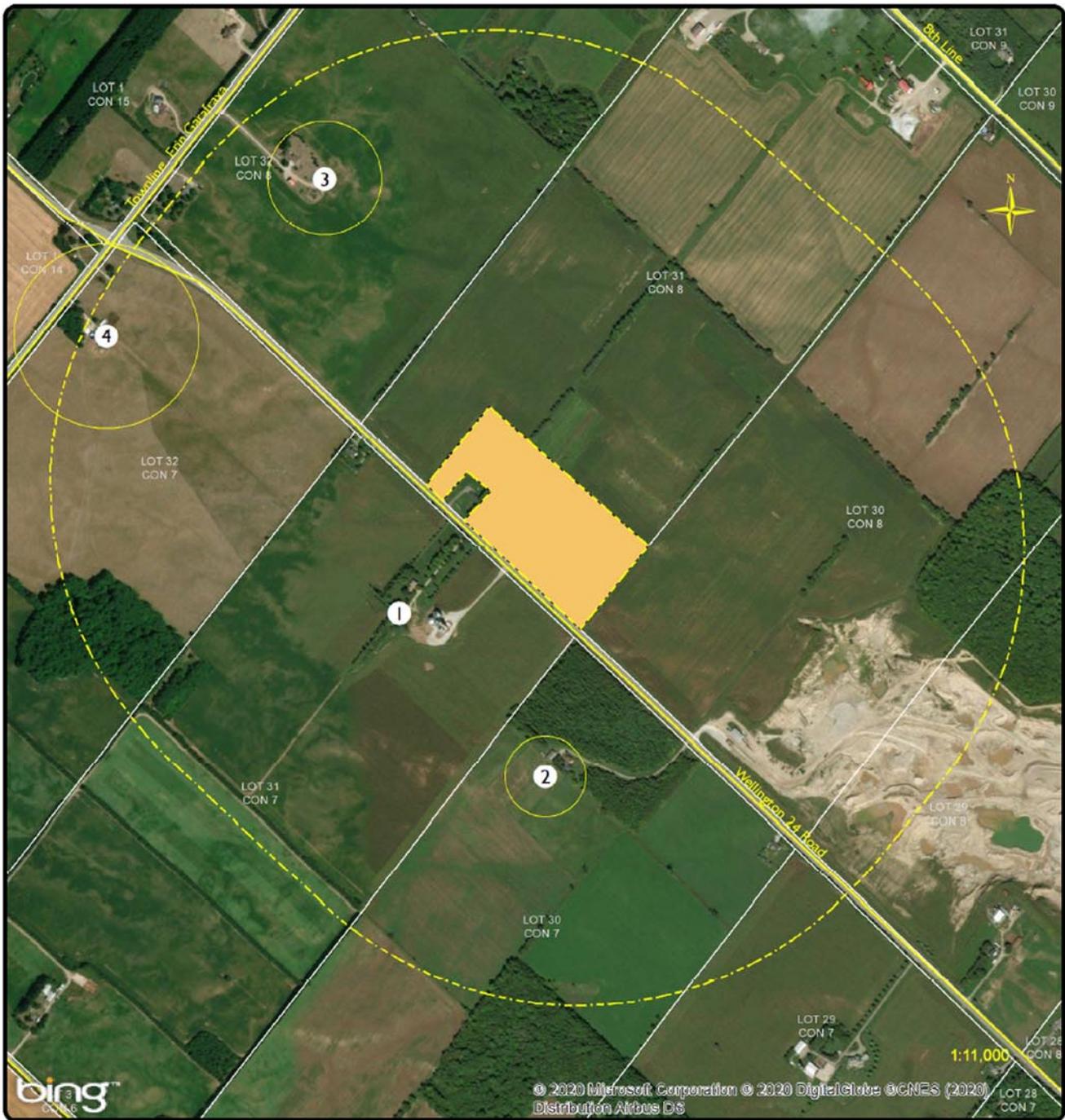
The property is zoned Agricultural (A) on Schedule 'A' of the June 2018 Consolidation. Agricultural uses, including home industries and home occupations, related to agriculture, are permitted. A home industry may include: "a carpentry shop, a welding shop, a machine shop, a tool and equipment repair shop and a small engine shop". No more than two non-resident employees are permitted.

