

PLANNING JUSTIFICATION REPORT

ZONING BY-LAW AMENDMENT

8085 Highway 7
Township of Guelph-Eramosa

Date:

May 2024

Prepared for:

Eramosa Farms Ltd.

Prepared by:

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)

540 Bingemans Centre Drive, Suite 200

Kitchener, Ontario

T: 519.576.3650

F: 519.576.0121

Our File 20360A

Table of Contents

| | |
|---|-----------|
| 1.0 Introduction | 3 |
| 1.2 Pre-Consultation | 4 |
| 2.0 Site Context | 5 |
| 2.1 Site Description | 5 |
| 2.2 Surrounding Land Uses | 5 |
| 3.0 Proposed Development | 9 |
| 4.0 Planning Analysis | 12 |
| 4.1 Provincial Policy Statement, 2020 | 12 |
| 4.2 A Place to Grow | 15 |
| 4.3 Wellington County Official Plan | 16 |
| 4.4 Township of Guelph Eramosa Zoning By-law | 18 |
| 4.4.1 Current Zoning | 18 |
| 4.4.2 Zoning By-law Amendment | 18 |
| 5.0 Supporting Studies | 26 |
| 5.1 Transportation Impact Brief | 26 |
| 5.2 Preliminary Stormwater Management Report | 27 |
| 5.3 Compatibility Mitigation Study, Air Quality and Environmental Noise | 27 |
| 5.4 Environmental Impact Study | 28 |
| 6.0 Public Consultation Strategy | 30 |
| 7.0 Conclusion | 31 |
| 8.0 Appendix A – Draft Zoning By-law Amendment | 33 |

List of Figures

- Figure 1** Location Plan
- Figure 2** Context Plan
- Figure 3** Preliminary Concept Plan
- Figure 4** Official Plan Schedule B3
- Figure 5** Existing Zoning

1.0 Introduction

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC Planning) has been retained by Eramosa Farms Ltd. to assist with the Zoning By-law Amendment application to permit a Transport Establishment for the temporary parking of truck trailers at 8075 Highway 7 in the Township of Guelph-Eramosa (herein referred to as the “subject lands”).

The subject lands comprise approximately 31.83 hectares and are currently used for interim agriculture. The subject lands are designated ‘Rural Employment Area’ and ‘Core Greenlands’ in the County of Wellington Official Plan and zoned ‘Agricultural’ and ‘Environmental Protection’ in the Township of Guelph-Eramosa Zoning By-law 40/2016. Development is not proposed in areas designated Core Greenlands and zoned Environmental Protection. The proposed application is intended to implement the Official Plan designation and permit the use of the lands for the parking of truck trailers.

To permit the proposed use, an amendment to the Township of Guelph-Eramosa Zoning By-law is required to rezone the lands to the ‘Rural Industrial (M1)’ zone, which permits a wide range of industrial and commercial uses, including a ‘Transport Establishment’. The Zoning By-law defines a Transport Establishment as: “the use of land, buildings, structures or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or unloaded, kept for hire, stored or parked for dispatching as common carriers, or where goods are temporarily stored for further shipment”. The proposed Zoning By-law Amendment application seeks to amend this definition to the “storage and parking of transport trailers”, on a site-specific basis, to permit the proposed use on the lands. The proposed use does not include the servicing or repair of vehicles, nor does it propose any loading or unloading of the goods within the trailers.

This Planning Justification Report has been prepared for submission to the Township of Guelph-Eramosa and includes the following:

- An introduction and general description of the subject lands and surrounding uses to provide an understanding of the locational context;
- A description of the overall concept and design highlights of the proposed development;
- A review of the existing Provincial and Municipal policy framework in relation to the existing and proposed development and an assessment of consistency and conformity with Provincial Policy, and the County Official Plan; and,

- A justification for the proposed amendments to the Township Zoning By-law.

1.2 Pre-Consultation

A virtual pre-application consultation meeting was held on July 20th, 2023, to discuss the proposed Township Zoning By-law Amendment application to permit a Transport Establishment without a building on the subject lands. A list of the technical requirements for the submission of a complete Zoning By-law Amendment application was identified and includes the following:

- Conceptual Site Plan
- Grading Plan
- Planning Justification Report
- Scoped Environmental Impact Study
- Noise Impact Study
- D-Series Land Use Compatibility Report
- Storm Water Management Report
- Traffic Impact Study
- Archaeological Assessment
- Source Water Protection Form

2.0 Site Context

2.1 Site Description

The subject property is located on the southwest corner of the intersection of Highway 7 and County Road 29, between Rockwood and Guelph. The location of the subject lands is illustrated on **Figure 1**.

The subject lands comprise approximately 31.83 hectares and are currently used for interim agricultural uses. The lands have frontage on Hwy 7, County Road 29 and Indian Trail. Highway 7 is a Provincial Highway, subject to the management by the Ministry of Transportation, while County Road 29 is managed by Wellington County. Indian Trail is a road allowance along the southern boundary of the lands, with a small portion developed closest to the County Road to provide access to two properties to the south.

2.2 Surrounding Land Uses

As illustrated on **Figure 2**, the lands are located in the south-central portion of the Township, along Highway 7, between the City of Guelph and Rockwood, which is the Township's fully serviced urban community. The Township and Ontario Land Tribunal approved a new development immediately to the west of the subject lands for an industrial manufacturing facility with access from Jones Baseline. More specifically, the following describes the surrounding land uses:

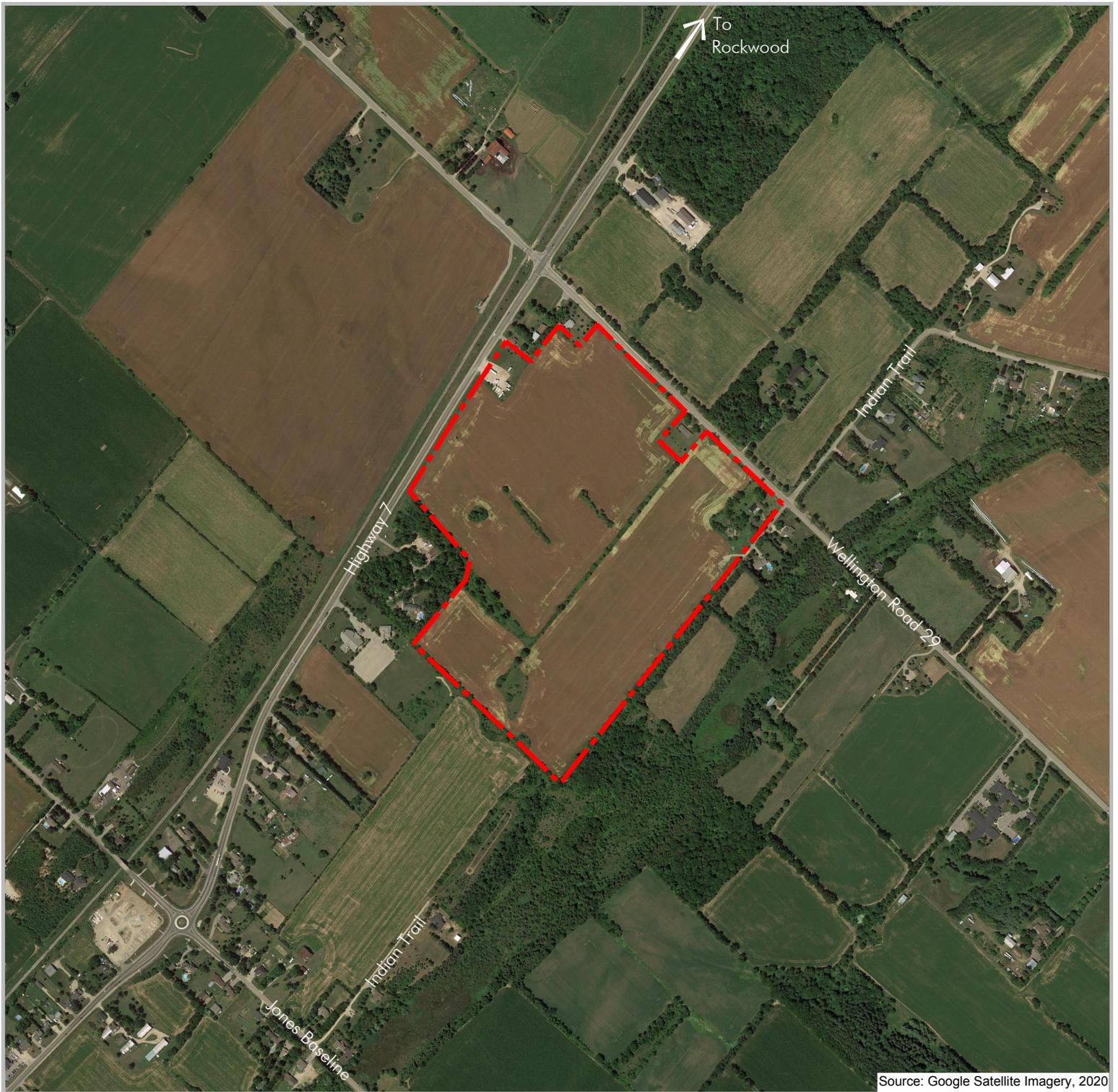
North: To the north of the subject lands are agricultural operations which consist of several large pastures, a livestock barn, a drive shed, associated detached dwellings, and several fields under crop production.

West: To the west of the subject site is the planned manufacturing facility as well as a concentration of residential and commercial uses centred upon the intersection of Jones Baseline and Highway 7.

South: To the south of the subject lands are agricultural uses consisting of large fields with environmental features consisting of woodlands interspersed throughout the surrounding agricultural lands.

East: To the east of the subject lands is County Road 29, beyond which are several fields under crop production, a building for the assembly and sale of roof components (Rockwood Trust), and environmental features consisting of woodlands are interspersed throughout the surrounding agricultural lands. Residential dwellings are located further to the east along Indian Trail.

Further to the above, there are several residential dwellings adjacent to the subject lands, either along the Highway 7 frontage, or the County Road 29 frontage. A spiritual use is also located to the northwest of the property, fronting on Highway 7.



Source: Google Satellite Imagery, 2020

Figure 1
Location

LEGEND

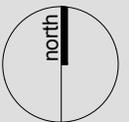
 Subject Lands

DATE: November 2020

SCALE: 1:10,000

FILE: 20360A

DRAWN: CAC



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8075 Highway 7
Township of Guelph-Eramosa
County of Wellington

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
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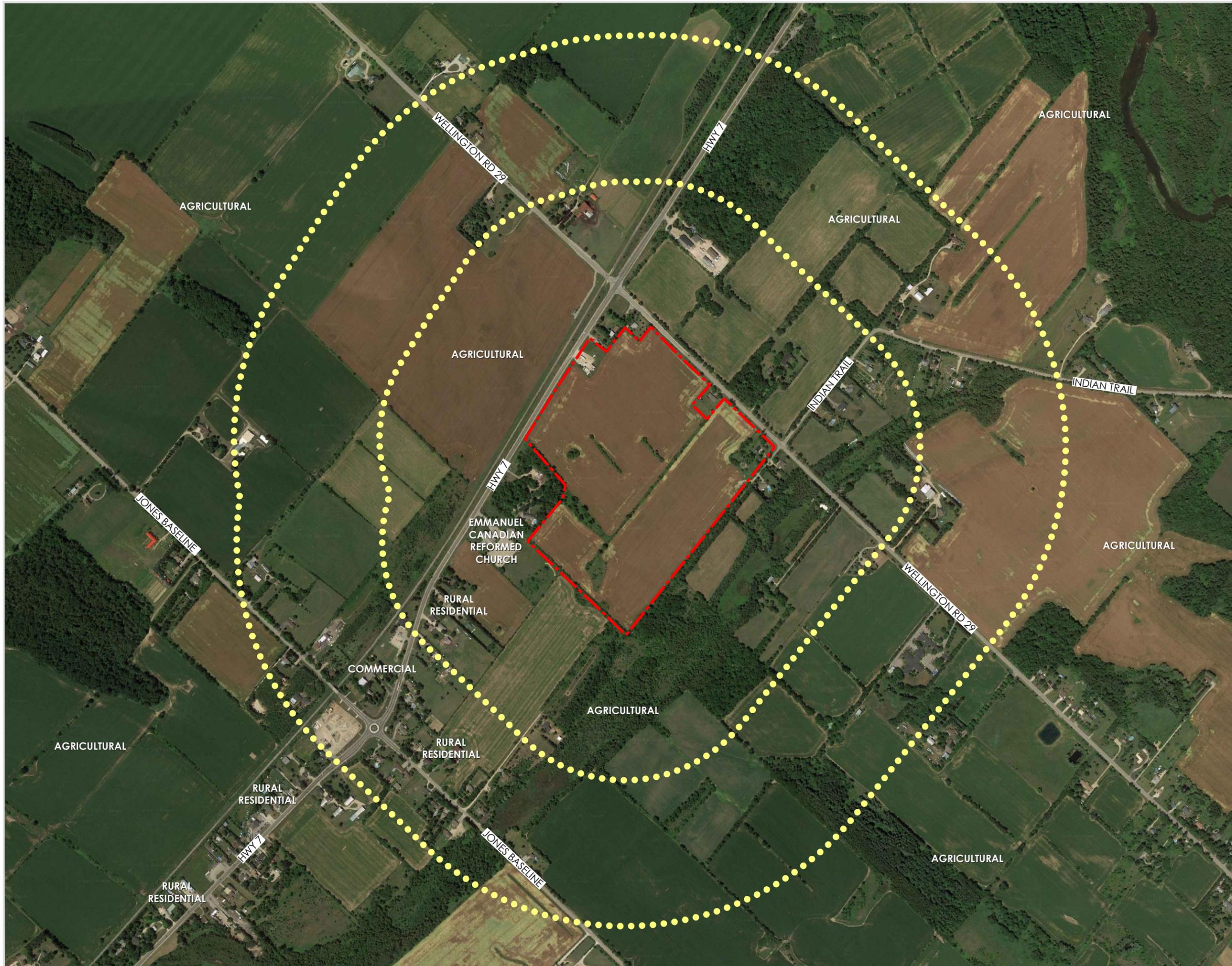


