



Planning and Development Committee Report

To: To the Chair and Members of the Planning and Development Committee
From: Ryan Cummins, Planner
Date: July 5, 2022
Report #: RPT-211-22
Subject: PS2/20/RC & ZBA33/20/RC
61 Bethel Road, Paris
Purpose: For Approval

Recommendation

That Application PS2/20/RC from WEBB Planning Consultants Inc., agent for Greycan 13 Properties Inc. and 13144801 Canada Inc., owners of Brantford Concession 2, Part of Lots 11 and 12, Part of Part 1, Plan 2R1063, geographic Township of Brantford, County of Brant, located at 61 Bethel Road, to develop an industrial plan of subdivision with 4 large blocks for industrial development, one new public road, a sanitary pumping station block, stormwater management block and two stormwater channel blocks, be approved, subject to the attached Conditions of Draft Plan Approval;

And that Application ZBA33/20/RC from WEBB Planning Consultants Inc., agent for Greycan 13 Properties Inc. and 13144801 Canada Inc., owners of Brantford Concession 2, Part of Lots 11 and 12, Part of Part 1, Plan 2R1063, geographic Township of Brantford, County of Brant, located at 61 Bethel Road, to amend the Zoning By-Law 61-16 on the subject lands from Holding, Prestige Industrial (h-M1) and Natural Heritage (NH) to Holding, Special Exception Prestige Industrial (h-M1-16), Holding, Special Exception Light Industrial (h-M2-34), and Open Space (OS1), be approved;

And that the reasons for approval are as follows:

1. The application is consistent with Sections 34(1) and 51(24) of the *Planning Act*;
2. The application is consistent with the policies of the *Provincial Policy Statement* (2020) and conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (2020); and
3. The application conforms to the policies of the County of Brant's Official Plan (2012)

Executive Summary

The purpose of the report is to provide the Committee with a recommendation from Staff on the details of the applications for Draft Plan of Subdivision and Zoning By-Law Amendment. The applicants are proposing an industrial plan of subdivision that consists of a total of 4 large industrial blocks, 1 public road, a sanitary pumping station block, 2 stormwater channel blocks and 1 stormwater management block.

Additionally, the applicants are proposing to amend the zoning on the subject lands from Holding, Prestige Industrial (h-M1) and Natural Heritage (NH) to Special Exception Prestige Industrial (M1-16), Light Industrial (M2), and Open Space (OS1). The proposed Zoning By-Law Amendment will establish the land uses and development requirements for the proposed industrial plan of subdivision. The applicant is proposing site-specific provisions to permit warehousing within a Prestige Industrial (M1) Zone, modified parking provisions for any warehouse and ancillary office uses, and landscape buffering requirements for lots fronting Bethel Road. I am recommending that the Holding (h) prefix remain in place at this time. The intent of a Holding provision is to ensure the orderly development of the subject lands, and requires that a development agreement, pursuant to the requirements of the *Planning Act*, be entered into.

It is my professional opinion that the proposal is consistent with the policies of the *Provincial Policy Statement* (2020) and conforms to both the Growth Plan for Greater Golden Horseshoe (2020) and the County of Brant Official Plan (2012). This report recommends that the applications be approved.

Strategic Plan Priority

Strategic Priority 1 - Sustainable and Managed Growth

Impacts and Mitigation

Social Impacts

The proposed Draft Plan of Subdivision and Zoning By-Law Amendment will have the positive social impact of providing for additional job opportunities within the County of Brant and Paris Settlement Area.

Environmental Impacts

The subject lands contain an anthropogenic wetland that is proposed for removal. GRCA policies permit development of such wetlands if it can be demonstrated that the functions can be maintained elsewhere in the planning area, and where the wetland is determined not to be provincially significant and does not consist of other significant features such as fish habitat or significant wildlife habitat. Through an EIS, it was determined that the wetland met GRCA criteria for removal. The wetland will be replaced with an approximate 0.95 ha landscaped conveyance channel and a 2.75 ha naturalized SWM facility, which will provide higher quality wetland habitats than that of the existing wetland.

Economic Impacts

The proposed Draft Plan of Subdivision and Zoning By-Law Amendment will have a positive impact on the economy of Brant County, as there will be increased tax revenues generated from future large-scale industrial users.

