The County of Peterborough received application from Scott Patterson on behalf of Home Hardware Stores Limited (owner) and Precision Truss (applicant) to amend the Local Component of the Official Plan for the County of Peterborough.

The subject property is located in part of Lot 6, West Communication Road in the Smith Ward of the Township of Selwyn (municipally known as 1699 Chemong Road).

File No. 15OP-19001 represents Amendment No. 52 to the Official Plan of the County of Peterborough.

Proposal
The subject property is approximately 36.5 hectares and currently contains an existing Home Hardware Building Centre, including a retail store, storage shed, and a lumber yard. The area of the property subject to the amendment is approximately 3.37 hectares. The owner is proposing to lease this portion of the subject property to the truss manufacturer for the purpose of constructing and operating a truss manufacturing plant.

The subject property is designated “Highway Commercial”, “Rural” and “Environmental Constraint Area” in the Local Component of the County Official Plan. A truss manufacturing plant is not a permitted use within any of the aforementioned designations.

The purpose of the amendment is to expand the highway commercial designation to capture the extent of the development area and to add a site-specific special policy area to permit the truss manufacturing plant. Portions of the property within the development footprint will also be designated as the Environmental Constraint Area designation.

In considering the Official Plan Amendment, the County is in receipt of the following reports in support of the application:

- Planning Opinion Report prepared by Labreche Patterson & Associates Inc. dated January 3, 2019
- Hydrogeological Assessment prepared by Cambium Inc. dated December 4, 2018
- Geotechnical Investigation Report prepared by Cambium Inc. dated November 16, 2018
Public Consultation and Agency Comments
The County of Peterborough and Township of Selwyn jointly provided Notice of Complete Application on March 19, 2019 and Notice of Public Meeting on October 22, 2019. The notices were provided by prepaid first-class mail to any property owner(s) within a 120 metre radius of the subject lands and advertised in the Peterborough Examiner. The subject property was posted with a sign advertising the public meeting. The notice is also available on the County and Township websites. The statutory public meeting was hosted by Township of Selwyn Council on November 12, 2019. The notice circulation complies with the requirements of The Planning Act. The following letters of correspondence were received in response to the circulation:

Agency Comments

<table>
<thead>
<tr>
<th>Agency</th>
<th>Comment</th>
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<tbody>
<tr>
<td>Enbridge Gas Inc.</td>
<td>Dated March 27, 2019: no objections.</td>
</tr>
<tr>
<td>County of Peterborough Infrastructure Services Department</td>
<td>Dated April 24, 2019: no objections. All signage and pavement marking will be reviewed [at the site plan stage] to ensure consistency with the Ontario Traffic Manual (OTM) and the Manual of Uniform Traffic Control Devices of Canada (MUTCDC).</td>
</tr>
<tr>
<td>Stantec – Peer Review of Hydrogeologic Assessment</td>
<td>Dated May 1, 2019: no concerns from a hydrogeological perspective. The applicant will need to amend the existing Ministry of Environment, Conservation and Parks (MECP) Environmental Compliance Approval (ECA) for the site to include the new septic system. This will require an engineering review and approval of the proposed system from MECP.</td>
</tr>
<tr>
<td>Otonabee Conservation – Ecology and Engineering Reviews</td>
<td>Dated May 8, 2019, May 9, 2019, August 2, 2019, August 16, 2019 and September 30, 2019: initial concerns with the stormwater management plan and the EIS, however, the final letter indicated satisfaction with the recommendations / conclusions of the reports (and addendum) and no further objections / concerns.</td>
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Public Comments

The applicant’s agent attended the public meeting and spoke in support of the application. No members of the public spoke at the public meeting. Emails were received from two members of the public; one of which requested to see the supporting documents and the second requested to be notified of the decision.

Provincial Policy Statement, 2014 (PPS)

The Provincial Policy Statement (PPS), as issued under the authority of Section 3 of The Planning Act came into effect on April 30, 2014. Further, Section 3 of The Planning Act requires that planning authorities “shall be consistent with” the PPS. The intent of the PPS is to provide direction on matters related to land use planning and development. Within the context of the proposal, certain provisions of the PPS are considered to have relevance.

