

2. ZONING BY-LAW AMENDMENT – PART OF 2596 CARP ROAD
MODIFICATION AU RÈGLEMENT DE ZONAGE – PARTIE DU 2596, CHEMIN
CARP

COMMITTEE RECOMMENDATIONS

That Council approve an amendment to Zoning By-law 2008-250 for part of 2596 Carp Road to permit a concrete batching plant with an increased maximum height of 24 metres as a permitted use on the Subject Property and to re zone a portion of the Huntley Creek meanderbelt as open space while allowing for the continued use of an existing building as an office, as detailed in Document 2 as amended by the following:

Section 2.d. in its entirety be amended to be replaced with the following text:

- a) “d. In column V, add the following:
- Maximum building height for a concrete batching plant: 24m
 - The holding symbol may only be removed at such time that it is demonstrated to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development that:
 - i. Air, Noise and Dust Environmental Compliance Approval has been obtained from the Ministry of the Environment, Conservation and Parks; and
 - ii. a study as per the City’s Transportation Impact Assessment Guidelines, considering traffic impacts of the proposed concrete plant, is submitted to City staff.”
- b) that there be no further notice pursuant to Sub-section 34(17) of the Planning Act.

RECOMMANDATIONS DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant une partie du 2596, chemin Carp, afin de permettre une centrale à béton d'une hauteur maximale augmentée à 24 mètres comme utilisation autorisée sur le bien-fonds visé, et d'attribuer à une partie de la zone des méandres du ruisseau Huntley la désignation de Zone d'espace vert, tout en autorisant l'utilisation continue du bâtiment existant en tant qu'immeuble de bureaux, comme l'expose en détail le document 2, dans sa version modifiée par ce qui suit :

point 2d) soit entièrement remplacé par ce qui suit :

- a) « d) Dans la colonne V, ajouter ce qui suit :
- Hauteur maximale de bâtiment pour une centrale à béton : 24 mètres.
 - Le symbole d'aménagement différé ne peut être supprimé avant qu'il ne soit démontré, à la satisfaction du directeur général de la Planification, de l'Infrastructure et du Développement économique :
 - i. qu'une autorisation environnementale concernant l'air, le bruit et la poussière a été accordée par le ministère de l'Environnement, de la Protection de la nature et des Parcs;
 - ii. qu'une étude sur l'incidence potentielle sur la circulation de la centrale à béton projetée, conforme aux Lignes directrices relatives aux évaluations des répercussions sur les transports de la Ville, a été soumise au personnel municipal. »
- b) Qu'aucun nouvel avis ne soit donné en vertu du paragraphe 34(17) de la Loi sur l'aménagement du territoire.

DOCUMENTATION/DOCUMENTATION

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated February 19, 2019 (ACS2019-PIE-PS-0018).

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 19 février 2019 (ACS2019-PIE-PS-0018).

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, March 7, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 7 mars 2019

3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of April 10 2019, in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council meeting of March 27, 2019".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 10 avril 2019 du Conseil, dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73, à la réunion du Conseil municipal prévue le 27 mars 2019 ».

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 2
27 MARCH 2019**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 2
LE 27 MARS 2019**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
7 March 2019 / 7 mars 2019**

**and Council
et au Conseil
27 March 2019 / 27 mars 2019**

**Submitted on 19 February 2019
Soumis le 19 février 2019**

**Submitted by
Soumis par:**

**Lee Ann Snedden
Director / Directrice**

Planning Services / Services de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

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Ward: WEST CARLETON-MARCH (5)

File Number: ACS2019-PIE-PS-0018

SUBJECT: Zoning By-law Amendment – part of 2596 Carp Road

OBJET: Modification au Règlement de zonage – partie du 2596, chemin Carp

REPORT RECOMMENDATIONS

- 1. That the Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 2596 Carp Road to permit a concrete batching plant with an increased maximum height of 24 metres as a permitted use on the Subject Property and to re-zone a portion of the Huntley Creek meanderbelt as open space while allowing for the continued use of an existing building as an office, as detailed in Document 2.**
- 2. That the Agriculture and Rural Affairs Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of March 27, 2019," subject to submissions received between the publication of this report and the time of Council's decision.**

RECOMMANDATIONS DU RAPPORT

- 1. Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant une partie du 2596, chemin Carp, afin de permettre une centrale à béton d'une hauteur maximale augmentée à 24 mètres comme utilisation autorisée sur le bien-fonds visé, et d'attribuer à une partie de la zone des méandres du ruisseau Huntley la désignation de Zone d'espace vert, tout en autorisant l'utilisation continue du bâtiment existant en tant qu'immeuble de bureaux, comme l'expose en détail le document 2.**
- 2. Que le Comité de l'agriculture et des affaires rurales donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du**

public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73 », à la réunion du Conseil municipal prévue le 27 mars 2019, à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

2596 Carp Road

Owner

1384341 Ontario Ltd.

Applicant

Stantec Consulting Ltd.