Report

Background

The subject property is approximately 42.4 hectares (104.8 acres) in size, and is located immediately east of the Rest Acres Road, west of Pottruff Road, and north of Bethel Road. The subject lands maintain frontages as follows:

1. Rest Acres Road: 513 metres (1,683 feet)
2. Bethel Road: 556 metres (1,824 feet)
3. Pottruff Road (broken frontage): 500 metres (1,640 feet)

The subject lands are located within the Primary Urban Settlement Area of Paris, and are primarily designated as Employment, with a small section of Natural Heritage. The lands are currently vacant and are in agricultural production. Surrounding land uses include agricultural uses to the north, an existing gravel pit to the east, existing rural residential, agricultural and a church to the south, and the Brant 403 Business Park to the west. Located at the northeast corner of Rest Acres Road and Bethel Road is the Ontario Provincial Police station.

The previous owners of the subject lands had submitted an application for a Draft Plan of Subdivision and Zoning By-Law Amendment in August of 2020. An information presentation was brought forward to the May 4, 2021 Planning and Development Committee meeting. The ownership of the lands changed to the current owners in 2021, with a formal re-submission being received by the County in February of 2022. The Applicant hosted a virtual public open house on April 7, 2022. This meeting was attended by several members of the public, as well as Councilors and Staff. Questions and concerns raised at the meeting related to items such as:

- Increased traffic (particularly truck traffic)
- Stormwater outlet
- Noise
- Buffering and landscaping

Analysis

Planning Act, R.S.O. (1990)

Section 51(24) of the *Planning Act* provides policy direction to be considered when reviewing applications for division of land.

Section 34(1) of the *Planning Act* establishes that Zoning By-laws may be passed by Councils of local municipalities.

The lands are designated as Employment and Natural Heritage in the County of Brant Official Plan (2012). A Complete Application Submission was made in 2020 and has been reviewed by various County departments and agencies. Conditions of approval have been included with the report. The proposal is within an area that is designated for employment purposes, is suitable use of the land, meets the general requirements of the Zoning By-Law and will be fully serviced by municipal services (municipal water and sanitary).

I am of the opinion that there are no outstanding legislative matters with respect to this application.

Provincial Policy Statement, 2020 (PPS)

Section 1.1.1 of PPS provides policy direction for planning authorities to consider matters relating to land use planning and development. It provides for appropriate development while

protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. It supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. In accordance with PPS, land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety.

It is my professional opinion that the proposal is consistent with section 1.1.1 of the PPS, as the development will allow for appropriate, efficient development within lands designated for employment uses.

Section 1.1.3 of the PPS speaks to development within settlement areas. Specifically, Section 1.1.3.1 states that settlement areas shall be the focus of growth and development. Section 1.1.3.2 goes on to specify that development within settlement areas shall focus on efficient land use, which are appropriate for the level of public services available, and are freight-supportive.

It is my professional opinion that the proposed development is appropriate within the context of the Paris Primary Urban Settlement Area. The proposal will make efficient use of the lands and services available, and will also promote freight-supportive development which will facilitate the movement of goods through the proposed warehousing developments to the Highway 403 corridor.

Section 1.3.1 of the PPS provides direction for planning authorities to provide for a diversified employment land-use base. Specifically, Section 1.3.1(a) directs municipalities to provide for an appropriate mix and range of employment uses to meet long-term needs. Section 1.3.2 of the PPS directs municipalities to plan for, and protect and preserve employment areas, as well as to ensure that appropriate infrastructure is available to support current and projected employment needs.

I am of the opinion that the proposal is consistent with the applicable sections of the PPS listed above, as the proposal will allow for the growth of an employment use within the County, while maximizing the development potential of the subject lands with a large-scale warehouse distribution centre. Therefore, I am of the opinion that the proposed draft plan of subdivision and re-zoning applications are consistent with the policy direction of the PPS.

Section 1.3.2 of the PPS provides further direction on development within employment areas. Specifically, section 1.3.2.1 states that planning authorities shall protect and preserve employment areas, and ensure that adequate infrastructure is available to promote development in the short and long term. Further, Section 1.3.2.6 states that planning authorities shall also protect and promote employment uses within close proximity to major goods movement facilities and corridors.

It is my professional opinion that the proposal is consistent with the intent of Section 1.3.2 of the PPS, as the proposed development will provide for efficient development within a designated employment area in close proximity to a major goods movement corridor.

Based on the foregoing analysis, it is my professional opinion that the proposed Draft Plan of Subdivision and Zoning By-Law Amendment are consistent with the policies of the *Provincial Policy Statement (2020)*.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

Section 2.2 of the Growth Plan provides direction on where and how to grow. Specifically, Section 2.2.1.2 states that settlement areas with full municipal services shall be the focus of the majority of growth.

