



**“Supplementary” Planning Justification Report (October 22, 2020)
 Official Plan and Zoning By-law Amendment Applications
 1291 Mann Road, Township of Selwyn (Smith Ward)**

Introduction

This “Supplementary” Planning Justification Report has been prepared as a follow-up to my original Report dated regarding the Official Plan and Zoning By-law Amendment Applications filed with the County of Peterborough (OPA) and the Township of Selwyn (ZBLA) - 1291 Mann Road, Township of Selwyn (Smith Ward).

Specifically, County Planning Staff in their letter dated September 9, 2020 requested this Report to address 7.9 and 7.14 of the Official Plan.

This Report does not re-analyze the 2020 PPS or the 2020 Growth Plan, nor the Township Zoning By-law. My Professional Planning Opinion pertaining to these planning policies-regulations has not changed and remains in support of the OPA and ZBLA Applications.

Section 7.9 of the Official Plan

The following table provides an analysis of Section 7.9 of the Official Plan. The full policy section is attached to this Report (Attachment 'A').

Policy	Detail - Opinion
7.9	Criteria for Assessing Official Plan Amendment Applications Amendments to Land Use Schedules are required to permit the establishment of areas for uses other than those identified on the schedules. Amendments to policies for specific situation may also need to be considered. In considering an Amendment, the Township

	shall have regard to the following criteria:
7.9.1	<p>Need for the proposed use.</p> <p>Opinion: The OPA and ZBLA Applications recognize the long-standing industrial use of the property and to permit a modest addition to the existing main industrial building.</p> <p>This industrial use provides service to the Township and County in terms of vehicle service and repair.</p>
7.9.2	<p>The extent to which the existing designated areas in the proposed categories are developed, and the nature and adequacy of such existing development.</p> <p>Opinion: The OPA and ZBLA Applications recognize the long-standing industrial use of the property and to permit a modest addition to the existing main industrial building.</p> <p>This industrial use provides service to the Township and County in terms of vehicle service and repair.</p> <p>The property is developed and used reflective of the industrial use.</p>
7.9.3	<p>The physical suitability of the land for such proposed use, and in the case of lands exhibiting a potential hazard (i.e. Environmental Areas), consideration shall be given to:</p> <ul style="list-style-type: none"> a) the existing environmental and/or physical hazards and opportunities; b) the potential impacts of these hazards; and, c) the proposed methods by which impacts deemed to be significant may be overcome in a manner consistent with accepted engineering techniques and resource

	<p>management practices in consultation with the Conservation Authority, where appropriate;</p> <p>d) the anticipated impacts of the proposed use on the natural environment.</p> <p>Opinion: No issues in this regard.</p>
<p>7.9.4</p>	<p>The location of the area under consideration with respect to:</p> <p>a) the adequacy of the existing and proposed highway system and municipally owned and maintained roads in relation to the development of such proposed areas;</p> <p>Opinion: The property has established frontage on Mann Road, with immediate access to Ward Street, being a main road serving the Bridgenorth Community.</p> <p>b) the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto;</p> <p>Opinion: The property has established frontage on Mann Road, with immediate access to Ward Street, being a main road serving the Bridgenorth Community.</p> <p>c) the adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies contained in Section 7.3 of this Plan and in accordance with technical reports or recommendations which the Township shall request from any appropriate authority such as the Ministry of the Environment and the Peterborough Health Unit deemed advisable; and</p> <p>Opinion: The property relies upon existing/established private services. The proposed building expansion does not generate</p>

	<p>any increase in the private on-site services.</p> <p>d) opportunities for the protection and enhancement of the natural environment.</p> <p>Opinion: This property does not contain any natural environment features, and is abutted on all sides for developed properties.</p>
7.9.5	<p>The compatibility of the proposed use with uses in adjoining areas.</p> <p>Opinion: The Burley Truck and Bus Repair business operated at this location for 45 years. The area residential properties have since been developed around this industrial business.</p> <p>The proposed building addition will enclose an existing exterior concrete pad at which vehicles are and would continue to be pre-services, as part of an overall service-repair function.</p> <p>This addition eliminates an existing outdoor business activity, and eliminates vehicular activity along the south side of the building-property.</p> <p>The forgoing contributes towards a compatible relationship with adjacent land uses (residential).</p>
7.9.6	<p>The effect of such proposed use on the surrounding area regarding possible depreciation of adjacent properties.</p> <p>Opinion: This is not a planning matter per se (as evidence in OMB and LPAT Hearings).</p> <p>Moreover, the industrial use exists, and adjacent properties have been developed and subject of purchase and sale undertakings with full knowledge of the industrial business.</p>
7.9.7	<p>The potential effect of the proposed use on the financial position of the Township.</p>

	Opinion: N/A
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B) Section 7.14 of the Official Plan

The following table provides an analysis of Section 7.14 of the Official Plan:

Policy	Detail - Opinion
7.14	<p>CRITERIA FOR ASSESSING COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL DEVELOPMENT</p> <p>In assessing the suitability of an application for a commercial, industrial or institutional proposal, the Township shall have regard for the following considerations:</p>
7.14.1	<p>The proposal shall conform to the requirements for the appropriate zone in the implementing Zoning By-law.</p>
7.14.2	<p>These uses shall have direct access to an arterial road, collector road or Provincial highway, and should be sited to permit easy and safe access by motor vehicles.</p> <p>Opinion: The OPA Application is accompanied by a companion ZBLA Application serving to recognize the long-standing non-conforming use of the property.</p> <p>The property has established frontage onto Mann Road, which in turn has immediate connection with Ward Street, being a main road/street serving the Bridgenorth Community.</p>
7.14.3	<p>The proposal shall be in keeping with the existing size and type of development in the surrounding area. Proposals which will conflict with surrounding uses shall not be permitted unless the applicant can demonstrate to the satisfaction of the Township that the concerns can be overcome.</p> <p>Opinion: The existing industrial use pre-dates the</p>

	<p>development of all adjacent residential properties.</p> <p>The proposed building expansion does not “increase” the size/capacity of the industrial business. Said expansion will have the desired effect of:</p> <ul style="list-style-type: none"> • Eliminating vehicular traffic, south side of the property; and • Enclosing an existing outdoor facility (concrete pad) forming part of the overall service-repair function.
7.14.4	<p>Proposals which will create a substantial increase in traffic along local roads travelling through existing or potential residential areas shall not be permitted.</p> <p>Opinion: The Traffic Impact Report prepared in support of the OPA and ZBLA Amendment Applications confirms the adequacy of the roadway network, and further that the proposed building expansion will not generate additional vehicular traffic.</p>
7.14.5	<p>All proposals located adjacent to residential uses shall be separated by a buffer strip, as set out in the implementing Zoning By-law.</p> <p>Opinion: The front (west) part of the property is developed.</p> <p>The rear (east part) is undeveloped.</p> <p>Landscaping/buffers existing along the north and south limits of the property - adjacent low density residential properties.</p>
7.14.6	<p>Adequate off-street parking shall be provided and access points shall be limited in number and designed in a manner which will minimize the danger to vehicular traffic.</p> <p>Opinion: The property provides adequate on-site</p>

	parking facilities meeting the regulatory provisions of the Township Zoning By-law.
7.14.7	Advertising and signs shall be strictly limited. Opinion: The industrial business building incorporates limited building signage.
7.14.8	Open storage of goods or materials shall be permitted provided storage is suitably screened from adjacent uses and from public view. Opinion: There is no or limited storage of goods/materials on site, with the exception of a limited number of vehicles either services awaiting pick-up/delivery or to be serviced.
7.14.9	Commercial and service industrial uses shall be encouraged to locate in nodes, adjacent to existing concentrations of commercial development. Consideration will be given to commercial and industrial uses outside of existing designated areas only if there is a demonstrated need and no appropriate vacant land exists within the designated area. Opinion: This policy cannot be met. There industrial land use location is not in an established industrial or commercial cluster.
7.14.10	No use shall be permitted which, from the nature of the process or materials used, is declared by the Health Unit to be a noxious trade, business or manufacture, under the Health Protection and Promotion Act, as amended. Opinion: N/A
7.14.11	Permitted uses shall minimize smoke emissions, noise, odours or other forms of pollution. The appropriate standards and requirements of the Ministry of the Environment shall be adhered to and shall be the minimum

	<p>acceptable standard.</p> <p>Opinion: N/A</p>
7.14.12	<p>Access points to commercial and industrial uses shall be restricted in number and located to avoid any undue conflict with the normal and safe functioning of any adjacent road.</p> <p>Opinion: The existing driveways will remain in place. No modifications are proposed nor required.</p>
7.14.13	<p>The Township shall have regard for high potential aggregate resource areas and existing aggregate operations and the compatibility of the proposed development with these areas.</p> <p>Opinion: N/A</p>
7.14.14	<p>The Township shall have regard for the compatibility of the proposed development with areas designated as Environmental Constraint.</p> <p>Opinion: N/A</p>
7.14.15	<p>Proposed development shall be compatible with the Conservation Authority's water management practices.</p> <p>Opinion: N/A</p>
7.14.16	<p>Development applications within identified vulnerable areas shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended, and must conform to the policies of Section 5.7 where applicable.</p> <p>Opinion: N/A</p>

Summary

It is my professional planning opinion that the OPA and companion ZBLA Amendment Applications are in keeping with the general purpose and intent of the policies of the Official Plan (including Sections 7.9 and 7.14, respectively).

The industrial land use exists, and it was established prior to the development of adjacent residential properties.

The proposed building expansion addresses "compatibility" issues - south side of the developed portion of the property:

- Eliminating vehicular traffic; and
- Enclosing an existing outdoor concrete pad, which currently forms part of the overall service-repair function of the industrial business.

No additional vehicular traffic will be generated. No impacts upon private on-site services will arise from the approval of the OPA and ZBLA Applications/proposed building expansion.

Respectfully submitted,



Kevin M. Duguay, MCIP, RPP