A recreational trailer sales and service establishment is explicitly permitted in the Highway Commercial (C2) Zone. However, the Status Zoning provisions of the Official Plan are intended to enable limited zoning, to legally establish an existing or similar use and a limited expansion. Consequently, it is proposed to zone the property Rural Commercial (C3), with special provisions to permit a recreational trailer sales and service establishment and a propane exchange facility for recreational trailers.

Zoning By-law Subsection 7.3.2 Lot Requirements for the C3 Zone are satisfied, with the exception of a 11.0 m maximum building height. As indicated on the Zoning By-law Amendment Application, the height of the retail part of the existing building is 12.2 m.

Approval of a by-law to apply permanent zoning as Rural Commercial (C3) with these special provisions, in accordance with the current use and performance standards, with a limited expansion, is consistent with Subsection 5.7.1 - Status Zoning, of the Town of Erin Official Plan.





**Figure 9**  
**AGRICULTURE**



### 3. AGRICULTURE

Regionally, while the lands are considered prime agricultural, there appear to be primarily mixed and cash crop field operations and limited farm livestock activity. DBH Soils Services Inc. was retained to conduct a Minimum Distance Separation 1 (MDS 1) Study, in 2020. In September 2022, the firm completed the MDS Report Update, included in Appendix 1.

As Figure 9 illustrates, four farms within 750 m, were evaluated, based upon the proposed by-law change, as a Type A land use. The yellow circles around facilities 2 to 4 are the minimum separation distances established for the identified barns and manure storage facilities. Online imagery and roadside observations. The owners of facilities 1, 2 and 4 were interviewed by telephone.

Facility No. 1 is a grain handling business with no livestock capability;

Facility No. 2 has the capacity to house 4 horses;

Facility No. 3 was assessed an MDS of 114 m, based upon the size of the barn; and

Facility No. 4 formerly had beef cattle pastured during the summer. A potential MDS of 185 m was established, based upon the barn and manure storage size for beef cattle.

Mr. Hodgson's Table 2 illustrates the MDSs for these facilities:

Table 2 – Minimum Distance Separation 1 (MDS 1)

Agricultural Facility (Barn)	Livestock Type	MDS 1 (Barn) In metres	MDS 1 (Manure Storage) In metres
1	-	0.0	0.0
2	Horses	81.0	81.0
3	Horses	114.0	114.0
4	Beef	185.0	185.0

None of the MDS arcs intersected with any of the boundaries of the Keith's Trailers property. Therefore, the MDS 1 Guidelines have been met and no mitigation is required.





#### 4. COMPATIBILITY AND STORMWATER MANAGEMENT

Keith's Trailer Sales has been operating since April 2016. Uses adjacent to the commercial operation include the Barrick family dwelling, a gravel pit and agricultural operations. There is one residential neighbour, approximately 120 m to the north. The trailer service business activity is situated south of the existing, relatively large building. Staging, ingress and egress for indoor trailer preparation and servicing is adjacent to the south side of the building, minimizing offsite noise exposure. No complaints have been received from the neighbour or members of the general public.

