



F	PLANNING DEPARTMENT REPORT REPORT 18/30
то:	THE MAYOR AND MEMBERS OF COUNCIL
FROM:	TREVOR HAWKINS, TOWNSHIP PLANNING CONSULTANT
MEETING DATE:	May 9, 2018
SUBJECT:	ZONING BY-LAW AMENDMENT APPLICATION ZBA03/18 -XINYI CANADA GLASS LTD.
LOCATION & WARD:	5081 COUNTY ROAD 32, WARD 1
ATTACHMENTS:	1 – LOCATION MAP 2 – CONCEPT SITE PLAN

SUMMARY:

The applicant has submitted an application for a Zoning By-law Amendment for several site specific provisions to the Rural Industrial (M1) Zone. The site specific provisions include permission for "accessory dwelling units directly associated with the operation of the manufacturing facility"; an increase in the maximum lot coverage; a reduction in the minimum required setback from County Rd 32; an increase in the maximum building height; to eliminate the requirement for loading spaces; and to reduce the minimum required parking.

The applicant proposes to develop the lands with a float glass manufacturing facility, complete with a large manufacturing/warehouse building, several accessory buildings related to the operation of the facility and a "corporate campus." The corporate campus is intended to contain an office building, a multi-purpose building and several buildings that will provide temporary accommodations for employees.

RECOMMENDATION:

1. It is recommended that the Council of the Township of Guelph/Eramosa receive Planning Department Report 18/30 regarding "ZONING BY-LAW AMENDMENT ZBA 03/18 – Xinyi Canada Glass Ltd."; and

2. That the Council of the Township of Guelph/Eramosa schedule a future meeting to consider Zoning By-law Amendment Application ZBA 03/18.

PROPOSAL:

The Township of Guelph/Eramosa received a Zoning By-law Amendment application for the subject lands, municipally addressed as 5081 County Rd 32, to permit amendments to the Rural Industrial (M1) zone (Section 14 of the Zoning By-law) in order to construct a float glass manufacturing facility. The subject lands are currently used for farming, with an associated pallet manufacturing business, with access from both County Road 124 (via a right-of-way) and County Road 32. The lands are 49 hectares in area with 400 metres of frontage on County Road 32.

There exist several buildings on site, some of which are used for the pallet manufacturing business. All of the existing buildings will be demolished to accommodate the proposed use. Adjacent to County Rd 32 there is a small parcel of land that contains a navigation tower associated with the Waterloo Region International Airport. Along the north boundary of the site is a 30 metre wide easement in favour of Hydro One. The majority of the easement will remain undeveloped, however the applicant intends to locate a vehicular entrance and surface parking on a portion of the easement, closest to County Rd 32. An additional easement (10.6 metres wide), in favour of Union Gas is located along the entire frontage adjacent to County Rd 32.

The applicant intends to develop the lands with a float glass manufacturing facility, complete with several accessory and supporting buildings. Each of the buildings provides a specific function in the overall process of producing glass and manufacturing glass related products (e.g. windows). The facility operates 24 hours a day, 7 days a week, year round. There are three large manufacturing lines contained within the facility and the employees will work on three separate shifts.

The complexity of the operation is such that it takes 6-9 months to shut the operation down and start it back up again. As a result, the operation is only stopped for maintenance every 12-15 years. To ensure that no unplanned shut downs occur, trained staff are required to be on-site 24 hours per day to respond quickly to any mechanical or maintenance related issues.

In addition to the accessory buildings related to the manufacturing process, the proposal includes a "corporate campus" located at the front of the site, closest to County Rd 32. The corporate campus includes:

- Training and meeting rooms;
- Offices;
- Cafeteria facilities;
- Recreation facilities;
- Temporary and short-term dwelling units for up to 50 people.

The dwelling units would house a mixture of employees that provide training for local permanent staff as well as specialized technical and mechanical services that are critical to the continued operation of the facility (i.e. that would respond to any maintenance related emergencies to ensure the facility continues to operate). The temporary housing is also intended for specialized staff who function as a "first-responding team" that can respond quickly to an emergency (e.g. a fire), if required and for visiting executives from China. The majority of the staff housed on site will be located in two larger structures that function much like a hotel or motel. However, there will be additional smaller, separate self-contained units for visiting executives.

Access to the site is proposed from two entrances from County Rd 32. The existing entrance from County Rd 124 will be closed. The most northerly entrance leads to the Corporate Campus and associated parking. The more southerly entrance provides access to the remainder of the site, including the large warehouse facility and the accessory buildings located in the eastern portion of the site. Trucks coming to and from the site will use the more southerly entrance. The lands are bounded to the south by a CN Rail line that provides access between Guelph and Cambridge. The applicant intends to utilize the proximity of the adjacent railway and incorporate several side tracks into their design. Trains will deliver raw materials to the site. At this time, the majority of the finished product will be delivered by trucks, however there is the potential that rail delivery may be used for deliveries to farther destinations in the future.

A copy of the concept site plan is included in Attachment 2.

Although an "industrial use" is permitted in the Official Plan and M1 zone, in order to permit the proposed float glass manufacturing facility (as proposed), amendments to the M1 zone are required. The requested amendments include:

• To permit "accessory dwelling units directly associated with the operation of the manufacturing facility" as an additional permitted use under Section 14.1;

- To permit a parking rate of 1 space per 900 square metres of manufacturing/warehouse space and 0.5 spaces per dwelling unit, whereas the By-law would require 1 space per 90 square metres for an industrial use and 1 space per 200 square metres for a warehouse use;
- To not require loading spaces;
- To increase the building height from 15 metres to 22 metres for all buildings;
- To reduce the required setback from County Rd 32 from 22.5 metres to 10.6 metres; and
- To increase the maximum lot coverage from 40% to 50% of the lot area.

PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement 2014 (PPS) states that rural areas are important to the economic success of the Province and its quality of life. Healthy, integrated and viable rural areas should be supported by, amongst other matters, promoting the diversification of the economic base and employment opportunities through goods and services, including value-added products (Section 1.1.4.1).

Within Rural Lands in Municipalities, development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted. Furthermore, development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure. The site abuts two County Roads, as well as a railway line, offering multiple options for the movement of people and goods (Section 1.1.5.5).

The PPS also states that within rural lands, opportunities should be retained to locate new or expanding land uses that require separation from other uses (Section 1.1.5.6). The County identified the subject lands as part of a Rural Employment area consistent with that direction.