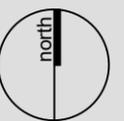
Figure 2:
Context Plan

8085 Highway 7
Township of Guelph-Eramosa
County of Wellington

LEGEND

- Subject Lands
- 400m & 800m Walking Distance

| | |
|---------------|----------------|
| DATE: | September 2023 |
| SCALE: | 1:10,000 |
| FILE: | 20360A |
| DRAWN: | LC |



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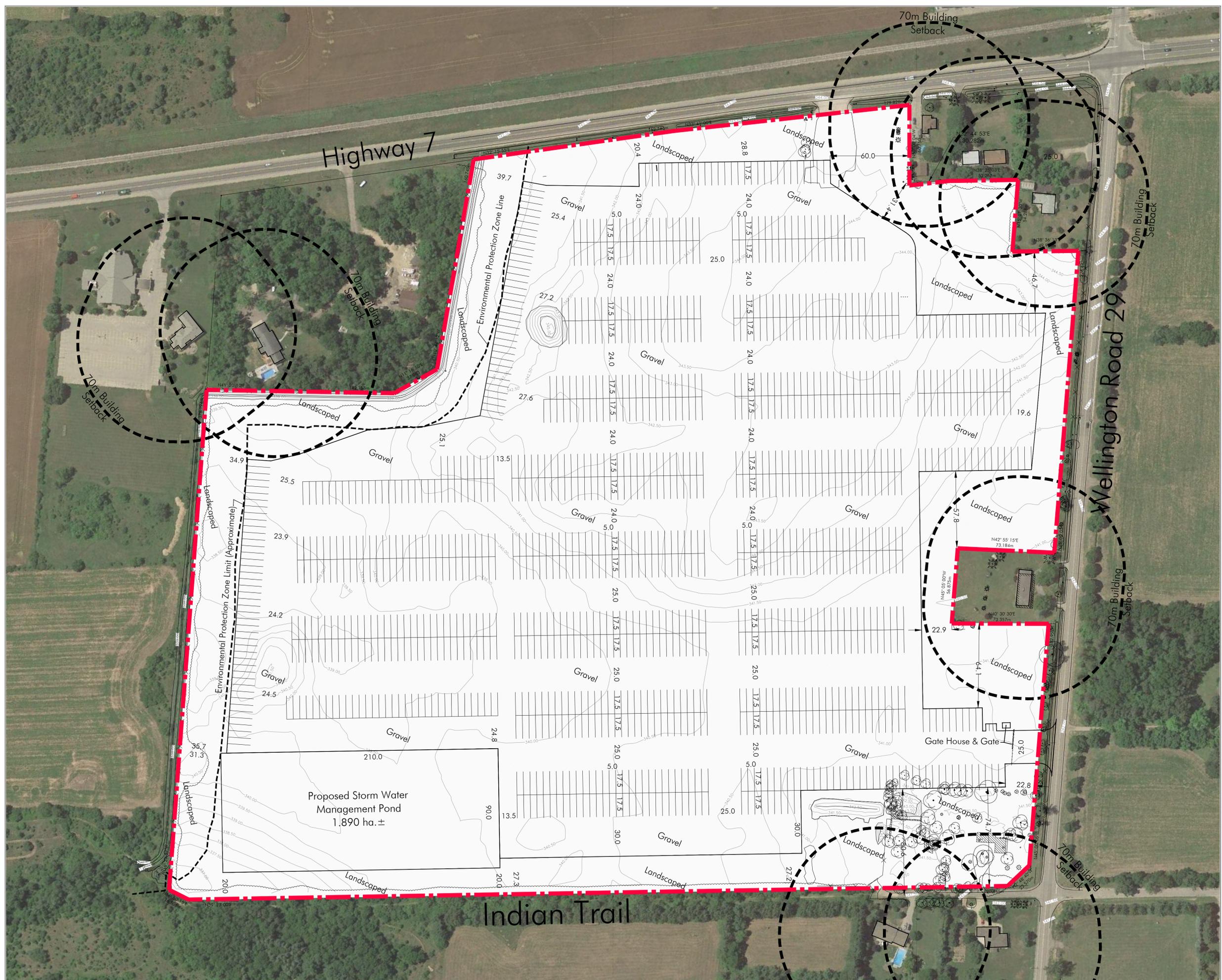
3.0 Proposed Development

The development proposal is for a 'Transport Establishment' consisting of approximately 1,170 parking spaces for truck trailers. In consideration of feedback provided through the pre-application consultation process, the Conceptual Site Plan includes a single access from County Road 29 – there is no access proposed to Highway 7 or from Indian Trail. The access is controlled by automated gates – those with authorization to use the site will be able to open the gate and gain access. There are no on-site washroom facilities, buildings, refueling, and repairs to vehicles or trailers are not permitted or proposed. The trailers will be brought to the site via truck – the truck will drop off the trailer within the assigned space and leave. On occasion, a truck entering the site to drop off a trailer will also pick up a different trailer before leaving. The trucks do not idle on site, there is no sleeping permitted within trucks and no food is offered for sale. Please see the enclosed Site Plan (**Figure 3**).