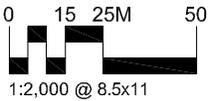
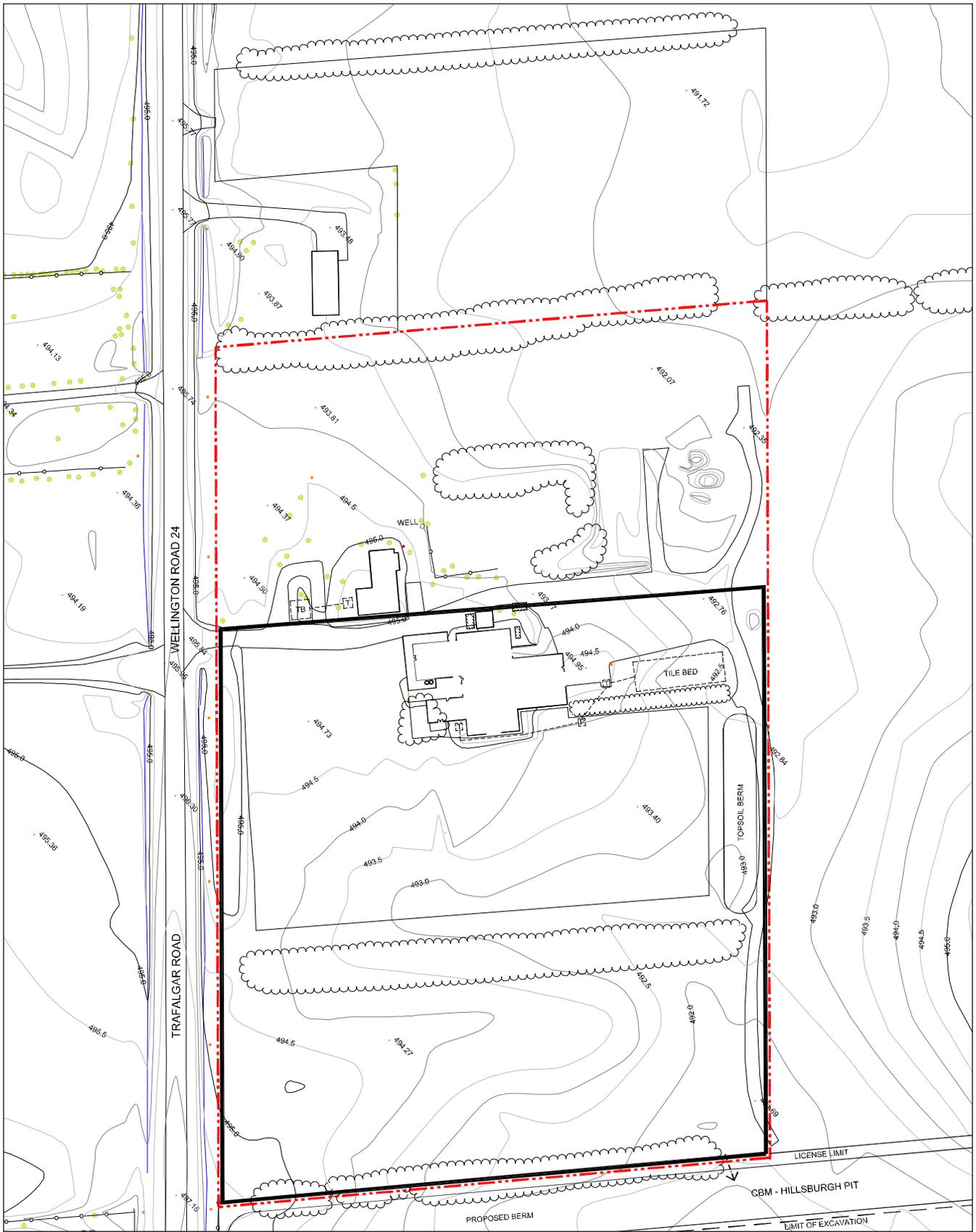
In its June 30th Cororate Report, Town officials confirmed that "Through the review of the above studies/reports, Staff were satisfied that the temporary use is compatible with the surrounding land uses."

Triton Engineering Services Limited was retained to prepare the Stormwater Management (SWM) Brief, required by the Town and the County. This new service requires a SWM pond, in the lowest corner of the property, within the vacant field south of the trailer sales and service area. Consequently, that area has been included in this application

As illustrated on Figure 10, existing grass swales will convey storm runoff, by gravity, to the southeast corner of the trailer storage area. A drainage channel will be constructed from the swale confluence to the required stormwater management pond. As Triton reported, this pond will enable reduction of the runoff, increased by the impervious areas created since 2016, to the predevelopment flow rate. Runoff from the pond will flow to the south and east, diverted by the proposed gravel pit berm, to the agricultural field to the east.

Triton's SWM Brief, November 24, 2022 has been submitted to the Town as part of the accompanying Application For Site Plan Approval. The letter report and reduced Grading and Elevation Plan are included in Appendix 2.