Opportunities to support a diversified rural economy should be promoted by directing non-agricultural or non-resource related uses to areas where it will minimize constraints on these uses (Section 1.1.5.7). The subject lands were identified and planned as a Rural Industrial Area, with proximity to the railway to ensure the appropriate industries were located in strategic areas.

The PPS also contains guidance in terms of land use compatibility. More specifically, Section 1.2.6.1 of the PPS requires that major facilities (such as the proposed float glass manufacturing plant) and sensitive land uses (such as the proposed temporary employee accommodations) be planned to ensure that they are appropriately designed,

buffered and/or separated from each other. In this regard, the applicant has designed the site to locate the proposed accessory dwelling units as far away from the heavier manufacturing components of the operation and the railway tracks to reduce the potential for land use compatibility issues. The applicant has also retained a noise consultant to review noise impacts from the proposed facility on off-site sensitive uses (e.g. nearby dwellings). The applicants' consultant notes that the within NPC 300 (The Provincial Noise Guidelines), the definition of "noise sensitive land use" includes the following:

A land use that would normally be considered noise sensitive, such as a dwelling, but is located within the property boundaries of the stationary source is not considered a noise sensitive land use.

As such, the applicant is of the opinion that there are no requirements to assess stationary noise impacts on the proposed accessory dwelling units. As part of their Site Plan application, the applicant will be submitting a noise study to assess off-site impacts.

The PPS also contains Employment Area policies which are intended to ensure municipalities plan for, protect and preserve employment areas for the long term, to support the provinces' growth. The proposal by the applicant does not include the removal of any employment areas, rather it proposes to introduce a significant employment use that will assist the Township and County in achieving their longer term employment objectives and targets.

The development proposes to utilize private water and sanitary sewage services, as municipal services are not available. Section 1.6.6.4 of the PPS states the following

Where municipal sewage services and municipal water services or private communal services and private communal water services are not provided, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development.

Municipal services and private communal services are not available. In this regard, the applicants' proposal for private individual services is consistent with the PPS. As part of their Site Plan application, the applicant will be required to demonstrate to the Ministry of the Environment and Climate Change (MOECC) that the proposed private services are adequate to service the proposed development.

Section 1.8.1 of the PPS provides policy direction on Energy Conservation, Air Quality and Climate Change, with the goal of reducing greenhouse gas emissions and conserving energy, amongst other matters. More specifically, the policies support the location of freight-intensive land uses in areas well served by major highways, airport, rail facilities and marine facilities. The subject lands intend to utilize the adjacent railway as part of the operation of the manufacturing use, and the property's proximity to County Roads and Highway 6 (with access to Highway 401) are key components of selecting the subject lands for the proposed facility. Furthermore, the PPS promotes design that maximizes energy efficiency and conservation and that maximizes opportunities for the use of renewable energy systems and alternative energy systems. In this regard, the applicant has indicated that the facility will include a number of energy conservation measures including:

- Using waste heat to heat the facility;
- Using a cooling system reducing the water needs of the facility;
- Covering portions of the facility's roof with solar panels to supplement the facility's energy needs.

WELLINGTON COUNTY OFFICIAL PLAN:

The subject lands are designated "Rural Employment Area" in the Wellington County Official Plan. Rural Employment Areas are lands set aside for industrial and limited commercial uses which would benefit from a rural location due to:

- The need for a relatively large site; or
- The need for access to major transportation routes; or
- The need to be close to rural resources.

Rural Employment Areas are expected to provide diversity to the County's land supply for business.

Section 6.8.2 of the Official Plan permits dry industrial and commercial uses. Such industrial uses may include manufacturing, processing, fabrication and assembly of raw materials or repair, servicing, distribution and storage of materials. Although the Official Plan does not define "dry use", it is our understanding, based on the applicants' submission, that the facility uses water primarily for cooling purposes and has a sophisticated circulation system such that water is recycled as much as possible. County staff has indicated that additional information would be of assistance in determining the water and wastewater demands of the operation. The applicant has indicated that such information will be provided as part of the site plan application.

Section 6.8.3 of the Official Plan outlines the land use compatibility policies. More specifically, the policy states that in considering rezoning applications, Councils shall ensure that existing and proposed uses are compatible, and that sensitive uses are adequately separated from industrial uses. In this regard, the applicant proposes that the accessory dwelling units be located as far from the more intensive components of the manufacturing operation as possible. As discussed earlier, the applicant has also

noted in an Appendix to their Planning Justification Report that because the ancillary dwelling units are located within the boundary of the site (containing the industrial use) the units are not considered sensitive uses and are not subject to evaluation of stationary noise related impacts. The applicant intends to submit a Stationary Noise Assessment as part of a Site Plan Application. That Assessment will evaluate the impacts of on-site stationary noise on any off-site sensitive noise receptors (e.g. residential dwellings).

The proposed manufacturing use is permitted on the subject lands. The only new use being introduced through the Zoning By-law Amendment application is permission for on-site accessory dwelling units. The County's Official Plan does not contain policies specific to the permission (or not) of accessory dwelling units. The Official Plan does permit accessory uses to the main industrial use. More specifically the Plan permits commercial uses that are "service focused" including small scale motels or inns. As such, the concept of short term accommodation is contemplated in Rural Employment Areas.

TOWNSHIP OF GUELPH/ERAMOSA ZONING BY-LAW 40/2016:

Use of the Lands for Float Glass Manufacturing

The subject property is zoned Rural Industrial (M1) in the Township's Zoning By-law 40/2016. Amongst other uses, the M1 zone permits an "industrial use". Section 3 (Definitions) of the By-law defines "industrial use" as follows:

means the manufacturing, processing, production, fabrication, packaging, assembly, stamping, treating, finishing, testing or warehousing of goods or raw materials. Industrial uses shall be "dry" uses which do not use significant amounts of water and which do not produce significant amounts of effluent.

The applicant has indicated that the facility uses water as part of the cooling (of the glass) process and does not produce high amounts of effluent. Confirmation of the extent of water use and the amount of effluent produced will be a requirement of the site plan process to ensure the development is a dry industrial use.

It is important to note that the concept of permitting a float glass manufacturing facility is not part of the Zoning By-law amendment application. The use itself is permitted provided it meets the definition of "dry" as contained above. The submitted application pertains to specific performance standards (e.g. parking, height) and permission for accessory dwelling units.