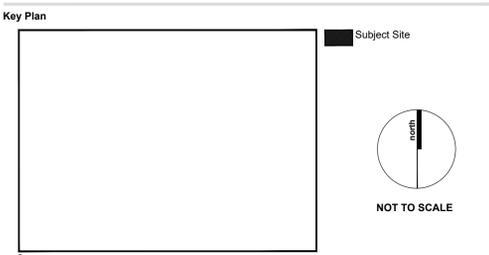
The subject lands are designated 'Rural Employment Area' and 'Core Greenlands' in the County of Wellington Official Plan and zoned 'Agricultural' and 'Environmental Protection' in the Township of Guelph-Eramosa Zoning By-law 40/2016. Development is not proposed in areas designated Core Greenlands and zoned Environmental Protection. Consistent with the County Official Plan, the proposed dry-industrial use is suitable for the rural area as it benefits from locating on a large rural lot with access to well established transportation routes. The Conceptual Site Plan illustrates the proposed setbacks from adjacent properties and the drainage feature on the west limit of the lands.

To permit the use, an amendment to the Township of Guelph-Eramosa Zoning By-law is required to rezone the lands to the 'Rural Industrial (M1)' zone. The M1 zone permits a wide range of industrial and commercial uses, including a 'Transport Establishment' which is defined as:

“the use of land, buildings, structures or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or unloaded, kept for hire, stored or parked for dispatching as common carriers, or where goods are temporarily stored for further shipment.”



Legal Description
CONCEPTUAL PLAN A
 PART OF LOT 5, CONCESSION 1,
 TOWNSHIP OF GUELPH-ERAMOSA,
 COUNTY OF WELLINGTON



SITE STATISTICS

| | |
|-----------------|------------|
| SITE AREA | 32.72 ha.± |
| TRAILER STALLS | 1,170 |
| GRAVEL AREA | 22.03 ha.± |
| LANDSCAPED AREA | 10.69 ha.± |

Preliminary

| Rev. | Date | Issued / Revision | By |
|------|------|-------------------|----|
| | | | |

Notes:
 - Topographic information prepared by X.
 - Contour interval 1.0m.

**PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE**

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| | | |
|-------|------------|-------------|
| Stamp | Date | May 8, 2024 |
| | Drawn By | LHB |
| | Plan Scale | 1:1,250 |
| | File No. | 20360A |
| | Checked By | |
| | Other | |

Project

**Gatstone Capital Corp.,
 Eramosa Farms Limited**
 8075 Highway 7,
 Township of Guelph-Eramosa,

File Name
Conceptual Development Plan

K:\20360A-8075 HWY 7-GUELPH-ERAMOSA\SITE PLAN\CONCEPT A - MAY 8 2024.DWG

It is proposed that a certain range of uses, which would require other supporting studies, would be subject to a Holding provision. If such uses were proposed, an application to lift the Holding provision would be required, and would be submitted to the Township, complete with the applicable required studies. This is discussed in greater detail in Section 4.4 of this Report.

4.0 Planning Analysis

This section of the report reviews the applicable land use policy framework as it applies to the subject lands and how the proposal is consistent with and/or conforms to, this framework.

4.1 Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) was issued by the Province of Ontario in accordance with Section 3 of the Planning Act. The 2020 PPS applies to all decisions regarding the exercise of any authority that affects a land use planning matter made on or after May 1st, 2020.

The PPS provides policy direction on matters of provincial interest related to land use planning and development and provides a vision for land use planning in Ontario that encourages the efficient use of land, resources and public investment in infrastructure and public service facilities. One of the key considerations of the PPS is that planning decisions *'shall be consistent'* with the Policy Statement. Below is a summary of applicable policies in the PPS followed by an analysis of the proposed development in the context of those policies.

Rural Areas in Municipalities (PPS Section 1.1.4)

Rural areas are a system of lands made up of rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resources and amenities. This policy also highlights the interdependent relationship between rural areas and urban areas in terms of markets and the foundation of a sustainable economy.

Section 1.1.4.1 states that healthy, integrated and viable rural areas should be supported by (emphasis added):

- a) building upon rural character, and leveraging rural amenities and assets;*
- b) promoting regeneration, including the redevelopment of brownfield sites;*
- c) accommodating an appropriate range and mix of housing in rural settlement areas;*
- d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;*
- e) using rural infrastructure and public service facilities efficiently;*

- f) *promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- g) *providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
- h) *conserving biodiversity and considering the ecological benefits provided by nature; and*
- i) *providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.*

Rural Lands in Municipalities (PPS Section 1.1.5)

Section 1.1.5.2 lists the permitted uses on *rural lands*, which include:

- a) *the management or use of resources;*
- b) *resource-based recreational uses (including recreational dwellings);*
- c) *residential development, including lot creation, that is locally appropriate;*
- d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
- e) *home occupations and home industries;*
- f) *cemeteries; and*
- g) *Other rural land uses.*

The subject lands are immediately adjacent to a Rural Settlement Area and are already planned for rural employment uses within the County Official Plan. The development of employment uses is consistent with the PPS and the new use will both diversify the economic base within the Township and take advantage of existing rural infrastructure, including Hwy 7 and County Rd 29.

Land Use Compatibility (PPS Section 1.2.6)

Section 1.2.6.1 provides that "*Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures*".

The PPS defines 'major facilities' as 'facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities,

waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Although the proposed transport establishment is not one of the identified uses in the definition of major facilities, a Land Use Compatibility Assessment was prepared to assess the impact of the proposed use to the provide mitigation recommendations, as required. The Assessment concluded that the use was appropriate in its context, with the proposed setbacks incorporated into the site-specific Zoning Bylaw for the lands and through the use of berms in specific locations to mitigate noise.