Rural Areas in Municipalities

The subject property is not located within a settlement area, as defined in the PPS. Where lands are not located in a settlement area, Section 1.1.4 of the PPS applies, which specifically address rural areas within municipalities. Section 1.1.4.1 states that “healthy, integrated and viable rural areas should be supported by: (a) building upon rural character, and leveraging rural amenities and assets, (b) promoting regeneration, including the redevelopment of brownfield sites…(e) using rural infrastructure and public service facilities efficiently, (f) promoting diversification of the economic base and employment opportunities through goods and services…(h) conserving biodiversity and considering the ecological benefits provided by nature…” Mr. Patterson in his Planning Justification Report provide the following rationale in support of this section of the PPS:

The proposed development incorporates the efficient use of rural infrastructure and presents an economic opportunity that will contribute towards the diversification of the economic base and long-term economic prosperity in the Township. The proposed development does not negatively impact the surrounding agricultural uses or conflict with the rural landscape or character. The proposed development will not result in environmental or public health and safety concerns. The development proposes the conservation of the adjacent natural heritage features.

Infrastructure and Public Service Facilities – Sewage, Water and Stormwater

Section 1.6.6 of the PPS outlines the policies regarding sewage and water systems. It is stated in this section that the ideal form of servicing is by way of municipal sewage services and municipal water services. Where municipal sewage services and municipal 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-terms provision of such services with no negative impacts (S.1.6.6.4).
A Hydrogeological Assessment was prepared in support of the application, which was prepared to demonstrate that a new drilled well and raised septic bed will adequately service the truss manufacturing plant without offsite impacts to groundwater resources. The Hydrogeological Assessment was peer reviewed by Stantec on behalf of the County and Township. The proposed private services have been determined to be suitable and will be subject to an amendment to the existing Environmental Compliance Approval for the property.

Section 1.6.6.7 outlines the policies regarding stormwater management. This section states that “planning for stormwater management shall:
   a) minimize, or, where possible, prevent increases in contaminant loads;
   b) minimize changes in water balance and erosion;
   c) not increase risks to human health and safety and property damage;
   d) maximize the extent and function of vegetative and pervious surfaces; and
   e) promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.”

A Stormwater Management Brief was prepared in support of the application. Otonabee Region Conservation Authority (ORCA) Engineering Services staff reviewed the report on behalf of the County and Township with regard to water quality and quantity overland flows and have found them to be satisfactory. Further detail and information will be required at the site plan stage.

Wise Use and Management of Resources – Natural Heritage

Section 2.1 of the PPS states that natural features and areas shall be protected for the long term. The subject property contains a Provincially Significant Wetland and unevaluated wetlands. ORCA staff reviewed the proposal in accordance with their mandate and policies; and have noted that the application is consistent with Sections 2.1 and 2.2 of the PPS. The Environmental Impact Study completed in support of the application concludes with 16 recommendations to apply to the proposed development and concludes that the potential negative impacts associated with the proposed development and site alteration are expected to be appropriately mitigated, provided the 16 recommendations are adhered to. One of the recommendations include a development setback of 30 metres from evaluated and unevaluated wetlands. The unevaluated wetland located at the southern boundary of the development footprint will be designated as Environmental Constraint Area by way of this amendment.

The proposal is consistent with the PPS.

Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019
Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (Growth Plan) was released May 2, 2019; and took effect on May 16, 2019. The legislation is centred on the initiative to plan for growth and development in a way that
supports economic prosperity, protects the environment, and helps communities achieve a high quality of life.

The Growth Plan directs development to recognized ‘settlement areas’. In instances where development or redevelopment occurs outside of settlement areas, policies applicable the Rural Areas, contained under Section 2.2.9, apply.

Rural Areas

Section 2.2.9.5 of the Growth Plan is particularly relevant to this proposal, which states: “Existing employment areas outside of settlement areas on rural lands that were designated for employment uses in an official plan that was approved and in effect as of June 16, 2006 may continue to be permitted. Expansions to these existing employment areas may be permitted only if necessary to support the immediate needs of existing business and if compatible with the surrounding uses.”