Permission for Accessory Dwelling Units

The M1 zone also permits an "Accessory Use", however the definition of accessory use specifically states that it is "not used for human habitation unless specifically permitted in this By-law." Similarly, Section 4.2.1 of the By-law does not permit the use of accessory buildings for human habitation, unless specifically permitted in the By-law. As such, the use of accessory buildings for human habitation is not permitted on the subject lands. The applicant has requested that accessory dwelling units be permitted on the lands to provide temporary accommodation for specialized staff, first-responders to emergencies and visiting executives. Specific permission for this use is required, as it is not currently permitted.

Parking

Section 5 of the Township Zoning By-law regulates parking by use. For "industrial uses" such as the proposed manufacturing facility, parking is required at a rate of 1 space per 90 m² of Gross Floor Area (GFA). For warehouse uses, the required parking rate is 1 space per 200 m² of GFA. Given the size of the various buildings, the by-law would require approximately 840 parking spaces.

The applicant has requested 1 parking space per 900 m² of BFA, which would translate to 201 required spaces for the facility (the facility and accessory buildings – not including the dwelling units - total 180,721 m² in BFA). The concept site plan has two separate parking areas:

- A parking area at the east side of the property intended for employees working in the manufacturing/warehouse facility; and
- A parking area in the "corporate campus" area of the property, intended for employees working in the office and for the temporary employees residing in the accessory dwelling units.

In total, 392 parking spaces are proposed, with 278 in the manufacturing lot and 114 in the corporate campus lot.

Other Zoning Relief

In addition to parking, the development requires relief from the following by-law requirements:

- Height
- Set back from County Rd 32
- Loading spaces
- Lot coverage

<u>Height</u>

The M1 zone permits a maximum height of 15 metres. The applicant has requested an increase in height to 22 metres, primarily to accommodate some of the equipment that is required to successfully operate the facility (e.g. indoor cranes used for moving materials and finished product onto and off of trucks). Such equipment cannot be accommodated within a building measuring 15 metres in height.

There are several accessory structures on the site that are regulated by Section 4.10 of the By-law, which grants exceptions to the maximum permitted height for certain structures (e.g. for chimneys, silos).

Setback from County Rd 32

The applicant requested a reduction in the setback from County Rd 32 from the required 22.5 metres to 10.6 metres. However, in further conversation with the applicant, it was clarified that the setback of 22.5 metres is measured from the centreline of the road, not the lot line adjacent to the road. The applicant has confirmed that the width of the road (as measured from the centerline) plus the 10.6 m setback within the lands (due to the Union Gas easement along the County Rd frontage) complies with the By-law. As such, no amendment to this regulation is required.

Lot Coverage

The applicant requested an increase in lot coverage from 40% (the maximum in the M1 zone) to 50%. The proposed float glass manufacturing facility requires a large building due to the inclusion of the loading component within the building, rather than in a surface parking area outside of the building. Similarly, this particular industrial use requires several additional buildings that form key components of the production of the float glass; each of those buildings contributes towards the overall lot coverage.

Loading Spaces

The Zoning By-law requires 1 loading space for each 930 m² of Gross Floor Area. Given the size of the development, the by-law would require 200 loading spaces. The applicant has indicated that the operation of the facility is such that much of the loading occurs either inside the building using specialized equipment to load the finished product onto the trucks, or taking the raw materials from the rail cars and moving it into the site. Neither requires typical loading spaces associated with other industrial or commercial uses.

AGENCY COMMENTS:

The following is a summary of the comments received from circulated agencies:

- Upper Grand District School Board
 - No objection, subject to the collection of Education Development Charges, prior to the issuance of a building permit for the residential portion of the development (accessory dwelling units).
- Wellington County Engineering
 - Submission of a Traffic Impact Study for review and comment
 - Provide clarification where the measurement for the current/requested setback from Wellington Rd 32 is taken from the centerline of the right-ofway or from the property line
 - Provide clarification of whether a 17-foot widening has been taken across the frontage of the Xinyi Canada Glass Ltd site and if not there will be a request for a widening during the site plan application process.
- Grand River Conservation Authority
 - A small portion of the lands adjacent to the wetland located on the property to the north may touch the northern boundary of the subject lands
 - The GRCA regulated area, containing the lands adjacent to a wetland, does not encroach in a significant manner on the subject lands. We do not anticipate the development of this lot would impact the wetlands to the north
- County of Wellington Sourcewater Protection
 - The subject property is not located in an issues contributing area. Based on the subject property location, no significant drinking water threat policies for water quality currently apply and a Section 59 notice, pursuant to the Clean Water Act, is not required as part of Planning Act complete applications or for the issuance of building permits.
 - The applicant has submitted the Wellington Source Water Protection Drinking Water Source Protection Screening Form and has indicated that the following activities are proposed: liquid fuel handling and storage greater than 250 litres, road salt application in a parking lot, snow storage, waste storage, stormwater management, sediment control and a septic system greater than 10,000 litres per day. Further information should be provided during the site plan application on provincial approvals and best management practices proposed for all of the activities noted on the screening form.
 - Pursuant to the Clean Water Act and associated regulations, the two prescribed threat activities that can be significant drinking water threat activities within an approved Wellhead Protection Area (WHPA-Q) are consumptive taking of water and reduction of groundwater recharge. It is noted that both activities are proposed for the subject property and further information will be provided through the site plan and provincial approval processes.
 - The applicant is requested to submit copies of the Water Well Records and borehole logs as part of the site plan application.