**Figure 11**  
**PHYSIOGRAPHY AND SERVICES**



## 5. PHYSIOGRAPHY AND SERVICES

The property lies within the Hillsburgh Sandhills physiographic region of southern Ontario, which is characterized by rough topography and sandy soils. As indicated on Figure 11, the developed part of the site is relatively level, at about elevation 495 m, as is Trafalgar Road at the entrance to the property. The area south of the building slopes to the east, at about 1.4%. Surface runoff flows to the adjacent farm fields to the east and south. The south field slopes easterly to its southeast corner. High infiltration is associated with the sandy soils.

The Site Plan for the CBM pit expansion, adjacent to the south, indicates a 24 m wide excavation setback and a Proposed Berm (Acoustic) height of elevation 496 m. The proposed elevation of the pit floor is 470 m, an excavation depth of 22 to 25 m. It does not indicate whether the drainage outlet, from Keith's south field watercourse at 492 m, will be maintained.

The farm fields are surrounded by mature, coniferous tree screens. It is intended that they will be substantially retained, except where removal is required for the proposed SWM pond drainage channel.

The existing building and the owner's house to the north are serviced by separate, private sewage systems. The tile bed for the building is in the field area, east of the shop. Records are not available. However, we understand that the sewage system was built to accommodate the commercial farm market, food processing plant and migrant workers' housing. It should be more than sufficient for a trailer servicing shop with 12 employees.

Ontario water well records indicate that ample water is found in a confined limestone aquifer at a depth of from 75 to 85 metres. The record for the subject well indicates it was drilled and cased in July 1973 to a depth of 77 m (253') then completed as an open hole in the limestone at 109 m (360'). It was test pumped at 490 L/sec (100 lpm). In July 2017 the upper 1.8 m was replaced with a new steel casing and sanitary seal. This well has exhibited a substantial, sustained yield for domestic and irrigation use.

The existing driveway is relatively level and paved, as are the front trailer display area, the easterly trailer storage area, and the rear yard. The farm equipment and rear yard migrant workers bunkhouse were removed.





**Figure 12**  
**WELLHEAD PROTECTION AREA**



## 6. SOURCE WATER PROTECTION

Credit Valley Conservation (CVC) has led a source protection planning initiative to identify drinking water sources and potential threats, since 2010. The CVC's proposed Source Protection Plan was initially submitted to the Province in January 2015. Its primary concern, in the subject area, is the protection of Erin Well No. H3, north of Hillsburgh. The extent of its recommended control is the Secondary Protection Zone (5 To 25 Year Time of Travel).

Figure 12 is an excerpt from the County's Wellhead Protection Plan for the area north of Hillsburgh. The area proposed for this Zoning By-law is approximately 450 metres north of the Secondary Protection Zone, coloured yellow.

In his April 8th email, Mr. Kyle Davis, the County's Risk Management Official, confirmed that our Client's property is not located in a wellhead protection area or intake protection zone. Therefore, it is not subject to Source Protection Plan policies.





**TRAFALGAR ROAD NORTH OF ENTRANCE**



**TRAFALGAR ROAD SOUTH OF ENTRANCE**

**Figure 13  
TRAFALGAR ROAD CONDITIONS**



## 7. TRAFFIC

As reported in 2020, the existing entrance to the property was established prior to 1954, when this road was Provincial Highway 25. This is significant, because former Provincial highways were generally built to higher standards, as indicated by the wide road allowance and shoulders. It has since been well maintained as Wellington Road 24 - Trafalgar Road. We understand that the farm produce processing plant and farm market were established during the early 1990s.

Documentation provided by the County's Roads Division, in 2020 disclosed that the average annual daily traffic (AADT) on Wellington Road 24, in Hillsburgh was about 5,100. The south-erly traffic counts, on Dufferin Road 24 indicated an 2018 AADT of about 3,500. Current counts are about 5,600 and 3,400, respectively. We are advised that the two lane highway AADT capacity should be in the order of 12,000.

As indicated in Subsection 2.1, Mr. Barrick estimates that the average daily traffic generated is in the order of 24 vehicles per day, with perhaps 6 to 8 per hour during summer peaks. This amount of traffic will not have any impact on an already underutilized County highway. Sight distance, north of the entrance, is essentially unlimited.