The Planning Report prepared by Mr Patterson states,

   The proposed Official Plan Amendment will facilitate a necessary expansion of a designated employment (commercial) area that was designated and in effect prior to June 16, 2006 for the immediate need of the existing retail business in a form that is compatible with the surrounding land uses. The location of the proposed development is appropriate and contributes to the economic vitality of the Township. The Official Plan Amendment will facilitate the development of a use that is compatible with the rural landscape and surrounding uses, can be sustained by rural service levels, and will not adversely affect the protection of the adjacent agricultural uses or other resource-based uses. The proposed Official Plan Amendment conforms to the Growth Plan as it allows for the appropriate development of the subject property that is compatible with the rural character, does not hinder the surrounding agricultural uses, is sustainable through rural service levels, and contributes to a diverse and viable economy in the Township.

The proposal is considered to be in conformity with the Growth Plan.

County Official Plan

The subject property is described as Rural in the County Official Plan. The location of industrial and commercial uses will be promoted and directed to the serviced settlement areas, or to commercial and industrial areas established and designated in official plan of the local municipalities. The purpose of the Official Plan Amendment is to expand permissions of the existing highway commercial designation and zoning applicable to the front of the subject property to apply to the development area. The proposed truss manufacturing plant compliments the current building supply outlet that occupies the front of the property and will contribute to the existing investment of the commercial use on the property. The
The proposal does not detract from the existing rural character of the surrounding area and provides an economic benefit to the Township and local area.

The proposal is considered to be in conformity with the County Official Plan.

**Local Component of the County Official Plan**

The subject property is designated "Highway Commercial", “Rural”, and “Environmental Constraint Area” as per Schedule A1 of the Official Plan.

The Highway Commercial designation is primarily intended for commercial uses that cater to and need to be highly visible to the travelling public and therefore require locations along major roads and highways. Permitted uses within the Highway Commercial designation include a variety of commercial uses, but does not include “manufacturing”.

The Rural designation applies to lands where Class 4, 5, 6 and 7 and organic soils under the Canada Land Inventory Soil Capability for Agriculture predominate and areas where previous non-farm development has effectively limited the future intensive farm activity. The predominant use of land within the Rural designation may include agricultural uses, forestry, passive outdoor recreation uses and activities connected to the conservation of soil and wildlife.

As “Truss Manufacturing Plant” is not a permitted use within the Highway Commercial Designation and a portion of the development area is designated “Rural”, an Official Plan Amendment is required to facilitate the proposed development. The proposed development conforms to the general policies of Section 6.2.10.3 – Highway Commercial Policies.

Section 7.9 outlines a list of criteria that should be considered when considering an amendment to the local component of the County Official Plan. These are as follows:

1. **The need for the proposed use.**

   The increasing demand for trusses has resulted in the economic support for the construction of a Truss Manufacturing Plant in the area of the subject property. The subject property was chosen as a desirable location to provide quick access to products for customers in the area as a partnership between the Owner and the Truss Manufacturing Company leasing the land from the Owner.

2. **The extent to which the existing designated areas in the proposed categories are developed, and the nature and adequacy of such existing development.**

   Other areas designated Highway Commercial in the area of the subject property do not present the same opportunity as the subject property due to the partnership between the Owner and the Truss Manufacturing Company. In the immediate
area, all properties designated Highway Commercial are currently developed with insufficient area to accommodate the size of the proposed building.

(3) The physical suitability of the land for such proposed use, taking into consideration potential for hazard, environmental areas etc.

As determined by the Hydrogeological Assessment and Environmental Impact Assessment (and related addendums), completed by Cambium Inc., the subject property and development area is suitable land for the development of the proposed use and the lands are located outside of a potential hazard area or environmental area.

(4) The location of the area under consideration with respect to the existing roads system, vehicular and pedestrian traffic, water supply and sewage disposal, and the protection of the natural environment.