- County of Wellington Planning & Development
 - The PPS and Growth Plan promote employment growth through the efficient use of existing employment are and vacant and/or underutilized properties. Some of the provincial matters to be addressed include water quality and quantity, protection of cultural heritage ad archaeology resources, adequacy of site services and potential impacts on adjacent sensitive land uses
 - The proposed manufacturing use appears to be generally in keeping with permitted uses in the Rural Employment Area Designation, however additional information will be required on the water and wastewater demands of the operation to ensure the industrial use is a dry use
 - Staff recognize that the unique manufacturing process involved in the creation of glass does necessitate the presence of technical experts and emergency crews to be on site to ensure the safe and efficient operation of the facility. The Planning Justification Report notes that the accessory dwelling units would be used by staff on a temporary basis. Council should be satisfied that the residential accommodations are accessory to the manufacturing use and provide temporary accommodation of essential staff.
- Ministry of Municipal Affairs and Ministry of Housing
 - In consideration of Section 1.6.6 of the Provincial Policy Statement (PPS) and the County Official Plan related to dry industrial uses, we suggest that more fulsome information regarding water supply and wastewater treatment is needed at this time as part of the Township's consideration of this Zoning By-law Amendment.
 - With regard to Section 1.2.6 of the PPS, we suggest the planning report would be strengthened by including further analysis related to the compatibility of the residential uses proposed on the subject lands in relation to the existing industrial uses on adjacent properties, including the two propane operations.
- Ministry of the Environment and Climate Change (MOECC)
 - MOECC Guideline D-6 recommends that where sensitive land uses are being introduced into an area with existing or permitted industrial facilities, that an impact assessment should be undertaken in order to demonstrate that the sensitive land uses will not suffer any adverse impacts (odour, noise, dust and any other off-site impacts) due to the operation of the facilities either because there is sufficient separation, or due to a commitment to provide specific mitigation measures that the ministry will find acceptable.
 - It is noted that the subject lands are also in proximity to transportation corridors (Hwy 24 and a CN Rail line). Accordingly, the assessment of potential impacts would need to address noise resulting from these noise sources as well, to determine noise mitigation measures.

- It is accepted that under the governing guideline NPC-300, these residential units are not considered noise sensitive as they are located within the same property as the stationary noise source. We are pleased that noise mitigation is intended to be provided for the comfort and wellbeing of the temporary residents that will be residing there.
- If the water taking for the development exceeds 50,000 L/day, a Permit to Take Water (PTTW) will be required.
- It appears that the water supply that is for human consumption/use may be classified as a non-municipal year-round residential drinking water system. As such, the proponent will be required to register such a system, retain an engineer to complete an Engineering Evaluation Report, register with a licensed lab, initiate a prescribed sampling routing and meet all other requirements for this class of drinking water system.
- Given the number of employees and residents, a large private sewage disposal system will be required and will be subject to MOECC approval.
- The Planning Report notes the presence of two large ponds on the property and states the intent is to use these ponds for both fire-fighting and stormwater management purposes. The use of these ponds for this purpose will require MOECC approval.
- The facility will not require an Air approval pursuant to the Environmental Protection Act.
- Township of Guelph Eramosa RJ Burnside
 - It is our understanding that cooling water is not considered stormwater and thus is not permissible to be directed to the stormwater management pond. This will require additional details and MOECC input.
 - No sewage estimates have been provided. The applicant will need to consider geology, volume, proximity to buildings, wells and stormwater management ponds when considering the discharge of sewage into the septic system.
 - Additional technical information will be required in support of the development to ensure the site can function from an engineering perspective.
- Township of Guelph-Eramosa Public Works
 - No comments with respect to the Zoning By-law amendment application. Further comments will be provided through the site plan application review process.
- Township of Guelph-Eramosa Chief Building Official
 - No comments on the Zoning By-law amendment application. Further comments will be provided through the site plan application process.

NEXT STEPS:

- 1. Public Meeting to be held on May 9th to introduce the application, allow the applicant to make a presentation to Council and the public and to gather any public comments and/or concerns.
- Consider all input received and prepare a Planning Recommendation Report that evaluates the application in the context of provincial, County and Township planning documents. The Report will be presented for Council consideration at a future Council Meeting.
- 3. The applicant will be required to submit a Site Plan application that demonstrates how the development can meet all provincial, County and Township requirements, including the following technical reports: Traffic Impact Analysis, Hydrogeological Assessment, Functional Engineering Report and Noise Impact Analysis.

RECOMMENDATION:

It is recommended that the Council of the Township of Guelph/Eramosa receive Planning Department Report 18/30 regarding "ZONING BY-LAW AMENDMENT 03/18 – XINYI CANDA GLASS LTD." for information purposes; and

That the Council of the Township of Guelph/Eramosa schedule a future meeting to consider Zoning By-law Amendment ZBA 03/18.

Respectfully submitted by:

Tran Hangen

Trevor Hawkins, M.PL, MCIP, RPP MHBC Planning

Reviewed and approved by:

Dan Turrie

Dan Currie, RPP, MCIP MHBC Planning

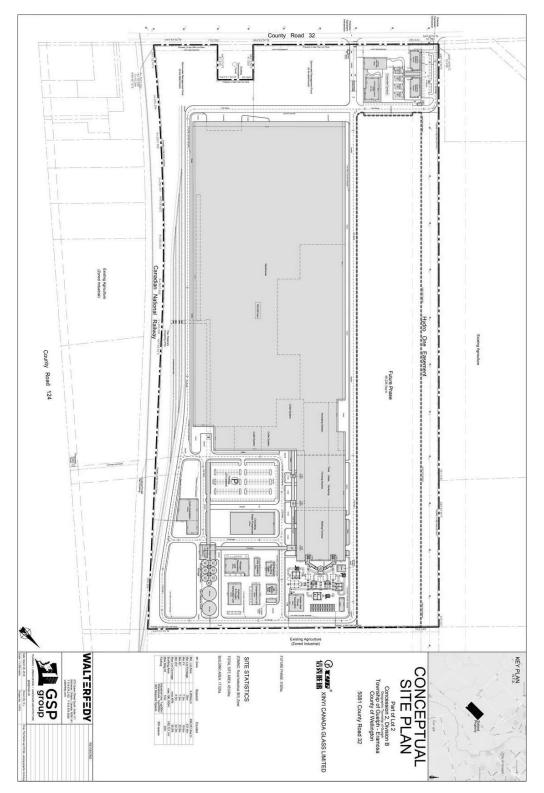
Reviewed by:

lan Roger, P. Eng CAO



ATTACHMENT 1: LOCATION MAP





AGENCY COMMENTS



PLANNING AND DEVELOPMENT DEPARTMENT ALDO L. SALIS, BES, MSc, RPP, MCIP, DIRECTOR T 519.837.2600 T 1.800.663.0750 F 519.823.1694 COUNTY OF WELLINGTON

ADMINISTRATION CENTRE 74 WOOLWICH STREET GUELPH ON N1H 3T9

May 1st, 2018

Meaghen Reid, Clerk/Director of Legislative Services Township of Guelph/Eramosa 8348 Wellington Rd 124, P.O. Box 3000 Rockwood, ON NOB 2K0

Dear Ms. Reid:

Re: NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING Zoning By-law Amendment ZBA 03/18 – Xinyi Canada Glass Ltd. 5081 Wellington Road 32, DIV B CON 2 PT LOT 2 Township of Guelph/Eramosa (Formerly Township of Guelph)

In response to the notice of Public Meeting for the above-referenced zone change application, we provide the following comments for the Township's consideration.