Employment (PPS Section 1.3)

Section 1.3.1 of the PPS provides that *“Planning authorities shall promote economic development and competitiveness by:*

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
- e) ensuring the necessary infrastructure is provided to support current and projected needs”.*

The lands are already designated for employment uses. The proposed use is permitted in the Rural Employment Zone and within the County Official Plan.

Natural Hazards (PPS Section 3.1)

Section 3.1.1 of the PPS provides that development shall generally directed away from hazardous lands adjacent to rivers and streams that are impacted by flooding hazards.

The proposed development is located entirely outside of the lands designated and zoned for environmental protection, related to the municipal drain adjacent to west side of the subject lands. No development is proposed within the flooding hazard.

In summary, in our opinion, the proposed rural employment use is consistent with the Provincial Policy Statement.

4.2 A Place to Grow

A Place to Grow: Growth Plan for the Greater Golden Horseshoe ('A Place to Grow') came into effect on August 28, 2020. A Place to Grow establishes a vision for the Greater Golden Horseshoe based on the principles of:

- supporting the achievement of complete communities;
- prioritizing intensification and higher densities in strategic growth areas;
- providing flexibility to capitalize on new economic and employment opportunities;
- supporting a range and mix of housing options;
- improving the integration of land use planning with infrastructure and public service facility investment;
- providing different approaches to managing growth; protecting and enhancing natural heritage resources;
- supporting and enhancing the long-term viability and productivity of agriculture;
- conserving and promoting cultural heritage resources and integrating climate change considerations into planning.

The *Planning Act* requires that decisions respecting planning matters conform to the Growth Plan.

The subject lands are located within a Rural Area. Section 2.2.9 of the Growth Plan provides that other rural land uses may be permitted on rural lands that are not appropriate in settlement areas provided they:

- i. are compatible with the rural landscape and surrounding local land uses;
- ii. will be sustained by rural service levels; and
- iii. will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.

The proposed development of a Transport Establishment consisting of a large outdoor parking area for truck trailers requires a sufficient area of land that would be difficult to efficiently attain within a settlement area. Furthermore, the use does not require services, which are commonly provided within settlement areas, such as Rockwood. As well, outdoor storage areas are not uncommon within the rural landscape. Moreover, the lands are already designated as a Rural Employment Area; no agriculturally designated lands are proposed to be removed from production. The proposed use is also not anticipated to impact surrounding agricultural operations. Similarly, no mineral aggregate operations are located within the surrounding area; the proposed development is not anticipated to hinder any existing aggregate operations.

In summary, the proposed Zoning By-law Amendment conforms to the Growth Plan for the Greater Golden Horseshoe.

4.3 Wellington County Official Plan

The Wellington County Official Plan (OP) provides policy direction for the physical development of the County and its local municipalities, including the Township of Guelph-Eramosa. The following includes an assessment of the County's Official Plan as it relates to the subject lands and the proposed development.

The majority of the subject lands are designated 'Rural Employment Area' with a small portion along the southern boundary designated 'Core Greenlands' on Schedule 'B-3' of the Wellington County Official Plan, as shown on **Figure 4**.

The Official Plan (Section 6.8.2) defines Rural Employment Areas as "*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*". Dry industrial and commercial uses requiring large lots, major road access or proximity to rural resources are permitted in rural employment areas.

The proposed development of a Transport Establishment consisting of a large outdoor parking area for truck trailers benefits from a rural location due to the need for a relatively large site that would be difficult to accommodate within a settlement area. The subject lands are sufficiently large in size and have direct access to a Provincial highway (Highway 7) via County Road 29, which is essential for the proposed use.



Figure 4
**Schedule A3 -
 Guelph Eramosa**
 Wellington County Official Plan (2017)

8075 Highway 7
 Township of Guelph-Eramosa
 County of Wellington

LEGEND

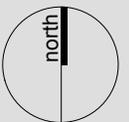
-  Subject Lands
-  Rural Employment Area
-  Core Greenlands
-  Greenlands
-  Hamlet Area
-  Provincial Highway
-  County Roads

DATE: November 2020

SCALE: 1:10,000

FILE: 20360A

DRAWN: CAC



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The Official Plan (Section 6.8.3) also provides that Council shall ensure that proposed uses are compatible, and that sensitive uses are adequately separated from industrial uses when considering rezoning applications. In this regard, SLR has prepared a Land Use Compatibility Assessment that evaluated the proposed development and its proximity to the surrounding rural residential properties. The Assessment concluded that the proposed use was appropriate for the lands, with the recommendations summarized in Section 5.3 of this Report.

Official Plan Summary

The proposed development (and land use), which is permitted in the County Official Plan, is ideally located to provide convenient transport trailer parking on a large rural employment parcel with access to a Provincial Highway (Highway 7). Further, the proposed development does not encroach into the portion of the lands designated Core Greenlands and no change to the extent of this designation is proposed. In conclusion, the proposed Transport Establishment use conforms to the County Official Plan.

4.4 Township of Guelph Eramosa Zoning By-law

The Township of Guelph-Eramosa Zoning By-law (40/2016) was approved in 2016 and regulates land uses throughout the Township, implementing the County's Official Plan. The following section considers the existing zoning, as well as the most appropriate zone and any specific regulations to ensure the coordinated development of the subject lands.

4.4.1 Current Zoning

As illustrated in **Figure 5**, the subject lands are currently zoned Agriculture (A) and Environmental Protection (EP). The portion of the lands zoned Agriculture aligns with the limits of the Rural Employment Areas designation (in the County Official Plan), and the portion zoned Environmental Protection with the Core Greenlands designation. The area proposed for the parking of transport trailers is located outside of the limits of the portion of the lands zoned Environmental Protection.

4.4.2 Zoning By-law Amendment

This application proposes to rezone the lands to the Rural Industrial (M1) zone with a site-specific definition for the proposed use – the parking of transport trailers on the subject lands. As the Rural Employment designation and M1 zone permit a range of other uses, a Holding provision is proposed for some of those uses, requiring additional or updated studies to permit those uses.