Description of site and surroundings

The subject property is located on the east side of Carp Road, approximate 850 metres north of the intersection of Carp Road and Richardson Side Road. The subject property has a total lot area of approximately 28 hectares, with approximately 25 metres of frontage on Carp Road and approximately 20 metres of frontage on Newill Place. Huntley Creek bisects the property, with heavily treed properties to the north of the creek.

The property is located within the Carp Road Corridor, with the majority of surrounding properties utilized and zoned for various rural commercial, general and light industrial uses. A concrete forming business and quarry are located within 420 and 560 metres of the property, respectively.

A small residential subdivision is located to the east the subject property on Newill Place. The portion of the property subject to the proposed Zoning By-law amendment is located approximately 310 metres from the residential properties, with the area occupied by the proposed development located approximately 360 metres from the residential properties.

Summary of requested Zoning By-law amendment proposal

The subject property is currently zoned Rural General Industrial Zone, Subzone 5 and subject to rural special exception 275r and a holding provision (RG5[275r]-h). The zoning permits for a range of commercial and industrial uses including, but not limited to: a retail store, automobile body shop, automobile service station, gas bar, heavy equipment and vehicle sales, rental and servicing, light industrial uses, storage yard, truck transport terminal, warehouse and waste processing and transfer facility. Rural exception 225r restricts permitted uses to a variety of agricultural and environment preserve uses until the holding symbol is removed. Further, rural exception 225r prescribes that the holding symbol cannot be lifted until the submission and approval by the City of a Site Plan Control, Consent or Plan of Subdivision application.

The proposed Zoning By-law amendment requests to add a concrete batching plant as an additional permitted use to a part of the subject property, which is typically considered an accessory use to a mineral extraction operation and more heavy industrial in nature. The Zoning By-law amendment also looks to establish a maximum height of 24 metres for the concrete batching plant and re-zone a portion of the Huntley Creek meanderbelt as open space while allowing for the continued use of an existing building as an office.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. One informal public information session was held in the community. The public information session was held on November 21, 2018 at the West Carleton Client Service Centre (5670 Carp Road), with 18 individuals in attendance. Questions and

comments were received from the public following the initial circulation, after the information session, and following the second technical submission. At the time of the writing of the report a total of 32 comments had been received by staff. While a complete list of comments are identified below, the major concerns from the public regarding the proposed concrete batching plant included emissions and their impacts on the health of the adjacent residents on Newill Place and Oak Creek Drive, traffic concerns, noise, impacts on the aquifer, and impacts on Huntley Creek.

For this proposal's consultation details, see Document 3 of this report.

Official Plan designations

As per Schedule A – Rural Policy Plan, of the Official Plan, the front portion of subject property, where the concrete batching plant is being proposed, is designated Rural Employment Area, and the rear portion of the property which abuts the residential subdivision to the east, is designated General Rural Area.

The intent of the Rural Employment Area is *to support and encourage clustering of primarily industrial uses not suitable in the Urban Area or General Rural Area*. Rural Employment Area policies identify a number of permitted uses including, but not limited to: *(a) new heavy and light industrial uses, such as steel and concrete fabrication, farm equipment and supply centres, machine and vehicles sales service and repair, construction yards, building product yards, landscape contractors, nurseries; and (c) uses that are noxious by virtue of their noise, odour, dust or other emissions or have the potential for impact on air quality or surface water or groundwater, such as salvage or recycle yards, composting or transfer facilities; concrete plants; the treatment of aggregate products; and abattoirs.*

Policies specifically referencing development within the Carp Road Corridor Rural Employment Area state that *new development applications will conform to the policies in the approved community design plan.*

Other applicable policies and guidelines

As per Schedule 1 of the Carp Road Corridor Community Design Plan the front portion of subject property, where the concrete batching plant is being proposed, is identified as a Light Industrial Area, the rear portion of the property that abuts the residential

subdivision to the east is identified as Marginal Resource Area and the area surrounding Huntley Creek is identified as Open Space.

The Light Industrial Area permits uses that are well suited for industrial subdivisions and adjacent lands and may include light manufacturing plants, distribution, recycling and assembly plants, warehouses, service and repair shops, research, storage uses, and contractor or construction related uses. The proposed concrete batching plant is more in keeping with the intent of the Heavy Industrial Area that permits uses that *by their nature (...) generate noise, fumes, odours, vibration and are hazardous and obnoxious*. These uses include; heavy industrial uses involving the manufacturing of products from local primary materials, quarries, abattoirs, salvage yards and sawmills.