We understand that the purpose of this rezoning is to provide site-specific permissions to the M1 – Rural Industrial zone of the Township Zoning By-law to accommodate a proposed glass manufacturing facility on the subject lands. These site-specific requests include:

- A site-specific parking requirements of 1 space/ 900 m² of Manufacturing/warehouse spaces and 0.5 spaces per accessory dwelling unit;
- A site-specific loading bay requirement of 0 spaces;
- An increase to the permitted building height from 15 m to 22 m;
- A reduced setback to Wellington Road 32 of 10.6 m, whereas 22.6 m is required;
- An increase to the maximum building coverage from 40% to 50%; and
- Adding permissions for accessory temporary housing of employees directly associated with the
 operation of the manufacturing facility.

Provincial Planning Policy

The Provincial Growth Plan (Places to Grow) promotes employment growth through the "efficient use of existing employment areas and vacant and/or underutilized properties" and encourages the utilization of major goods movement facilities and corridors by employment areas. The Provincial Policy Statement (2014) provides similar policy direction regarding the provision and promotion of employment lands at appropriate locations and under appropriate conditions. Some of the provincial matters to be addressed include protection of water quality and quantity; protection of cultural heritage and archaeology resources; adequacy of site services and potential impacts on adjacent sensitive land uses.

Council should be satisfied that these matters are adequately addressed prior to development.

County Official Plan

The entire subject property is designated RURAL EMPLOYMENT AREA according to schedule "A3" in the County of Wellington Official Plan and the policies permit:

"Dry industrial and commercial uses requiring large lots, major road access or proximity to rural resources in rural employment areas.

Such industrial uses may include manufacturing, processing fabrication and assembly of raw materials or repair, servicing distribution and storage of materials. Accessory uses including the retail sale of products produced on site may be allowed.

Such Commercial uses will be service focused with limited accessory retail and may include business or professional offices, farm machinery sales, farm supplies, farm produce sales, small scale motels and inns, small scale restaurants and automobile sales and services. Retail commercial uses normally found in urban centres are not allowed."

The proposed manufacturing use appears to be generally in keeping with permitted uses in the Rural Employment Area Designation, however limited information has been provided on the water and wastewater demands of the operation. Council should be satisfied that the proposed use would represent a dry industrial use in accordance with the Rural Employment Area policies of section 6.8.

In terms of potential impacts on water quality and quantity in the area, we note that the applicants have acknowledged the policy requirements of section 4.9 and 4.9.5.6 in their planning justification report and have indicated that the necessary groundwater assessments and water budgets will be completed as part of the site plan process prior to development on the site.

Further, the applicants have requested permissions to allow accessory residences to be on the site. While residential uses are not typically envisioned in these areas, the Official Plan does provide for accessory uses in addition to the industrial or commercial use of the site. Staff does note that the concept of short-term accommodations is already established in the Rural Employment Area designation with permissions for small-scale motels and inns. Staff also recognize that the unique manufacturing process involved in the creation of glass does necessitate the presence of technical experts and emergency crews to be on site to ensure the safe and efficient operation of the facility. The Planning Justification report notes that these residences would be used by staff on a temporary basis. Council should be satisfied that the residential accommodations are accessory to the manufacturing use and provide temporary accommodation of essential staff.

When considering the variances requested Council should consider Section 6.8.3, which states:

"In Rural Employment Areas, establishing specific areas for detailed land use regulations is normally left to the Zoning by-law. In establishing zones and considering rezoning applications, Council shall ensure that existing and proposed uses are compatible and that sensitive uses are adequately separated from industrial uses. The Zoning by-law may also limit the location and size of commercial uses."

Propane Facilities

We note that the proposed development is adjacent to two Policy Areas identified on Schedule A3 of the Official Plan as PA3-21. These areas include propane operations with hazard distances defined through risk and safety management plans. In accordance with the Planning Act Regulations, the propane operators shall be notified of applications for zoning by-law amendments where the facility's hazard distance extends into the area under consideration for change. We note that the Township has circulated the respective propane facility operators per the Planning Act Regulations.

Region of Waterloo International Airport

We note that the proposed glass manufacturing facility is proposing a chimneystack that is approximately 100 m in height as part of the operation. Given the sites proximity to the Region of Waterloo International Airport, Comments from the Airport Authority should be considered regarding the location, height and emission from the stack concerning air traffic.

Source Water Protection

The subject property is located within a Well Head Protection Area (WHPA) D and has a Vulnerability Score of 4 in the Grand River Source Protection Plan. Any comments from the Risk Management Official should be considered.

Wellington Road 32

The subject property fronts on to Wellington Road 32 and is proposing two new accesses on to the County Road. County Engineering Services has been circulated on the application and will provide comments under separate cover.

We trust that these comments will be of assistance to the Township in consideration of this rezoning application.

Yours truly,

Jameson Pickard

Jameson Pickard, B. URPL Planner

Cc. Linda Dickson, Emergency Manager/CEMC Kyle Davis, RMO, County of Wellington Pasquale Costanzo, Roads Division, County Engineering Services R.J. Burnside & Associates Limited 292 Speedvale Avenue West Unit 20 Guelph ON N1H 1C4 CANADA telephone (519) 823-4995 fax (519) 838-5477 web www.rjburnside.com



May 1, 2018

Via: Email

Ms. Gae Kruse Planning Administrator Township of Guelph/Eramosa P.O. Box 700 Rockwood ON N0B 2K0

Dear Gae:

Re: Xinyi ZBA 03/18 (D14 TO) - First Submission 5081 Wellington County Road 32 Project No.: 300042317.0000

We have a reviewed the above noted application along with the Planning Justification Report, prepared by GSP Group, dated April 2018 and the Conceptual Site Plan, prepared by WalterFedy and GSP, dated March 28, 2018. We offer the following comments.

Background

The applicant is proposing to develop the 49 ha site to accommodate a new glass making facility and corporate campus. Currently the site is designated in the official plan as Rural Employment Area in which the Planners have deemed it to conform. It is zoned M1 – Rural Industrial and the Planners have determined that site specific amendments are required for this site. It is our understanding that this application is solely seeking site specific zoning provisions for parking, loading, building height, building set back, increase in maximum lot coverage and the addition of 'accessory dwelling units directly associated with the operation of the manufacturing facility' as a permitted use.