The existing vehicular access, which is located on the south side of the subject property’s frontage along Chemong Road, will be used as the primary access to the proposed development. The proposed development is located with access to Chemong Road, a designated “Collector Road” under the Official Plan and, at the point of driveway access to the proposed development, consists of a five lane roadway with two lanes in both directions and a dedicated middle turning lane, with a gravel shoulder, which is adequate for anticipated traffic and movement of goods to and from the proposed development. Chemong Road, within proximity of the primary vehicular access, appears to be generally flat with suitable sightlines in both directions. Further, the proposed development will be serviced using an on-site wastewater treatment system in conformity with all applicable requirements under the Ministry of Environment, Conservation and Parks and the Health Unit. Lastly, the proposed development is not anticipated to negatively impact the adjacent natural environment.

(5) The compatibility of the proposed use with the uses in adjoining areas.

The proposed development will not impact the surrounding agricultural, commercial, or industrial uses. A D-6 Compatibility Review was completed by Cambium Inc. and concluded that the potential for odour, air pollution, or noise nuisance issues from the proposed development is limited and that it is Cambium Inc.’s opinion that no sensitive land use is within the potential area of influence, and therefore no studies are required under Guideline D-6. The proposed use is compatible with surrounding land uses.

(6) The effect of the proposed use on the surrounding area regarding possible depreciation of adjacent properties.

It is not anticipated that the proposed development will have a negative effect on the market value of the adjacent properties.
(7) The potential effect of the proposed use on the financial position of the Township.

The proposed development will not significantly impact the financial position of the Township.

(8) Consideration of the soil capability for agriculture and the potential impacts on surrounding agricultural uses and operations.

The subject property is located within a Candidate Agricultural Area, as identified in the new Agricultural System for the Greater Golden Horseshoe (Growth Plan, 2019). Outside of the Greenbelt Area, provincial mapping of the agricultural land base does not apply until it has been implemented in the County Official Plan. Until such time, Candidate Agricultural Areas will be subject to the rural policies of the Provincial Policy Statement. Section 1.1.5.2 of the Provincial Policy Statement allows for limited residential development on rural lands.

(9) Where the proposal involves taking prime agricultural land out of production, the planning justification requirements of the Provincial Policy Statement shall be addressed.

The proposed development does not involve taking prime agricultural land out of production.

(10) The Minimum Distance Separation requirements of the Provincial Policy Statement shall be met for new uses being proposed in proximity to existing livestock facilities.

The size of the development area and subject property would not support the independent use as an agricultural operation. The nearest agricultural barn is approximately 500 metres away from the development area and the development will not hinder the ability for adjacent lands to be cropped. As such, the proposed development should not impact the nearby agricultural operation.

(11) Demonstration of how the proposal conforms to the Provincial Growth Plan.

The proposed Official Plan Amendment conforms to the Growth Plan as it allows for the appropriate development of the subject property that is compatible with the rural character, does not hinder the surrounding agricultural uses, is sustainable through rural service levels, and contributes to a diverse and viable economy in the Township.

(12) In the case of lands within identified vulnerable areas, demonstration of how the proposal conforms to the policies of Section 5.7 where applicable.

Does not apply to this application.
**Conclusion**
Scott Patterson has applied to amend the local component of the County Official Plan to modify the boundary of the "Highway Commercial" designation as it applies to the subject property and proposed development area, and to establish a Site Specific Special Policy Area applicable to the Highway Commercial designation on the subject property to permit "Truss Manufacturing Plant" as an additional permitted use on the subject property. Portions of the property within the development footprint will also be designated as the Environmental Constraint Area designation.

The amendment is deemed to be in general conformity with the County Official Plan, the local component of the County Plan, the Provincial Policy Statement, and the Growth Plan.

**Recommendation**
That Amendment No. 52 to the Official Plan for the County of Peterborough be approved and adopted by by-law, and the required notice of decision be circulated in accordance with the provisions of the Planning Act; and,

Further, that the Planning Director be authorized to sign the approval certificate if no appeals are received at the conclusion of the appeal period.

Planner: ______ original signed __________ Date: Nov. 18, 2019

Manager of Planning: ______ original signed ______ Date: Nov. 18, 2019