It is my professional opinion that the proposed development conforms to section 2.2.1.2 of the Growth Plan, as the proposed development will be located within the Primary Urban Settlement Area of Paris, and will be fully serviced by municipal water and wastewater.

Section 2.2.1.4 speaks to achieving the goals of complete communities. In particular, this section highlights the importance of providing for a diverse range of land uses, including residential and employment uses.

It is my professional opinion that the proposal conforms to Section 2.2.1.4 of the Growth Plan, as the proposed development will provide for additional employment uses, which supports the goal of creating complete communities.

Policy 2.2.5 of the Growth Plan outlines promoting economic development and competitiveness within Employment Areas. Specifically, this policy speaks to ensuring the efficient use of existing employment areas in order to increase employment densities. Furthermore, Section 2.2.5 of the Growth Plan directs municipalities to promote employment uses within settlement areas in close proximity to major highway interchanges.

It is my professional opinion that this proposal conforms to this policy of the Growth Plan, as the subject lands are located in close proximity to the Highway 403 Interchange at Rest Acres Road and will help to increase employment densities by utilizing lands that are designated for employment uses.

Furthermore, the strategic location of a warehouse distribution centre adjacent to a major highway interchange will allow for safe and efficient distribution of truck traffic, while making efficient use of designated employment lands.

It is my professional opinion that the proposal will serve to promote the employment use on-site in accordance with the Growth Plan policies outlined above.

Section 3.2.4 of the Growth Plan speaks to policies related to moving goods. Specifically, Section 3.2.4.1 emphasizes the importance of linking major goods movement facilities and corridors with employment areas.

It is my professional opinion that the proposal conforms to Section 3.2.4 of the Growth Plan, as the proposed development will promote warehousing, logistics and the movement of goods within close proximity to a major 403 Interchange at Rest Acres Road.

Based on the foregoing, it is my professional opinion that the proposed Plan of Subdivision and Zoning By-Law Amendment conform to the policies of the Growth Plan for the Greater Golden Horseshoe (2020).

County of Brant Official Plan (2012)

The subject lands are situated within the Primary Urban Settlement Area of Paris, and are designated as Employment and Natural Heritage in the County of Brant Official Plan. The Subject Lands are also subject to 'Site Specific Policy Area-16' which designates the subject lands as a "Priority Employment Area". This policy speaks to the requirement for an area study or municipal comprehensive review to be required in order for the lands to be considered for a change from Employment to any other use.

Section 1.11.2 of the Official Plan outlines the objectives of the Plan. Specifically, Section 1.11.2.1.2(d) provides direction to allow for a full range of employment uses within the County. Section 3.12.2 speaks to the permitted uses within the Employment designation, which includes a range of industrial uses. The intent of the Employment designation is to promote and maintain light, heavy, and prestige industrial uses, as well as limited service commercial uses.

The proposal conforms to the intent of the County of Brant Official Plan, as the proposed large-scale warehousing and logistics development will help to enhance the diversity of employment opportunities within the County, and will complement the existing employment base within the Paris Settlement Area.

Section 2.2.3 of the Official Plan outlines the Community Structure which identifies long-term guidance for planned change and physical development in Brant. Specifically, this section states that Primary Urban Settlement Areas shall be the focus of the majority of commercial, residential, institutional, employment and recreational growth and development.

It is my professional opinion that the proposed development conforms to the policies of Section 2.2.3 regarding community structure, as the proposal will allow for additional planned employment growth within the Primary Urban Settlement Area of Paris.

Furthermore, Section 2.5 of the Official Plan speaks to Economic Development policies that apply to commercial, employment and agricultural uses within the County. Policy 2.5.2(c) of the Official Plan directs intensive employment uses to locations in close proximity to Provincial Highways and major arterial roads.

I am of the opinion that the proposal is consistent with Policy 2.5.2(c) of the Official Plan, as the subject lands are located within close proximity to Highway 403, and are located on an urban arterial class road as defined in Schedule B of the County Official Plan.

Section 2.7.4.2 of the Official Plan states that the County may secure parkland development as permitted under the *Planning Act*. Specifically, Section 2.7.4.2(b) states that the County may require the conveyance of 2% of the lands, or equivalent cash-in-lieu, for the purposes of parkland dedication. This calculation shall be based on the gross area of the land within the plan of subdivision.

It is my professional opinion that the proposal is consistent with Section 2.7.4.2 of the Official Plan, as the draft plan conditions require the developer to satisfy the County's

parkland dedication requirements prior to registration. As there are no parks being proposed, the County will be collecting a payment of 2% cash-in-lieu.