Comments

We have no objection to the proposed site-specific zoning amendments in relation to parking, loading, building height and set back. The lot coverage and the added use of accessory dwelling units directly associated with the operation of the manufacturing facility could potentially create problems, but in the absence of technical supporting documentation these matters could not fully be reviewed from an engineering perspective.

Maximum Lot Coverage

It is understood that the zoning by-law outlines that lot coverage 'means the percentage of the lot area covered by the ground floor area. For the purposes of calculating lot coverage, parking areas, patios, decks, outdoor swimming pools, steps or balconies shall not be considered'. Without details being provided relating to geotechnical, stormwater management and water Ms. Gae Kruse May 1, 2018 Project No.:300042317.0000

balance it is unclear as to how the applicant can increase the lot coverage and ensure the 'functionality' of the site. The Conceptual Site Plan indicates that the majority of the site will be impervious and the planning report indicates that significant amounts of cooling water will be added to the stormwater management/fire protection facility and infiltrate into the ground. It is our understanding that cooling water is not considered stormwater and thus is not permissible to be directed to the stormwater management pond. This will require additional details and MOECC input. The Planning report also indicates the site will be serviced by multiple wells. It is unclear how many wells and if proper clearances can be provided further providing obstacles to prove the functionality of the site can be met by the increase in lot coverage. At this time, we would not support the increase in lot coverage without further detailed engineering support as to how it can be accommodated.

Use of Accessory Dwelling Units Directly Associated with the Operation of the Manufacturing Facility

It is our understanding that the proposed corporate campus is to house training rooms, offices, cafeteria facilities, recreation facilities, and temporary and short-term dwelling units for 50 people in addition to the main factory uses. No sewage estimates have been provided. The current concept plan does not indicate where this sewage will be disposed of on-site. Depending on geology, volume, proximity to buildings, wells, and SWM ponds, it unclear as to how this type of development can be accommodated onsite. It is recommended further technical details be provided to support this proposed use in conjunction with a rural industrial use.

Conclusion

No engineering or scientific supporting documents were submitted with this zoning application. This creates a challenge when considering the feasibility of proposed uses on this site. We do not object to developing the site as rural industrial and we understand that technical documents will be made available at the site plan stage. At this time, we cannot support the site-specific zoning provisions proposed until additional technical investigation technical supporting documents be provided to support the increase in lot coverage and the use of accessory dwelling units directly associated with the operation of the manufacturing facility.

If you have any questions regarding the above please don't hesitate to contact me.

Yours truly,

R.J. Burnside & Associates Limited

Jackie Kay, P.Eng, MBA JK:sd

cc: Harry Niemi, Township of Guelph/Eramosa (Via: Email) Dan Currie, MHBC (Via: Email) Trevor Hawkins, MHBC (Via: Email) Rachel Martin, MHBC (Via: Email) Page 2 of 2





May 1, 2018

Memorandum

To: Gaetanne Kruse, Planning Administrator

RE: Xinyi Canada Glass Limited, 5081 Wellington Road 32, Guelph / Eramosa Township

I have reviewed the April 4, 2018 zoning by-law amendment application for the above referenced property (subject property). I offer the following comments.

General

 The subject property is located within a Wellhead Protection Area D - 25 year time of travel (WHPA-D), vulnerability score 4, and a Wellhead Protection Area – Quantity (WHPA-Q), significant risk level, for the City of Guelph municipal wells. Additionally, significant groundwater recharge areas are identified on the subject property. The applicable source protection plan is the Grand River Source Protection Plan. The two attached figures show the applicable vulnerable areas, as defined by the Clean Water Act, applicable to the subject property. The applicant should ensure that all of these vulnerable areas are referenced and discussed in their reports.

Water Quality Wellhead Protection Areas

2. Based on the location of the subject property within a WHPA D, vulnerability score 4, no significant drinking water threat activities for water quality, as defined by the Clean Water Act and associated regulations, can be present. This is a result of the provincial requirements, as established by the Ontario Ministry of Environment and Climate Change. Province wide, only moderate or low drinking water threat activities for water quality can be present in a WHPA D, vulnerability score 4 unless an issues contributing area has been defined. The subject property is not located in an issues contributing area. Based on the subject property location, no significant drinking water threat policies for water quality currently apply and a Section 59 notice, pursuant to the Clean Water Act, is not required as part of Planning Act complete applications or for the issuance of building permits.





3. The applicant has submitted the Wellington Source Water Protection Drinking Water Source Protection Screening Form and has indicated that the following moderate or low drinking water threat activities for water quality are proposed: liquid fuel handling and storage greater than 250 litres, road salt application in a parking lot, snow storage, waste storage, stormwater management, sediment control and a septic system (>10,000 litres a day). The applicant notes that some of these activities will be subject to provincial approvals (ie stormwater management, septic system, liquid fuel handling). Further information should be provided during the site plan application on provincial approvals and best management practices proposed for all of the activities noted on the screening form. Additionally, the applicant should confirm that no chemical or subject waste generation, handling or storage is proposed for the subject property. These activities were not marked on the screening form, however, given the industrial nature of the proposed facility the applicant should confirm whether these activities are, in fact, proposed. It is noted that Section 4.9.5.4 of the County Official Plan - Drinking Water Threat Disclosure Reports does not apply to the subject property due to its location in a WHPA D. However, the applicant could refer to that section in determining what further information could be provided on best management practices.

Water Quantity Wellhead Protection Areas

4. The applicant correctly notes in the Planning Justification Report that the subject property is not identified within a WHPA - Q (WHPA-Q1 or Q2) within the County of Wellington Official Plan Schedule B3. The applicant should note, however, that the subject property is within a WHPA-Q that was accepted by the Lake Erie Source Protection Committee as part of a Tier 3 water budget study. The results of that study and the full report are publicly available at www.sourcewater.ca. It is noted, however, that the study has not yet been incorporated into the Grand River Source Protection Plan or Assessment Report and therefore the WHPA-Q is not currently in legal effect or in the County Official Plan schedules. The risk level for the WHPA-Q that encompasses the subject property is a significant risk level. This means legal requirements or policies will be added to the Grand River Source Protection Plan to manage consumptive water taking and recharge reduction activities within the WHPA-Q. A project is currently ongoing by Grand River Conservation Authority, City of Guelph, County of Wellington, Guelph / Eramosa Township and other municipalities to complete the steps necessary to update the Grand River Source Protection Plan and Assessment Report with these policies. The project is scheduled for public consultation in spring 2019. Further information,





including on current consultation with a Community Liaison Group, is available at <u>www.sourcewater.ca</u>.