Figure 5
Zoning By-Law
40/2016

Township of Guelph-Eramosa
 (Maps 24, 25, 32, 33)

LEGEND

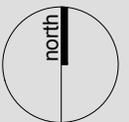
-  Subject Lands
-  Agricultural (A)
-  Highway Commercial (C4)
-  Environmental Protection (EP)
-  Rural Residential (RR)

DATE: November 2020

SCALE: 1:10,000

FILE: 20360A

DRAWN: CAC



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8075 Highway 7
 Township of Guelph-Eramosa
 County of Wellington

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The following uses are permitted within the M1 zone:

- Accessory Retail Store, Wholesale Outlet, Showroom, Office, or facilities for employees including: Recreational Uses, a Child Care Centre, and a Restaurant.
- Accessory Use (Section 4.2)
- Agricultural Service Establishment
- Agricultural Supply Establishment
- Automobile Body/Repair Shop
- Brewing-on-Premise Establishment
- Catering Service
- Construction Company
- Contractor or Tradesperson Establishment
- Industrial Use
- Plaza Complex
- Recreational Trailer Sales and Service Establishment
- Rental Outlet
- Scientific Research Establishment
- Self-Storage Facility
- Transport Establishment

Proposed Transport Establishment Use

The proposed use of the lands is for a modified 'Transport Establishment' with an ancillary vehicle/equipment auction. Neither use requires or proposes a building or structure. The owners also propose that other uses within the M1 zone be permitted on the lands, subject to a Holding provision requiring additional or updated studies/reports, as described in greater detail below.

To permit the proposed use of the lands, a site-specific definition of 'Transport Establishment' is proposed, as the use differs slightly from the current definition in the Bylaw. Currently, the Zoning By-law defines a Transport Establishment as:

“the use of land, buildings, structures or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or unloaded, kept for hire, stored or parked for dispatching as common carriers, or where goods are temporarily stored for further shipment”.

As discussed earlier, the proposed use does not include the service or repair of vehicles. In addition to the parking of trailers on a temporary basis, the owner proposes to host occasional auctions on the site – without the need for a building or structure. This would be an ancillary use as it would occur infrequently. In this regard, the proposed Zoning

By-law Amendment application seeks to amend the definition of 'Transport Establishment' for the subject lands only, as follows:

"the use of land or parts thereof, where trucks and transport trailers are parked and/or stored on a temporary basis, and where the ancillary auctioning of vehicles and related equipment is permitted.'

The use does not include any buildings – the entry and exit from the site will be automated and security is maintained via fencing and through the use of cameras throughout the site. The trucks will enter the site, drop off the trailer in a designated parking space and either leave the site immediately, or pick up a different trailer and then leave the site. In this regard, the trucks are not leased or serviced, and they are not unloaded or loaded, other than connecting the trailer to the truck. The trailers may contain goods, but they will not be perishable and they will not contain any hazardous substances. The leasing agreements between the owner and any users of the site will stipulate these restrictions.

As is discussed later in this Report, in support of the application, the following reports were prepared:

1. Traffic Brief
2. Stormwater Management Report
3. Scoped Environmental Impact Statement
4. Land Use Compatibility Assessment

Those reports were prepared for a land use that does not include buildings or structures, and for which the storage/parking of trailers was proposed. The applicant also proposes to allow as an ancillary use, an 'vehicular auction.' The proposed auction use would occur infrequently on the subject lands, would not require any building or structures and is intended to permit an occasional auction on site of vehicles and related equipment. As no changes to the site would be required, the same stormwater management approach would support this use. Similarly, no encroachment into the Environmental Protection zone would be required and the infrequent nature of the events would not trigger additional road improvements – the access from County Road 29 would not change. In this regard, the Zoning Bylaw Amendment proposes the following uses:

- Transport Establishment, with the modified definition
- Ancillary auctioning of vehicles and equipment

Holding (H) Provision

As the Rural Industrial designation and M1 zone permit additional commercial/industrial uses, a holding provision is proposed to be applied to the lands to permit the uses, subject to the completion of additional required studies, or the submission of addendums to the studies already prepared. In this regard, the following uses are proposed to be permitted, subject to the removal of a Holding provision:

- Construction Company
- Contractor or Tradesperson Establishment
- Industrial Use
- Plaza Complex
- Recreational Trailer Sales and Service Establishment
- Rental Outlet
- Scientific Research Establishment
- Self-Storage Facility

The Holding provision will require the submission of the following studies, to the satisfaction of the Township, County and MTO, as applicable:

- Functional Servicing and Stormwater Management Report (or addendum as appropriate)
- Hydrogeological Study, should buildings/structures be proposed that include washroom facilities
- Addendum to the Scoped Environmental Impact Statement
- Traffic Impact Study (or addendum, as appropriate)
- Addendum to the Land Use Compatibility Study

Assessment of M1 Zone Regulations

The proposed development complies with the regulations for the M1 zone as set out in Section 14.2 of the Zoning By-law. Per Section 4.11 of the Zoning By-law, where the proposed use, consisting of a parking area, is situated on a lot along a lot line which abuts a residential use, a visual barrier shall be provided and maintained along such abutting lot line in accordance with Section 4.11.2 – Buffer Strip Regulations:

1. *Minimum width of 1.5 m.*
2. *A buffer strip may consist of:*
 - a. *a continuous unpierced hedgerow of evergreens or shrubs,*
 - b. *a solid privacy fence,*
 - c. *a solid wall,*

- d. an earth berm,*
 - e. or combination thereof.*
- 3. The buffer strip shall not be less than 1.5 m in height, immediately adjacent to the lot line or portion thereof along which such buffer strip is required. The remainder of the strip may be used for shrubs, flowerbeds, grass or a combination thereof.*
- 4. In all cases where the ingress and egress of a driveway and/or walk extend through a buffer strip, it shall be permissible to interrupt the buffer strip within 1.5 m of the edge of said driveway and/or walk.*
- 5. The planting strip shall be planted and maintained by the owner or owners of the land on which the planting strips are required;*
- 6. The buffer strip shall be in accordance with the Township's Landscape Guidelines, as applicable; and*
- 7. A buffer strip referred to in this Subsection may form part of any landscaped area required by this By-law.*

In this case, a much greater separation is proposed and the areas adjacent to existing residential uses are proposed to include a landscaped berm, in accordance with the recommendations of the Land Use Compatibility Study. Where the Study includes related recommendations, the interfaces will include a berm, which would provide visual, physical and compatibility related separation that would exceed the By-law requirements.