The Transportation Association of Canada (TAC) has established criteria for sight distance. Its Figure 9.10.1, June 2017 is appended. The minimum Stopping Sight Distance (SSD) for an 80 kph design speed is 130 m and the "desirable" SSD is about 320 m. Calculations are based upon a driver's eye height of 1.08 m and an object height of 0.6 m. We have also plotted the 2.7 m object height for a recreational trailer on the appended plan and profile drawing. The distance from the existing entrance to the elevation crest to the south, at 497.15 is about 200 m. The SSD for an automobile is about 269 m and for a trailer it is 306 m. Therefore, the TAC criteria are satisfied.



## 8. PLANNING OPINION

Keith's Trailer Sales Inc. has operated at this location since 2016. The Company sells high quality recreational vehicles and provides services for the owners of recreational trailers within the surrounding agricultural, rural and urban communities. This is a nonagricultural operation. 44% of the 2019 property taxes were assessed as "Commercial" and 56% as "Farmland Residential". Unfortunately, the property, acquired by Mr. Barrick and his wife Alexandra in March 2020, is designated Prime Agricultural, in the County and Town Official Plans and zoned Agricultural (A). However, Section 39 of the Planning Act, the County and Town Official Plans, permit a Temporary Use Zoning Bylaw, which allows land uses that are "otherwise prohibited". In accordance with the Planning Act, the effect of these by-laws may not exceed three years, but may be extended, an unlimited number of times.

On October 27, 2020 Council passed By-law No. 20-41 to permit Keith's Trailer Sales to operate for a period of 3 years, until October 2023. This approval enabled significant improvements to the property. However, the limited timing was a concern for Keith's Trailers continued operation. Consequently, an application to continue for a further 3 years was submitted in 2022.

On June 30, 2022 Council passed By-law No. 22-31 to enable Keith's Trailers to operate for a further 3 years, until October 2026. The permitted uses were expanded to include a propane exchange facility for recreational trailers. This approval enabled further site servicing and improvements. Several members of Council recommended that a "permanent" zoning solution should be found. The site improvements are subject to the Town's approval of a Site Plan Application, filed, in part, on August 10, 2022. The required Stormwater Management Brief was received on November 24th and this application was "deemed complete" by the Town on December 9th.

The County of Wellington approved an Application For Consent - Lot Line Adjustment to enable the sale of the northerly 1.65 ha of the property to the adjacent farmer, Roy Livingston on May 12th. This transfer will ensure that the lands not required for the trailer sales and service business remain in agricultural use.



Keith's Trailer Sales Inc. comprises an existing building with outdoor displays and storage of trailers, which occupies about 2.55 ha, 40 % of this 6.4 ha property. The surrounding land uses are agricultural, to the west, north and east and the CBM Hillsburgh Pit to the south.

The Province of Ontario guides land use planning via a policy-led hierarchy. This hierarchy includes the Provincial Policy Statement, 2020 (PPS); the Growth Plan for the Greater Golden Horseshoe, 2019 and the Greenbelt Plan, 2017. Municipal official plans are required to conform to these documents. The Provincial vision is to provide long-term prosperity and social well-being for strong, sustainable, resilient communities, for people of all ages, a clean, healthy environment and a strong and competitive economy. Section 3 of the Planning Act requires that land use decisions "shall be consistent with policy statements issued under the Act".

In 2014, the PPS was amended to include a framework of policies and definitions that make it easier for agricultural operations to remain viable. It clarified permitted uses to include "on-farm diversified uses". These uses are currently defined as:

"uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses." (PPS, 2020). Under the Growth Plan, 2019, the Province issued its March 2020 Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe. As illustrated on Figure 4, the Land Base Plan identifies essentially all of Wellington County, except settlements and natural areas, as designated Prime Agricultural Areas. The Implementation Procedures suggest that these prime agricultural areas will be "added to existing Official Plan designations". This will substantially increase the extent of designated Prime Agricultural Areas within the Town of Erin.

The Greenbelt Plan, 2019 provides that permitting on-farm diversified uses will be based upon Publication 851 Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, 2016. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations. However, consistent with the PPS, the definition confirms that on-farm diversified uses are "not limited to" agriculturally related uses.