Ministry of the Environment, Conservation and Parks Guidelines D-6: Compatibility between Industrial Facilities were referenced through the review of this proposal. Review of the table in Section D-6-1: Industrial Categorization Criteria identifies the proposed concrete batching plant as a Class II Industrial Use. Section 4.1.1 of the guidelines identify a potential influence area of 360 metres for a Class II industrial land use with a minimum separation distance of 70 metres from sensitive land uses proposed in Section 4.3.

Planning rationale

The proposed Zoning By-law amendment meets the intent of the Rural Employment Area of the Official Plan, a designation that is intended to *support and encourage clustering of primarily industrial uses not intended in the Urban Area or General Rural Area*. Permitted uses include those that are *noxious by virtue of their noise, odour, dust or other emissions or that have potential for impact on air quality or surface water or groundwater, such as salvage or recycling yards, composting or transfer facilities; concrete plants*. Specific policies relating to the Carp Road Corridor Rural Employment Area requires new development to conform with the policies in the approved Community Design Plan (CDP).

The Carp Road Corridor CDP identifies the property as Light Industrial, Open Space and Marginal Resource Area. The intent of the Light Industrial designation is to identify existing industrial and business parks and vacant adjacent lands as potential expansion areas. The proposed use is more in keeping with the Heavy Industrial designation,

where the intent is to locate uses that, by their nature, generate noise, fumes, odours, vibration and are hazardous and obnoxious. Heavy Industrial lands are identified in the CDP as areas adjacent to the solid waste disposal site and the quarry north of Highway 417. Heavy Industrial policies require that permitted uses should be appropriately located and well designed so as to minimize nuisance or interference with existing or proposed uses of adjoining lands, with measures such as landscaping, screening, and buffering used to reduce the impact of industrial uses on adjacent properties.

Huntley Creek crosses through the Subject Property and is designated Open Space in the CDP. Given the environmental sensitivities of the Huntley Creek meanderbelt, the CDP recommends that the land adjacent to Huntley Creek is designated Open Space. Staff recommendation includes re-zoning the southern portion of the meanderbelt to an Open Space exception zone in order to prevent future development adjacent to Huntley Creek, while permitting the conversion of the existing dwelling, located within the meanderbelt, into an office. The concurrent Site Plan application will increase landscaping within the meanderbelt in three locations, which will also encourage the regeneration of the meanderbelt.

The rear portion of the subject property is identified as a Marginal Resource Area in the CDP. This is an area where industrial and commercial uses are not permitted, and where the adjacent residential subdivision on Newill Place is located. The existing Rural Countryside (RU) zoning is not proposed to change as a result of this Zoning By-law amendment application.

The location of the proposed concrete batching plant, set back from Carp Road as well as from the Marginal Resource Area, maintains the light industrial nature of the Carp Road Corridor and leave sufficient area to expand adjacent industrial and business parks. This location is also adjacent to the Tomlinson waste transfer facility on Richardson Side Road, which is similar in intensity to the proposed concrete batching plant. The proposed development is setback approximately 300 metres from the residential development within the Marginal Resource Area, and does not encroach into the Huntley Creek meanderbelt, with adequate vegetative buffering provided to both Huntley Creek and the residential area. This vegetative buffering is enhanced through the Site Plan Control application.

Provincial D-6 Guidelines (Compatibility between Industrial Facilities) and D-6-1 Guidelines (Industrial Categorization Criteria) were consulted while reviewing this application. While the proposed concrete batching plant met some of the requirements for a Class III Industrial Use, the majority of the variables identified the proposed use as a Class II Industrial Use. The D-6 Guidelines identify a 300-metre influence area associated with Class II industrial uses and recommend a minimum separation distance of 70 metres from a sensitive land use. The location of the proposed concrete batching plant is approximately 300 metres from the existing residential subdivision on Newill Place.