Section 4.23 of the Zoning Bylaw requires a minimum 30 metre setback from the centre of a watercourse or municipal drain. In this case, no building or structure is proposed and the closest parking spaces are more than 30 metres from the limit of the drain – this area is also zoned Environmental Protection to coincide with the Bylaw setback.

Further, Section 4.25 of the Zoning By-law requires that no building or structure be constructed within 30 metres from the limit of an Environmental Protection Zone. No buildings or structures are proposed and as such, the development complies with this regulation.

Finally, the location of a Parking Area for an Industrial Use is regulated by Provision 5.1.12.2 of the Zoning By-law which permits uncovered surface parking areas in required yards or in the area between the street line and the required setback provided that no part of any parking area, other than a driveway, is located closer than 1.1 m to any street line or lot line, or, where an industrial use abuts a residential use, 5 m from the lot line abutting the residential use. Although the Transport Establishment is not an 'Industrial

Use', the regulations were considered in the design of the conceptual site plan to ensure appropriate separation from the adjacent roads and properties.

Zoning Bylaw Amendment

The proposed amendment is outlined below:

To rezone the portion of the lands zoned Agriculture (A) to the (Holding) Rural Industrial ((H)M1) zone, with the following site-specific provisions:

| | |
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| M1-xxx | <ol style="list-style-type: none"> 1. Notwithstanding the definitions of Section 4.0 or any other provisions to the contrary, on the land zoned M1-xxx, 'Transport Establishment' shall be defined as: <p style="margin-left: 40px;"><i>the use of land or parts thereof, where trucks and transport trailers are parked and/or stored on a temporary basis, and where the ancillary auctioning of vehicles and related equipment is permitted.</i></p> 2. That until such time as the Holding (H) provision is removed from the By-law, only the following uses shall be permitted on the lands: <ol style="list-style-type: none"> i. Uses that existed as of the day before the Zoning By-law was passed by Council; and ii. Transport Establishment, as defined herein. 3. That the following uses shall be subject to a Holding Provision: <ol style="list-style-type: none"> i. Construction Company ii. Contractor or Tradesperson Establishment iii. Industrial Use iv. Plaza Complex v. Recreational Trailer Sales and Service Establishment vi. Rental Outlet vii. Scientific Research Establishment viii. Self-Storage Facility 4. The Holding provision shall be lifted once the Township and any other authority having jurisdiction, has received and accepted the following studies, or addendums thereto: <ul style="list-style-type: none"> • Functional Servicing and Stormwater Management Report; • Traffic Impact Study; • Scoped Environmental Impact Study; |
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| | <ul style="list-style-type: none">• Hydrogeological Study, should buildings/structures be proposed that include washroom facilities; and• Land Use Compatibility Study |
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5.0 Supporting Studies

The following is a summary of the key findings and recommendations of the supporting technical reports and studies that were required to support the proposed applications.

5.1 Transportation Impact Brief

A Transportation Impact Brief was prepared by Paradigm Transportation Solutions (February 27, 2024) to assess the traffic impacts of the proposed Transportation Establishment, as required by the Ministry of Transportation Ontario (MTO).

The proposed Transport Establishment will provide a secure parking facility for trucks and trailers to provide a temporary but secure warehousing arrangement for clients until their final delivery. The facility will have a single access on Wellington Road 29 and will have no direct access to Highway 7; the facility is expected to be operational in 2025. The facility will have a usable area of 32.2 hectares and will operate 24 hours per day and seven days per week. As such, truck operations at the site are expected to involve low truck traffic volumes spread over a whole day without significant peaking.

Trip generation estimates for the proposed facility are based on a proxy site located approximately 40 kilometres east of the subject site at 13726 Airport Road in Caledon. The proxy site has an area of 10.5 ha and operates as a truck and trailer parking facility 24 hours per day, seven days per week. This proxy site was confirmed and deemed acceptable by the MTO during pre-study consultation.

The brief concludes that the existing intersection at Highway 7 and Wellington Road 29 is projected to operate with acceptable levels of service under future background and total traffic conditions. The proposed site driveway on Wellington Road 29 is also forecasted to operate at acceptable levels of service under 2025 and 2030 total traffic conditions.

The left-turn from stop from the Site Driveway on Wellington Road 29 and the stopping sight distance from Wellington Road 29 approaching the site driveway satisfy sight distance requirements at 90 km/h, which is 10 km/h higher than the posted speed limit of 80 km/h.

5.2 Preliminary Stormwater Management Report

MTE Consultants Inc. prepared a Preliminary Stormwater Management Report (May 15, 2024) in support of the Zoning Bylaw Amendment application. As the development does not include or propose municipal or other private services, the analysis focused on stormwater management. The Report concluded that:

- The proposed grading design will respect the natural topography of the Site and match into existing grades along the GRCA limits, west of the Site, and the other property lines;
- The SWM criteria can be satisfied with the implementation of an Oil Grit Separator (OGS) and Stormwater Management Facility for water quality and quantity control; and
- There will be a net gain in the infiltration balance due to the implementation of the infiltration gallery.

5.3 Compatibility Mitigation Study, Air Quality and Environmental Noise

SLR Consulting (Canada) Ltd. Prepared a Compatibility Mitigation Study, Air Quality and Environmental Noise (May 14, 2024) to evaluate air quality, odour, dust, and environmental noise associated with the proposed development.

The Study concludes:

There is potential for fugitive dust emissions from the trucks moving on unpaved roads within the Project site. Therefore it is recommended that vehicles speeds on site be limited to less than 20 km/hour and that emissions of dust from the unpaved roads be controlled through the use of dust best management practices such as the application of water.

With the use of dust best management practices on the unpaved Project site roads, adverse air quality impacts from the Project site sources will be controlled and the Project site is anticipated to be compatible with the surrounding land uses from an air quality perspective.

*The potential for noise impacts from the proposed property's stationary sources have been assessed. With the mitigation measures outlined in **Section 6.1.7***

[acoustic berms/barriers], *the requirements of MECP Guideline D-6 and the applicable MECP Publication NPC-300 guideline limits are predicted to be met at the surrounding noise-sensitive receptors. Therefore, the Project site is anticipated to be compatible with the surrounding land uses from a noise perspective.*

5.4 Environmental Impact Study

Natural Resource Solutions Inc. prepared an Environmental Impact Study (May 2024) to assess existing environmental features, determine impacts on environmental features resulting from the proposed development, and to provide mitigation to minimize impacts on environmental features.