“The addition of the on-farm diversified definition means that there is an opportunity for uses that have no connection with an agricultural use. This has been explained by OMAFRA as an opportunity to enable farm operators to diversify and supplement their farm incomes.....proof may be required that the property qualifies for the Farm Property Class under the Assessment Act.....agriculture continues to dominate the property.....considerations include requiring a shared driveway for the on-farm diversified use and agricultural use, discounting existing buildings and encouraging the reuse of existing farm buildings.” (Municipal Matters, January 12, 2017)

Examples in the Publication 851 Guidelines include the conversion of an existing small barn to an antique shop and, on a larger farm, an office in a new building and a new fabrication plant.

Subsection 13.4 of the County of Wellington Official Plan sets out implementation policies for Temporary Use By-laws, to permit the use of land for a purpose that is otherwise prohibited by the Official Plan or Zoning By-law. The Town of Erin Official Plan contains a similar policy in Subsection 5.9.

The Town of Erin Official Plan provides that, when enacting a Temporary Use By-law, Council shall have regard for the following:

*a) The compatibility of the proposed temporary use with surrounding land uses;*

The proposed use has existed on the property for more than 4 years. There is no evidence of incompatibility. No one has expressed any concerns or issues with this proposal.

*b) The availability of appropriate access to the proposed use;*

The existing entrance has existed for many years and exhibits good visibility.

*c) The proposed design and layout of the proposed temporary use;*

The design and layout are existing.



*d) The availability of the proposed use to cease when the By-law expires;*

The Company has searched for a similar, non agricultural property on a major road within the Town of Erin. However, given the extent of site improvements, completed in accordance with the temporary use by-laws passed by Council, relocation would not be appropriate.

*e) The adequacy of proposed services;*

As set out in this report, the existing water supply and wastewater management facilities are more than adequate for the proposed use. A new stormwater management system is proposed.

*f) The need for any impact assessment studies;*

The applicant has completed the appended studies of agriculture, source water protection and traffic. None of these studies has indicated any adverse impact.

*g) That the use is in general conformity with the intent and policies of this Plan.*

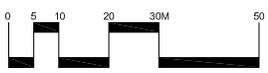
The Erin Official Plan defers to the County Plan. While the County's "Agriculture First" policies encourage agricultural land use, they "discourage", rather than preclude non-agricultural, diversified uses. Temporary Use By-laws, for land uses which are otherwise prohibited, are allowed.

In Subsection 2.5 the permitted uses for a home industry in the Agricultural (A) zone were listed. Two of these warrant an explanation:

# 3 - Outdoor storage - the recreational trailers are not considered: "*materials, shipping containers or finished products*"; and

# 4 - Total Floor Area - as set out on page 28, the Publication 851 guidelines encourage: "*the reuse of existing farm buildings*". The Keith's Trailers redevelopment has enabled substantial improvements and utilization of a deteriorated, vacant, commercial building.





**Figure 14  
SITE PLAN**



Figure 14 is the proposed Site Plan, currently being considered by the Town. The Barrick’s residential property is approximately 2.1 ha and the area zoned for trailer sales and servicing is 2.6 ha. It is proposed to include the south field, of about 1.7 ha in the area to be permanently zoned. This area is required for the development of the SWM system and may be required for future development.

As indicated in the preceding text, Subsection 4.3.3 of the County Official Plan sets out a Policy Direction that enables non-agricultural uses to be permitted in response to the need for a variety of opportunities to encourage economic development and satisfy housing and business demand. Keith’s Trailers business has almost doubled, during the past 2 years and employment has increased from 4 to 12.

Subsection 5.7.1 of the Town Official Plan provides for “Status Zoning” to enable the continuation of a “legally established use” and to: “provide for a limited expansion of the current use”.

The application is for the permanent zoning of the southerly 4.3 ha as Rural Commercial (C3), with special provisions to permit a recreational trailer sales and service establishment and a propane exchange facility for recreational trailers, with a maximum building height of 12.2 m.

It is respectfully concluded that this application is consistent with the County and Town Official Plans and Zoning By-law criteria.

Yours very truly,  
LONG ENVIRONMENTAL CONSULTANTS INC.



A handwritten signature in black ink that reads "R. J. Long".

R. J. Long, P. Eng., RPP