The Zoning By-law amendment application also requests an increase to the maximum height permitted on the subject property. At the time of the application, it was determined that an increase to the height of the hoppers (aggregate silos) was required as they exceeding the 15-metre building height limit for the existing zone. Current interpretation from the policy department has determined that the hoppers are considered structures and exempt from the maximum height provisions in the Zoning By-law. This interpretation is similar to how the Zoning By-law exempts barns, silos or other farm-related buildings or structures from the maximum height requirements as they may require additional height in order to serve their intended purpose, as long as *the structures are erected only to such height as is necessary to accomplish the purpose they are to serve and that is necessary to operate effectively and safely*. While current interpretation does not require relief from the maximum height provision, it is the recommendation of staff that the zoning includes limiting the height of the proposed concrete batching plant to 24 metres, as identified through the public consultation documentation.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

RURAL IMPLICATIONS

The proposed concrete batching plant has the potential to impact surrounding sensitive land uses by means of air, noise and dust emissions. These emissions are regulated by the Ministry of the Environment, Conservation and Parks (MECP). Given the type of

use, the MECP requires the applicant to obtain Environmental Compliance Approval (ECA) prior to establishing the use on the property. At the time of the writing of this report, the applicant has not obtained an air, noise and dust ECA. As a result, staff recommends that a holding provision is placed on the property which can only be removed once an ECA is received.

Potential environmental impacts are mitigated as no development has been proposed within the Huntley Creek meanderbelt or within the required 30 metre water setback. Further, landscaping enhancements are proposed in three locations as part of the Site Plan Control application. This additional landscaping enhances the natural environment within the meanderbelt, and encourages its naturalization.

Given the nature of the proposed concrete batching plant, there are potential impacts on aquifer in terms of water quantity. A permit to take water for the project was issued by the Ministry of the Environment, Conservation and Parks on February 13, 2019. The MECP is legislated to request and review the monitoring program put in place by the permit to take water.

Given the proximity of the proposed development to the Huntley Creek meanderbelt, there are potential impacts on the quality of the water. The supporting documents submitted in support of the Zoning By-law amendment and Site Plan Control applications identify that stormwater management and low impact developments will ensure that the runoff from the site will not have a negative impact on the water quality of the aquifer or Huntley Creek.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of the application related to this report.

LEGAL IMPLICATIONS

In accordance with Bill 139, if the proposed zoning by-law is adopted, it can only be appealed on the basis of inconsistency with the Provincial Policy Statement or lack of conformity with the official plan. Were the zoning by-law appealed, the preparation of the necessary documentation for the Local Planning Appeal Tribunal and the making of submissions to the Tribunal could be done within staff resources.

If the zoning amendment is refused, reasons must be provided. For an appeal of a refusal of a zoning application to succeed, the appellant must first show that the existing zoning is inconsistent with the Provincial Policy Statement and/or does not conform to the Official Plan. Due to the limited timeframes now associated with Local Planning Appeal Tribunal matters, the City Clerk and Solicitor Department would seek to retain an external planner to provide an affidavit in support of the refusal for the initial Tribunal review of the item should an appeal of the refusal be forthcoming.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the approval of the zoning amendment. In the event the zoning amendment is refused and appealed, an external planner would be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

ACCESSIBILITY IMPACTS

There are no accessibility impacts as a result of this application.

ENVIRONMENTAL IMPLICATIONS

The proposed development is located adjacent to Huntley Creek. The concurrent Site Plan Control Application demonstrates that no new development is proposed within the Huntley Creek meanderbelt or within the required 30 metre water setback. Landscaping enhancements are proposed in three locations as part of the Site Plan Control application.

The development of a concrete batching plant requires Environmental Compliance Approval (ECA) from the Ministry of the Environment, Conservation and Parks (MECP) in relation to air, noise and dust emissions. At the time of the writing of this report, the applicant had not received a decision from the MECP in regards to the Environmental

Compliance Approval. It is staff's recommendation that a holding provision be included as part of the Zoning By-law amendment, requiring the applicant's obtain the Air, Noise and Dust ECA prior to the lifting of the holding provision.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- EP3 – Support growth of the local economy.
- ES2 – Enhance and protect natural systems.

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of the proposed development, the time required to address concerns, and providing additional time for the public to comment on the application.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Draft Site Plan

CONCLUSION

The Planning, Infrastructure and Economic Development department recommends approval of the Zoning By-law amendment application as it conforms to the policies of the Official Plan, and meets the intent of the Carp Road Corridor Community Design Plan. The proposal maintains the rural light industrial nature of the Carp Road Corridor while intensifying the interior of the lot, tying into similar surrounding industrial uses in proximity of the subject property.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