The Study concludes:

This EIS report provides a detailed characterization of existing natural features based on compiled background information and NRSI's 2020, 2021, and 2024 field investigations. An analysis of the significance and sensitivity of identified natural features, with consideration for applicable County and provincial policies and legislation, is provided. The Subject Property is characterized primarily as active row-crop agricultural land, surrounded by hedgerows, and with a house at the western corner of the property. The Highway No. 7 municipal drain floodplain is identified as Core Feature in the County's Core Greenlands System. Significant natural features within the Subject Property include the municipal drain and its floodplain, confirmed SWH - Habitat for Species of Conservation Concern for Eastern Wood-pewee and candidate SWH - Bat Maternity Colonies. The Highway No. 7 Drain is a Class F Type Drain is not connected to Clyde Creek, does not provide fish habitat (direct or indirect), and should be considered ephemeral.

A Tree Preservation Plan for trees identified as requiring removal within the proposed development is provided. Eighteen trees are identified as requiring removal for the proposed development. A revised Tree Preservation Plan report for the entire Subject Property will be provided at the Site Plan Application stage.

An analysis of impacts for the proposed development is provided. Direct impacts have been avoided through protection and buffering of the existing natural features and recommended timing windows for tree removals. Potential impacts to stormwater quality and quantity outletting to the Highway

7 Drain are addressed in MTE's Stormwater Management Report (2024). The SWM criteria are satisfied with the implementation of quantity control measures and a water quality target of 80%. Based on their analysis of the water balance, the installation of an infiltration gallery will result in an annual increase of runoff infiltrated on-site in the post-development condition.

6.0 Public Consultation Strategy

The Planning Act (specifically O. Reg 545/06) requires that applicants submit a proposed strategy for consulting with the public with respect to an application as part of the 'complete' application requirements. This section summarizes the proposed Public Consultation Strategy.

We propose that the public consultation process for the Zoning By-law Amendment application exceed the Planning Act statutory requirements. The following points of public consultation are proposed:

- Public notice on site – sign posted on the property
- Notice of complete application provided by the Township to surrounding property owners
- A (statutory) Public Meeting held as part of a Council Meeting, hosted by the Township.
- A written response to comments raised through the public consultation process will be provided to Township Staff for their review and consideration in the preparation of a Township Staff Report.
- Preparation of a Township Staff Report (by staff), with the Report to be available to the public in advance of Township Council's decision regarding the application.

The consultation strategy proposed will provide members of the public with opportunities to review, understand, and comment on the proposed Zoning By-law Amendment application. The consultation strategy will be coordinated with Township Staff.

7.0 Conclusion

This Planning Justification Report concludes that the proposed Zoning By-law Amendment application for 8075 Highway 7, Guelph-Eramosa to rezone the lands to the 'Rural Industrial (M1)' zone, which permits a wide range of industrial and commercial uses, including a 'Transport Establishment' use, represents good planning for the following reasons:

1. The Zoning By-law Amendment is consistent with the *Provincial Policy Statement, 2020*. The proposed development will contribute to the diversification of the rural economic base of Guelph-Eramosa and make use of a large lot planned for employment uses, with direct access to a Provincial Highway and County Road.
2. Land Use Compatibility has been assessed in accordance with provincial guidelines and mitigation measures are recommended, including physical separation and landscaped berms.
3. The Zoning By-law Amendment conforms to the County of Wellington Official Plan. The proposed development is located within a Rural Employment Area and benefits from a rural location due to the need for a large site, with vehicular access to Highway 7.
4. The proposed development does not encroach into environmental features and no changes to the boundary of the Environmental Protection zone is proposed.
5. The proposed Zoning By-law Amendment to rezone the lands to Rural Industrial (M1) zone with a site-specific definition and a holding provision appropriately implements the existing Official Plan designation by permitting a rural employment use on the subject lands. The proposed site-specific definition is appropriate as it refines the existing definition of Transport Establishment in recognition of the unique nature of this use, which does not include any building or structures and which does not include any servicing or repair of vehicles.

6. A Holding provision is proposed to ensure relevant studies are updated or new studies prepared for an additional limited scope of uses permitted in the Rural Industrial zone.

Respectfully submitted,

MHBC

A handwritten signature in cursive script that reads "Trevor Hawkins".

Trevor Hawkins, M.PL, MCIP, RPP
Partner

8.0 Appendix A – Draft Zoning By-law Amendment

To rezone the portion of the lands zoned Agriculture (A) to the (Holding) Rural Industrial ((H)M1) zone, with the following site-specific provisions:

| | |
|--------|--|
| M1-xxx | <p>5. Notwithstanding the definitions of Section 4.0 or any other provisions to the contrary, on the land zoned M1-xxx, 'Transport Establishment' shall be defined as:</p> <p><i>the use of land or parts thereof, where trucks and transport trailers are parked and/or stored on a temporary basis, and where the ancillary auctioning of vehicles and related equipment is permitted.</i></p> <p>6. That until such time as the Holding (H) provision is removed from the By-law, only the following uses shall be permitted on the lands:</p> <ul style="list-style-type: none"> iii. Uses that existed as of the day before the Zoning By-law was passed by Council; and iv. Transport Establishment, as defined herein. <p>7. That the following uses shall be subject to a Holding Provision:</p> <ul style="list-style-type: none"> ix. Construction Company x. Contractor or Tradesperson Establishment xi. Industrial Use xii. Plaza Complex xiii. Recreational Trailer Sales and Service Establishment xiv. Rental Outlet xv. Scientific Research Establishment xvi. Self-Storage Facility <p>8. The Holding provision shall be lifted once the Township and any other authority having jurisdiction, has received and accepted the following studies, or addendums thereto:</p> <ul style="list-style-type: none"> • Functional Servicing and Stormwater Management Report; |
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| | <ul style="list-style-type: none">• Traffic Impact Study;• Scoped Environmental Impact Study;• Hydrogeological Study, should buildings/structures be proposed that include washroom facilities; and• Land Use Compatibility Study |
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