



**TOWNSHIP OF MELANCTHON
COMMITTEE OF THE WHOLE ELECTRONIC MEETING
THURSDAY, JUNE 3, 2021 – 6:00 P.M.**

Join Zoom Meeting

<https://us02web.zoom.us/j/86265987200?pwd=Z3d2T00rVHg3YWw5TnFEU3V2ZFBTZz09>

Meeting ID: 862 6598 7200

Passcode: 361502

One tap mobile

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+17789072071,,86265987200#,,,,*361502# Canada

Dial by your location

+1 647 558 0588 Canada

+1 778 907 2071 Canada

+1 204 272 7920 Canada

+1 438 809 7799 Canada

+1 587 328 1099 Canada

+1 647 374 4685 Canada

Meeting ID: 862 6598 7200

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AGENDA

- 1. Call to Order**
 - 2. Additions/Deletions/Approval of Agenda**
Motion - that the Agenda be approved as _____.
 - 3. Disclosure of Pecuniary Interest**
 - 4. Adoption of Draft Minutes – February 18, 2021**
Motion: that the minutes of the Committee of the Whole Meeting held on February 18, 2021 be approved as circulated.
 - 5. Business Arising from the Minutes**
 - 6. Correspondence**
 - 7. General Business**
 1. Discussion By-law 44-2012 – On Farm Business Uses By-law
 2. Other/Addition(s)
 - 8. Delegations**
 - 9. Adjournment and Date of Next Meeting**
Motion: that we adjourn Committee of the Whole at _____ p.m. to meet again on _____ at _____ p.m. or at the call of the Chair.
- Or***
- That we adjourn Committee of the Whole at _____ p.m. to meet again at the call of the Chair.***

BY-LAW NO. 44-2012

OF THE CORPORATION OF
THE TOWNSHIP OF MELANCTHON

WHEREAS By-law No. 12-79 as amended is the main governing Zoning By-law of the Corporation;

AND WHEREAS the Council of the Corporation of the Township of Melancthon has determined that By-law No. 12-79 should be amended to include provisions concerning on-farm business uses;

AND WHEREAS authority is granted under Section 34 of the Planning Act, to enact such amendments;

NOW THEREFORE be it enacted as a By-law of the Corporation of the Township of Melancthon the following:

1. Section 4, General Agricultural (A1) Zone, of By-law 12-79, as amended, is hereby further amended by adding the following after item h) in subsection 4.2.

“i) an on-farm business use, subject to the provisions of subsection 4.6.”

2. Section 4, General Agricultural (A1) Zone, of By-law 12-79, as amended, is hereby further amended by adding the following subsection after subsection 4.5 and renumbering subsection 4.6 as 4.7.

“4.6 ON-FARM BUSINESS USES PROVISIONS”

The following provisions shall apply with regard to an on-farm business use as permitted in the General Agricultural (A1) zone under the provisions of section 4.2.

- a) In this section, the words “secondary uses to agriculture” mean uses accessory to agriculture that support, promote, or sustain agricultural operations and production.
- b) The following uses may be permitted as on-farm business uses that are secondary uses to agriculture.
 - i. Dry manufacturing, trades and repair services other than an automobile repair shop or public garage
 - ii. Welding and machine shops.
 - iii. Wood working shops
 - iv. Band saw mills with covered storage of saw logs
 - v. Greenhouses and market gardens
 - vi. Garden centres
 - vii. Tree nurseries

- viii. Compatible commercial or retail uses including but not limited to storage and refrigeration of regional agricultural products, and production, sales and marketing of value added agricultural products derived from regional sources
 - ix. Supplemental sources of on-farm income that support and sustain on-farm agricultural operations and production
 - x. Support services that facilitate the production, marketing and distribution of agricultural products
 - xi. On-farm and off-farm sales and marketing of predominantly regional agricultural products and experiences
 - xii. Locally made arts and crafts
 - xiii. Ancillary retail sales and service activities
- c) Ancillary retail commercial sales and service activities, including accessory retail sale of products produced by the on-farm business use, shall be limited to a maximum of 10 percent of the gross floor area of the building.
 - d) Any permitted use shall require a Change of Use Certificate from the Township.
 - e) Only one permitted use is allowed on any qualifying lot.
 - f) The lot shall be eligible for the Farm Property Class tax rate and must be used for a farming business that has a current and valid Farm Business Registration number.
 - g) The minimum lot area shall be 20.23 hectares.
 - h) The minimum lot frontage shall be 150 metres.
 - i) The use and all associated facilities including parking areas shall not exceed a maximum area of 0.4 hectares.
 - j) The use shall be located in a separate building or buildings that are not associated with any other use on the lot.
 - k) All buildings and structures shall be set back a minimum of 22.8 metres from any lot line, 121.9 metres from the closest lot line of a vacant lot having a maximum size of 4.1 hectares, and 121.9 metres from a dwelling on a separate lot.
 - l) The minimum separation distance between on-farm business uses shall be 500 metres.
 - m) The maximum combined total floor area of all buildings shall be 418.06 square metres.
 - n) All buildings shall have a peaked roof and the maximum building height shall be 9.2 metres measured vertically from the abutting finished ground level to the peak of the roof.