5. In the absence of an approved WHPA-Q that applies to the subject property, Section 4.9.5.6 of the County Official Plan speaks to large-scale developments on private communal or individual on-site water services outside of WHPA Q1 and WHPA Q2. This policy requires applicants to "demonstrate that adequate water supply is available and that the proposed water takings will not interfere with existing or future municipal water supply and private wells". The applicants have acknowledged this policy requirement in their planning justification report and indicated that the necessary groundwater assessments and water budgets will be completed at the site plan stage. It is also noted by the applicant that a permit to take water will be required for the subject property. Pursuant to the Clean Water Act and associated regulations, the two prescribed threat activities that can be significant drinking water threat activities within an approved WHPA-Q are consumptive taking of water and reduction of groundwater recharge. It is noted that both activities are proposed for the subject property and further information will be provided through the site plan and provincial approval processes.

Transport Pathway

6. It is noted that the applicant has identified the creation of new private wells including water taking greater than 50,000 litres a day on the Drinking Water Source Protection Screening Form. Depending on construction details, this may constitute the creation of a transport pathway per the Clean Water Act and associated regulations. The applicant is requested to submit copies of the Water Well Records and borehole logs, if no Water Well Record was required, as part of the site plan application. The Township via the Risk Management Official has a responsibility to document and report transport pathways within vulnerable areas as defined by the Clean Water Act.

Our office will continue to participate in the review process through the remaining planning applications as required. If you require further information, please contact:

Digitally signed by Kyle Davis DN: cn=Kyle Davis, o, ou, email=kdavis@centrewellington.ca , c=CA Date: 2018.05.01 15:10:47 -04'00'

Kyle Davis, Risk Management Official 519-846-9691 ext 362 <u>kdavis@centrewellington.ca</u> Ministry of Municipal Affairs

Ministry of Housing

Municipal Services Office Western Ontario 659 Exeter Road, 2nd Floor London ON N6E 1L3 Tel.: 519 873-4020 Toll-Free: 1 800-265-4736 Fax: 519 873-4018 Ministère des Affaires municipales

Ministère du Logement

Bureau des services aux municipalités de l'Ouest de l'Ontario 659 Exeter Road, 2* étage London ON N6E 1L3 Tél. : 519 873-4020 Sans frais : 1 800 265-4736 Téléc. : 519 873-4018



May 3, 2018

E-mail Only

Dan Currie MHBC Planning Ltd. 540 Bingemans Centre Drive Suite 200 Kitchener, ON N2B 3X9

Subject: Zoning By-law Amendment ZBA 03/18 (Your File: D14 TO) Towcon Holdings Inc. (Xinyi Canada Glass Limited) 5081 Wellington Road 32 Township of Guelph/Eramosa

Dear Mr. Currie:

In response to the circulation of the above-noted matter from the Township of Guelph/Eramosa dated April 10, 2018, which was received in our office on April 18, 2018, we offer the following comments for your consideration.

It is understood that the purpose of this zoning by-law amendment (ZBA) is to permit amendments to the Rural Industrial (M1) Zone related to the construction of a float glass manufacturing facility on the subject lands. The ZBA would allow site specific provisions including permission for "accessory dwelling units directly associated with the operation of the manufacturing facility", amongst other things.

The subject lands are designated as 'Rural Employment Area' in the County of Wellington Official Plan, which permits dry industrial uses that are defined as "uses which do not use significant amounts of water in their operation and which do not produce significant amounts of effluent". As noted, the property is zoned 'Rural Industrial – M1' in the Township of Guelph/Eramosa Zoning By-law.

Staff has undertaken a review of the information that has been provided in support of this application, including the "Planning Justification Report" (April 2018). This report provides a thorough review of the planning policies that are applicable to this application, including the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan). Planning decisions must be consistent with the PPS and conform to the Growth Plan. A number of matters are identified in the planning report including water and wastewater servicing, stormwater management, land use compatibility, groundwater protection and archaeological resources.

Based on our review, we determined that a focused One Window circulation of this matter to the Ministry of Environment and Climate Change (MOECC) was appropriate, and we forwarded this application and the supporting information to MOECC for its review and comment. We suggest that these comments, which are attached, will be helpful to the Township in its consideration of this application.

We would like to offer comments at this time related to two specific matters.

The planning report states that "(d)etailed plans, reports and studies will be provided at the Site Plan Stage" (pg. 30). In this regard, Section 13.9 of the County of Wellington Official Plan does contemplate that some of the matters which have been identified may be considered as part of site plan control. However, further to the comments provided by MOECC and considering the policies of Section 1.6.6 of the PPS as well as the policies of the County's Official Plan related to dry industrial uses, we suggest that more fulsome information regarding water supply and wastewater treatment is needed at this time as part of the Township's consideration of this ZBA.

Also building on the comments from MOECC, we would also like to raise a specific issue related to land use compatibility as noted in Section 1.2.6 of the PPS. We suggest that the planning report would be strengthened by including further analysis related to the compatibility of the residential uses proposed on the subject lands in relation to the existing industrial uses on adjacent properties, including the two propane operations identified in Figure 2 of the planning report.

If you have any questions about these comments, please contact me by e-mail at Tyler.Shantz@Ontario.ca or by telephone at (519) 873-4695.

Sincerely,

ylu

Tyler Shantz, BES Planner

Ministry of Municipal Affairs | Ministry of Housing Municipal Services Office – Western Ontario

encl.

c.c. Trevor Hawkins, MHBC Rachel Martin, MHBC Gaetanne Kruse, Township of Guelph/Eramosa Jameson Pickard, County of Wellington Barb Slattery, MOECC, Hamilton

Ministry of the Environment and Climate Change Drinking Water and Environmental Compliance Division West Central Region	Ministère de l'Environnement et de l'Action en matière de chang Division de la conformité en matié potable et d'environnement Direction régionale du Centre-Oue
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April 25, 2018

MEMORANDUM

- TO: Scott Oliver, Manager MMA/MOH - MSO South
- FROM: Barb Slattery, EA/Planning Coordinator

RE: Zoning By-law Amendment Application Xinyi Canada Glass Limited 5081 Wellington Road 32, Guelph/Eramosa Township

As per your request, I have reviewed the documents you provided and offer the following comments for your consideration. The following comments are based on a reading of the Planning Justification Report prepared by GSP Group and the application made to Guelph/Eramosa Township.