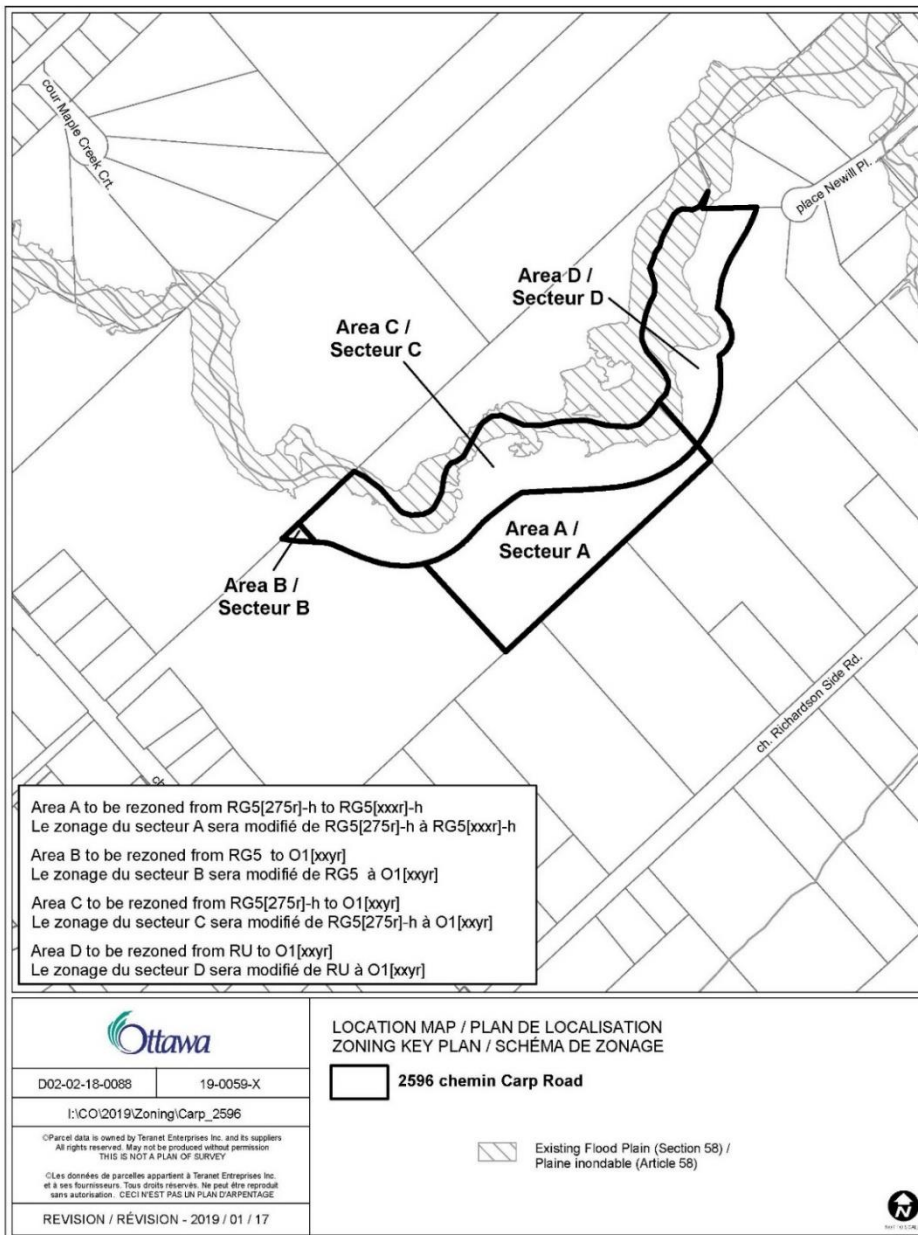
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa

Location map of the portion of 2596 Carp Road, which is proposed to re-zoned as part of the Zoning By-law amendment application.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for part of 2596 Carp Road:

1. Rezone the lands shown as in Document 1 as follows:
 - a. Area A from RG5[275r]-h to RG5[xxxr]-h;
 - b. Area B in from RG5 to O1[xyr];
 - c. Area C from RG5[275r]-h to O1[xyr]; and,
 - d. Area D from RU to O1[xyr].
2. Add a new exception, [xxxr], to Section 240 – Rural Exceptions with provisions similar in effect to the following:
 - a. In column II, add the text, “RG5[xxxr]-h”
 - b. In column III, add the text, “-mineral extraction operation limited to a concrete batching plant”
 - c. In column IV, add the text, “-all uses until such time as the holding symbol is removed”
 - d. In column V, add the following:
 - “- Maximum building height for a concrete batching plant: 24m
 - The holding symbol may only be removed at such time that it is demonstrated to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development that Air, Noise and Dust Environmental Compliance Approval has been obtained from the Ministry of the Environment, Conservation and Parks”
3. Add a new exception, [xyr], to Section 240 – Rural Exceptions with provisions similar in effect to the following:
 - a. In column II, add the text, “O1[xyr]”;

- b. In column III, add the text, “office”;
- c. In column IV, add the text, “park, urban agriculture and retail store, limited to a farmer’s market”; and,
- d. In column V, add the text, “Office uses must be contained within the building as it existed on the date of the passing of this by-law.”