- o) All business operations, storage and loading spaces shall be located within fully enclosed buildings.
- p) There shall be a landscaped buffer strip provided between the use and the nearest open public road. The landscaped buffer strip shall consist of either a minimum 2 metre wide continuous strip of land containing or planted with at least one row of coniferous trees having a minimum height of 2 metres and spaced at a maximum of 3 metre centres or containing a continuous 2 metre high tight board fence. Where necessary, driveways and walkways may cross this landscaped buffer strip. Where existing vegetation provides the equivalent of this buffer, no further planting or fencing is required.
- q) The use shall comply with the applicable noise emission standards of the Ministry of the Environment and, where necessary, acoustic fencing, berms or other mitigation measures shall be provided to ensure that off-site sound levels generated by the use meet those standards.
- r) The use shall be operated by the owner of the lot and a maximum of four employees.
- s) The use shall be not be offensive, obnoxious or dangerous to the neighbours or the area by reason of: the emission of light, heat, fumes, noise, vibration, gas, dust, smoke, fire, odour, air or water borne waste or pollution; interference with radio or television; or the significant increase in vehicle traffic due to frequency of deliveries by commercial carriers or patron parking.
- t) There shall be no advertising other than a non-illuminating sign having a maximum size of 1 square metre.
- u) Any permitted on-farm business use shall operate only during any part of the following time periods: between 7:00 a.m. and 7:00 p.m. on Mondays to Fridays and between 8:00 a.m. and 5:00 p.m. on Saturdays."

3. This by-law shall take effect and shall come into force pursuant to the provisions of and regulations made under the Planning Act.

READ A FIRST AND SECOND TIME THIS 6th DAY OF December, 2012.

Bill Hill
MAYOR

Jennifer Tolner
CLERK

READ A THIRD TIME AND FINALLY PASSED THIS 10th DAY OF January, 2013

Bill Hill
MAYOR

Jennifer Tolner
CLERK

Ontario Municipal Board

Harvey Lyon has appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 13-2011 of the Township of Melancthon

OMB File No. PL110286

Minutes of Settlement

Between

HARVEY LYON
(hereinafter referred to as: "Mr. Lyon")

-and-

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
(hereinafter referred to as "the Township")

WHEREAS Mr. Lyon has appealed the above Application in respect of rezoning part of Lot 32, Concessions 3 and 4, N.E., from the General Agricultural (A1) Zone to the General Agricultural Exception (A1-116) Zone;

AND WHEREAS since the filing of the appeal by Mr. Lyon, Mr. Lyon and the Township (collectively the "Parties") have conducted further discussion on the appropriate zoning of the Subject Land;

AND WHEREAS the Parties have reached an agreement which includes an acceptable zoning amendment by-law for the Subject Land, and therefore wish to enter into these Minutes of Settlement;

AND WHEREAS the Parties are desirous of documenting this understanding and of implementing the agreement by way of a joint consent submissions to the Ontario Municipal Board;

AND WHEREAS by resolution passed at a Special Council meeting held July 27, 2011, Council of the Township has authorized execution of these Minutes of Settlement.

NOW THEREFORE in consideration of the foregoing, other good and valuable consideration and the sum of Two Dollars (\$2.00) now paid by each to the other, the Parties agree as follows:

1. The Parties shall make a joint submission to the Ontario Municipal Board requesting an Order of the Ontario Municipal Board dismissing the appeal and


approving Zoning By-law 13-2011, thereby amending Zoning By-law 12-79 for the Subject Land.

2. The Parties shall cooperate in the calling of such evidence and filing of material as may be required in support of the zoning amendment. To that end, the Township will instruct its consulting planner, Mr. Jerry Jorden, to attend the Ontario Municipal Board hearing and to present such professional land use planning evidence as may be required in support of the zoning amendment and as may be requested by the counsel for the Parties. ZB/L
JBY
3. As per the resolution passed on July 27, 2011, Council of The Township agrees to hold processing of any new or amending on-farm business rezoning applications until a zoning by-law setting out applicable standards and permitted uses for these on-farm businesses has been put in effect, with the exception of applications clearly relating to the established farm operation and involving uses required in close proximity to the farming operation.

IN WITNESS WHEREOF, the Parties have executed these Minutes of Settlement by the hands of their proper signing officers, where applicable.

DATED at the Township of Melancthon, this 8th day of August, 2011

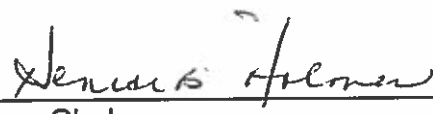
HARVEY LYON



THE CORPORATION OF THE TOWNSHIP OF
MELANCTHON

Per: 

Bill Hill, Mayor

Per: 

Denise Holmes, Clerk
We have authority to bind the Corporation.