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Application:

It is understood that application has been made to the Township to modify the existing industrial zoning of the property to permit accessory dwelling units and modify current setback, building height and lot coverage permissions. The facility will consist of buildings to contain manufacturing equipment, provide warehousing space, office and training facilities, space for corporate events, employee health and fitness facilities and an executive campus providing short-term residential units for employees and visiting executives. It is also noted that the company will require the construction of railway spur lines into the property from the existing CN Rail line to facility the delivery of raw materials and export or finished product.

MOECC Specific Issues for Consideration:

The proposal raises the following issues as they relate to the mandate of this ministry. For each issue, the concern is first identified, followed by the actions that would be appropriate to fully address the issue, and concluding with approvals that would be issued by this ministry.

1. Land Use Compatibility

The rezoning introduces sensitive land uses (the short term residential accommodations) on the same property and in close proximity to other facilities that already are in operation and which may be generating off-site impacts. Both the Provincial Policy Statement (PPS 2014) and MOECC planning guidelines speak to the avoidance of land use incompatibility by ensuring that there is adequate separation distance and mitigation measures between industrial facilities and sensitive land uses. Specifically, MOECC Guideline D-6 recommends that where sensitive land uses are being introduced into an area with existing or permitted industrial facilities, that an impact assessment should be undertaken in order to demonstrate that the sensitive land uses will not suffer any adverse impacts (odour, noise, dust and any other off-site impacts) due to the operation of the facility either because there is sufficient separation, or due to a commitment to provide specific mitigation measures that the ministry will find acceptable.

It is noted that the subject lands are also in proximity to transportation corridors (Hwy. 24 and a CN Rail line). Accordingly, the assessment of potential impacts would need to address noise resulting from these noise sources as well, to determine noise mitigation measures.

It is accepted that under the governing guideline NPC-300, these residential units are not considered noise sensitive as they are located within the same property as the stationary noise source. We are pleased that noise mitigation is intended to be provided for the comfort and well-being of the temporary residents that will be residing there.

2. Water Supply Requirements

The planning justification report indicates that the facility will be served by private water supplies. To that end, the ministry has issued a temporary Permit to Take Water which expires on April 30, 2018 and is for the purpose of allowing a 7-day pump test to determine the availability of sufficient water to meet the needs of the proposal without causing impacts to already existing groundwater users. The map which accompanies this memo shows that there are many existing groundwater users within the immediate area.

Assuming that the pump test confirms the viability of the groundwater source of water for the proposal, and if the water taking exceeds 50,000 L/day, the proponent will require a Permit To take Water for the actual taking. The results of the 7-day pump test would be used to support the application for the long-term Permit To Take Water that would have a maximum effective period of 10 years, and then be subject to an application for renewal.

As a result of the residential component of the proposed facility, it appears that the water supply that is for human consumption/use may be classified as a non-municipal

year-round residential drinking water system. As such, the proponent would be required to register as such a system, retain an engineer to complete an Engineering Evaluation Report, register with a licensed lab, initiate a prescribed sampling routine and meet all of the other relevant requirements for this class of drinking water system. Information as to these requirements is available at the ministry's website https://www.ontario.ca/page/rules-non-municipal-drinking-water-systems

3. Source Water Protection

We have mapped the proposal location and the property falls within the following:

Source Protection Details for Location Source Protection Area.Grand River Wellhead Protection Area:D ; score is 4 Wellhead Protection Area E (GUDI):No Intake Protection Zone:3 ; score is 2 Issue Contributing Area:No Significant Groundwater Recharge Area:Yes ; score is4 Highly Vulnerable Aquifer:No Event Based Area: No Wellhead Protection Area Q1: No Wellhead Protection Area Q2: No Intake Protection Zone Q: No

As stated in the Planning Justification Report, the proponent is expected to address the implications of the proposed development as it relates to source protection policies and it is my understanding that the Risk Management Official for the County of Wellington may address this in his comments on the proposal in light of established source protection policies.

4. Wastewater Treatment

The Planning Justification Report states that private sewage disposal is to be established to address the wastewater generated by the proposal. The Report states that the only effluent produced will be that which is generated by employees and residents. Given the number of employees and residents, a large system will be required (that is, a system that is capable of treating more than 10,000 L/day of sewage) and will be subject to MOECC approval pursuant to the requirements of Section 53 of the Ontario Water Resources Act. The Report has not provided any preliminary information to demonstrate that the property is suitable for private sanitary servicing. Should this proposal proceed, a pre-submission consultation meeting can be arranged with the proponent and the Guelph District Office and other ministry staff to discuss the requirements that will need to be met in order to obtain the required approval.

5. Stormwater Management

The Planning Justification Report notes the presence of 2 large ponds on the property and states the intent to utilize these ponds for both fire-fighting and stormwater management purposes. The use of these ponds for this purpose will require MOECC approval pursuant to Section 53 of the Ontario Water Resources Act. The proponent is encouraged to utilize Low Impact Development approaches to maximize infiltration across the site and ensure an appropriate level of quantity and quality treatment particularly given the intent to periodically discharge cooling water in large volumes to the these ponds.

6. Air Quality Impacts

The Planning Justification notes that a furnace and 100-metre high chimney will be part of the manufacturing infrastructure. Accordingly, air emissions will result. The North American Industry Classification System (NAICS) denotes Glass manufacturing as a 327214 facility. This is an important distinction as due to this classification, the facility will not require an Air approval pursuant to Section 9 of the Environmental Protection Act. Instead, following the completion of all of the studies that support an Emission Summary and Dispersion Modelling Report (ESDM) which assess all sources of contaminants and includes noise, odour, dust, the proponent is eligible to register on the Environmental Activity and Sector Registry (EASR) prior to start up of the operation. Information can be obtained at this MOECC webpage: <u>https://www.ontario.ca/document/guideline-10-procedure-preparingemission-summary-and-dispersion-modelling-esdm-report-0</u>

This concludes our preliminary comments based on the limited information that has been made available. Should you have any questions or require clarification of any of these comments, please contact me either at (905) 521-7864 or at <u>Barbara.slattery@ontario.ca</u>

Barbara Matory

EA/Planning Coordinator