Document 3 – Consultation Details

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

The application was subject to public consultation, with information packages sent to property owners within 120 metres of the subject property on October 9, 2018. Two signs were placed on the property advising the public of the applications; one sign was located on the Carp Road frontage of the property, and the second sign was placed on the Newill Place frontage of the property. Twelve comments were received from the public, including comments from the Huntley Community Association.

Given the extent of public comments received in relation to the proposed development, those individuals who provided comment were invited to an informal public information session on November 21, 2018 at the Kinburn Client Service Centre. Eighteen members of the public attended the meeting and identified themselves on the sign in sheet, along with representatives from Cavanagh, their consultants, Councillor Eli El-Chantiry, the Manager of Development Review Rural – Adam Brown, and File Lead/Planner II – Sarah McCormick. An additional seven follow up comments were received after the public information session, including comments from the Carp Road Corridor BIA.

Concerns raised by members of the public, and staff’s responses to those comments are outlined in Document 3 of this report. One member of the public recommended that a soils test be conducted by either Cavanagh, or the City, at another similar facility in Carleton Place. Staff explained that development applications look at site-specific information and cannot request that information from another site be used when determining potential impact on the site. Another recommendation included a request

that an independent socio-economic impact assessment be prepared in order to determine the total impact of the plant on the community, including impacts on property values. Staff must review the application within the direction of the relevant provincial legislation including the Planning Act and the City's policies. Current legislation does not provide staff the ability to require the proponent to submit a socio-impact assessment as part of the process. The final recommendation was to have the development relocated on the property to a location that is closer to Carp Road. The applicant identified that the vision for the long-term development of the property could not accommodate the re-location of the proposed development.

While the above recommendations were not included in the recommendation to Committee and Council, concerns with regarding potential emissions have resulted in staff recommending that the holding provision be maintained on the property until such a time that an Air, Noise and Dust ECA is issued by the Ministry of the Environment, Conservation and Parks.

Given the number of overlapping comments received, the comments have been categorized below with a summary of responses that were provided.

Public Comments and Responses

Comment 1:

Concerns were raised regarding the hours of operation of the proposed concrete batching plant as reports identified 24/7 operations.

Response 1:

Public information session the applicant identified that would only require 24/7 operation during large construction projects, but generally would not be in operation 24/7.

Staff informed the public that the City is not able to limit the hours of operations of a business, however the City's Noise By-law must be adhered to.

Comment 2:

Concerns were raised regarding the proximity of the proposed development in relation to the residential development on Newill Place and Oak Creek Road.

Response 2:

Staff explained that the review of the supporting studies were underway in order to determine if there would be any impacts, as outlined in the City's Official Plan, on the adjacent residential development. Reference was also made to the Ministry of the Environment, Conservation and Parks D-6 guidelines regarding Compatibility between Industrial Facilities.

Comment 3:

Concerns were raised regarding the potential for a decrease in residential property values and there were requests for the completion of a socio-economic assessment.

Response 3:

Staff must review the application within the direction of the relevant provincial legislation including the Planning Act and the City's policies. Current legislation does not provide staff the ability to require the proponent to submit a socio-impact assessment as part of the process.

Comment 4:

Members of the public raised concerns regarding the potential noise from the proposed concrete batching plant.

Response 4:

While the Official Plan does not require a Noise Study for this type of development, an Acoustic Assessment Report was prepared as part of the Air, Noise and Dust Environmental Compliance Approval (ECA) process and submitted in support of the application. This noise study is currently under reviewed by the Ministry of the Environment, Conservation and Parks (MECP). Staff have recommended that a holding provision be placed on the subject property until the applicant obtains the ECA from the MECP.

Comment 5:

Light pollution was raised as a concern of the proposed concrete batching plant. Specifically in relation to the noted potential 24/7 operation of the plant.

Response 5:

Staff advised that it is a City requirement for all development to meet sharp full light cut off at the property line.

Comment 6:

Health and air quality concerns were raised in relation to emissions from the facility.

Response 6:

The Ministry of the Environment, Conservation and Parks is the legislative authority in regards to emissions from this type of use, and their potential impact on health. Staff referred members of the public to the MECP D-6 Guidelines in relation to Compatibility between Industrial Facilities, and once staff was aware that the applicant had applied for the Air, Noise and Dust ECA, the MECP public consultation link was shared with members of the public.

Comment 7:

Concerns regarding the encroachment of industrial development past the halfway point of Richardson Side Road when moving from Carp Road to Oak Creek Road.

Response 7:

Current zoning already permits various industrial development to occur at the proposed location of the concrete batching plant. No encroachment is proposed into the portion of the property that is zoned Rural Countryside and located adjacent to the residential properties on Newill Place and in proximity of Oak Creek Road.

Comment 8:

Concerns were raised regarding the impacts of the proposed development on Huntley Creek. Specifically concerns were raised regarding taking water from the creek, adding potential effluent to the creek, the impact its flow/route or banks, and maintaining cold water status.

Response 8:

As part of the submission packages for the Zoning By-law Amendment and Site Plan Control applications, detailed engineering plans and reports were prepared demonstrating how water will be taken to service the proposed concrete batching plant, and how runoff and effluent will be controlled on site. The review of these reports has been sufficiently progressed to proceed with the zoning, and additional implementation details will be finalized through the Site Plan Control application. Through the Site Plan Control application, three areas of additional landscaping has been proposed within the Huntley Creek meanderbelt. Further, staff has recommended that the southern portion of the meanderbelt is rezoned to Open Space in accordance with the policies of the Carp Road Corridor Community Design Plan.

In addition, the Mississippi Valley Conservation Authority has been involved in the review of the applications and has stated that they generally do not object to the zoning amendment moving ahead.

Comment 9:

Concerns were raised regarding the potential impact the proposed concrete batching plant may have on the aquifer.

Response 9:

The hydrogeological report was reviewed for the application and no negative impacts are anticipated from the proposed re-zoning of the property. The report prepared for the development found water of a reasonable quantity, of sufficient quality, for the site to permit the requested zoning. A septic system will provide treatment for wastewater.

Stormwater management will consist mostly of Low Impact Development (LID) in accord with the Credit Valley Conservation Authority's manual, in the delay of the (Ontario) Ministry of the Environment, Conservation and Parks (MECP) LID Guidelines. A Bioretention trench will be provided for the site to provide some mitigation of thermal impacts to the adjacent watercourse.

Comment 10:

Concerns regarding potential impacts to the wildlife corridor between Carp Road and Oak Creek Road which runs along Huntley Creek.

Response 10:

An Environmental Impact Statement was prepared in support of the Zoning By-law Amendment and Site Plan Control applications. The report states that natural heritage features are located within the Huntley Creek corridor, and that no site disturbances are proposed within approximately 80 metres of the Huntley Creek channel. Staff have recommended that the southern portion of the Huntley Creek meanderbelt is re-zoned in order to prohibit any future development.

Comment 11:

Traffic was identified as a major concerns as a result of the proposed development. Initial concerns were raised regarding truck access through Newill Place, while overall concerns were raised regarding traffic impacts along Carp Road. It was questioned whether a Traffic Impact Assessment was required as a part of the application.

Response 11:

Based on initial information provided during the pre-application consultation process, a Traffic Impact Assessment (TIA) was not a submission requirement for the concurrent Zoning By-law Amendment and Site Plan Control application. Additional information provided during the formal application process identified the need to complete a TIA screening. The results of the screening determined that a TIA is required for the development. Following discussion with transportation staff, it was determined the TIA could be completed and reviewed as part of the Site Plan Control application. The Site Plan Control application is subject to public consultation, therefore the public will have an opportunity to review and provide comment on the TIA once completed and submitted to the City.

Comment 12:

Comments were received regarding impacts on cemetery on north side of Carp Road, relating to additional noise, dust, and potential for an unsightly property.

Response 12:

The area surrounding the subject property and the cemetery is identified as Rural Employment Lands and forms the Carp Road Corridor Community Design Plan. The uses permitted in this designation are likely to cause additional noise and dust as the corridor developments. The proposed development is located at the interior of the lot and will not visually impact the cemetery.

Comment 13:

Provincial legislation from outside of the Province of Ontario was provided to staff with concerns raised that the proposed development does not meet the elevated setback and emissions standards of that Province.

Response 13:

Staff must review all applications under current legislative requirements; staff were unable to provide comment regarding regulations set out from a different Province. It was re-iterated that the review of the emissions from the proposed concrete batching plant is under the legislative authority of the Ministry of the Environment, Conservation and Parks.

Comment 14:

Precedence for future heavy industrial uses in the area; heavy industrial uses should be contained south of Richardson Side Road

Response 14:

Limited area is identified in the Carp Road Corridor Community Design Plan for heavy industrial uses. It is noted that the intent of the Rural Employment Area designation is to encourage the clustering of primarily industrial uses not suitable in the Urban Area or General Rural Area. Further, this designation permits new heavy and light industrial uses. The concrete batching plant, while technically considered a heavy industrial use by definition, is similar in intensity to the waste transfer facility that is located on the north side of Richardson Side Road, and directly to the south of 2596 Carp Road. The proposal looks to intensify the middle of the property while maintaining the existing zoning on the portion of the property in closer proximity to Carp Road, and maintaining

the Rural Countryside zoning adjacent to the residential development along Oak Creek Road and Newill Place.

Comment 15:

Comments were received regarding the potential to re-locate the proposed development closer to Carp Road.

Response 15:

While staff can request that the proposed development be relocated on the property, they must review the proposal that has been submitted by the applicant. The applicant also identified at the public information session that there are potential future development options for the portion of the property located in proximity of Carp Road.

Comment 16:

It is unclear whether the Provincial Classification of the proposed concrete batching plant would be Industrial Class II or Class III.

Response 16:

The MECP D-6 Guidelines: Compatibility between Industrial Facilities and D-6-1 Industrial Categorization Criteria were referred to during the review of this application. These criteria are a *guide for land use planning authorities on the appropriate distances between industrial areas and sensitive land uses*. While some of the variables in relation to the concrete batching plant identified the use as Class III Industrial, the majority of the variable identified the use as Class II Industrial.

Comment 17:

Concerns were raised regarding potential existing contamination of the property.

Response 17:

A Phase 1 and Phase 2 Environmental Site Assessment was prepared in support for the application(s). Staff have reviewed these reports and have no concerns with their conclusions.

Community Organization Comments and Responses

Huntley Community Association

The Huntley Community Association identified the following concerns with the proposal:

1. Stormwater runoff – there are concerns regarding the potential failure of stormwater management tool including holding ponds and bio-remediation features, especially given recent extreme storm events and during spring runoff when there is an influx in potentially contaminated water. More information has been requested in relation to year round performance of the remediation and treatment features.
2. Traffic – there are concerns regarding the existing capacity of Carp Road, especially during peak commuter time, and how the additional slow moving truck traffic associated with the proposed development will impact the existing conditions.
3. Increase in permitted height. Concerns have been raised regarding increased illumination of the surrounding area given the increase in height, as well as degradation of site lines.
4. Noise – Concerns regarding the noise levels proposed in the acoustic study given the number of sources of constant and periodic impulse noise levels.

Response:

The stormwater management plans and reports have been reviewed by staff and sufficient information has been provided in order to proceed with zoning. Detailed review of the plans and report will continue through the Site Plan Control application process. The site plan application does include public consultation, therefore any additional information provided will be available for the public to review and provide comments.

As part of the second submission, a traffic screening was completed. This was reviewed by the City's transportation engineers, and it was determined that a Traffic Impact Assessment will be required and can be reviewed as part of the ongoing Site Plan Control application. The completion date of this report is unknown at this time; as

the Site Plan Control application is a public process, members of the public will have an opportunity to review the traffic study.

At the time of the application, it was determined that an increase to the height of the hoppers (aggregate silos) was required as they exceeding the 15-metre building height limit for the existing zone. Current interpretation from the policy department has determined that the hoppers are considered structures and exempt from the maximum height provisions in the Zoning By-law. This interpretation is similar to how the Zoning By-law exempts barns, silos or other farm-related buildings or structures from the maximum height requirements as they may require additional height in order to serve their intended purpose, as long as the *structures are erected only to such height as is necessary to accomplish the purpose they are to serve and that is necessary to operate effectively and safely*. While current interpretation does not require relief from the maximum height provision, staff's recommended zoning includes limiting the height of the proposed concrete batching plant to 24 metres, as identified through the public consultation documentation.

Staff have contacted the applicant and have been advised that no lighting is proposed on the higher elevations of the hoppers. The portion of the proposed concrete batching plant to exceed the maximum height permitted is utilized for aggregate storage and does not require lighting.

The acoustic assessment submitted with the concurrent applications formed part of the Air, Noise and Dust Environmental Compliance Approval application to the Ministry of the Environment, Conservation and Parks. The review and approval of the noise study for this development is considered part MECP's legislative authority.

Carp Road Corridor BIA

The Carp Road Corridor BIA noted that they support the City's Official Plan Employment Area designation, the zoning uses and boundaries which have been put in place to achieve economic and employment goals. While the BIA did not make mention to the specific application, they noted general concerns regarding traffic in and around the corridor and previous initiatives to review the area's zoning and permitted uses.

Response:

Staff noted that a traffic screening was completed and it was determined that a Traffic Impact Study is required for the proposed development. The report will be reviewed as part of the concurrent Site Plan Control application.

Document 4 – Draft Site Plan

Draft Site Plan being reviewed through application D07-12-18-0141.