Section 3.12 of the Official Plan provides policy direction as it relates to the Employment designation. Permitted uses in the Employment designation, as outlined in Section 3.12.2, include light and heavy industrial uses, such as manufacturing, warehousing, truck or transportation terminals, and office uses.

The proposed development entails primarily prestige and light-industrial uses, which are permitted in the Employment designation as outlined in Section 3.12.2.

Section 3.12.3 of the Official Plan provides land use policies as it relates to development within the Employment designation. Policy 3.12.3(b) states that particular consideration should be given to potential adverse impacts of industrial development, such as noise, odour, lighting and visual impacts.

The proposed development limits the uses of the site to prestige and light-industrial type uses, which do not typically entail as many conflicts that would be seen with heavy-industrial type uses. The draft plan conditions attached to this report require a noise study to be completed and its recommendations implemented, as well as buffering and landscaping to be provided prior to the registration of the plan.

Section 3.12.3(j) goes on to state that adequate off-street parking facilities shall be provided for all proposed uses, and that cycling and walkability shall be promoted. Section 3.12.3(l) states that appropriate buffering and landscaping shall be required in order to provide separation from adjacent land uses, and to enhance the built form of the development.

It is my professional opinion that the proposal conforms to the policies of Section 3.12.3(j) and (l). As part of the Zoning By-Law amendment, the proposed reduced parking ratio is appropriate for the development of the subject lands for large-format warehousing and logistics. Furthermore, the applicant’s proposal does account for buffering and landscaping, particularly along Pottruff Road, which is included in the draft By-Law (attached).

Section 6.6 of the Official Plan outlines the County’s policies as it relates to lot creation through Plan of Subdivision. In particular, Section 6.6(a) states that lot creation shall proceed by way of Draft Plan of Subdivision when the development entails the extension of a road or services that are to be maintained by the County of Brant. Furthermore, Section 6.6(d) states that the County must be satisfied that the area to be subdivided can be provided with adequate services and amenities at no cost to the municipality.

The following shall be the policies of the County with respect to lot creation through plan of subdivision or condominium:

Policy 6.6	Conformity Review	Conformity Achieved?
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<p>a. Lot creation within the County shall proceed by way of draft plan of subdivision when:</p> <ul style="list-style-type: none"> i. the development entails the extension of a road that is to be assumed and maintained by the County; or ii. the development requires the extension of a municipal water and/or sewer system. 	<p>The proposed development entails the extension of a new municipal road, as well as the extension of municipal water and wastewater systems.</p>	<p>Yes</p>
<p>b. Draft plans of subdivision or condominium shall proceed in accordance with the policies of this section, the Growth Management Policies of Section 2.2, and the Allocation and Phasing of Servicing policies of Section 5.2.2 of this Plan.</p>	<p>The proposed development conforms to the policies of the County of Brant Official Plan as it relates to Sections 2.2, 5.2.2 and 6.6.</p>	<p>Yes</p>
<p>c. Certain supporting studies, information, and materials shall be required as part of an application for draft plans of subdivision, in accordance with the policies for complete applications, as established by Section 6.13 of this Plan.</p>	<p>The applicant has satisfied the requirements of the County of Brant, as well as external agencies, by providing supporting studies and information as requested.</p>	<p>Yes</p>
<p>d. Before recommending a plan of subdivision or condominium for approval, the County shall be satisfied that the area to be subdivided can be provided with necessary services and amenities, at no cost to</p>	<p>The County of Brant is satisfied that the proposed development will be provided with necessary services and amenities at no cost the County, and that the long term maintenance of the development is financially sustainable.</p>	<p>Yes</p>

the County and that the long term maintenance of the proposed development is financially sustainable by the County.		
e. Where a draft plan of subdivision is proposed adjacent to a Provincial Highway, the layout of the subdivision should be designed such that the lots back onto the Provincial Highway and front onto a local internal street.	The subject lands are proposed to be developed adjacent to Provincial Highway 24 South (Rest Acres Road). The proposed development will have lots backing onto Highway 24 South, and will front onto the future local internal Street "A".	Yes
f. The County may require that approvals of draft plans of subdivision include a lapsing date in accordance with Section 51(32) of the <i>Planning Act</i> .	The conditions of draft plan approval stipulate that draft plan approval shall lapse after 3 years.	Yes

It is my professional opinion that the proposed development conforms to the policies of Section 6.6 of the Official Plan. The proposed Draft Plan of Subdivision does entail the creation of 1 new municipal road, as well as the extension of municipal water and wastewater services. Furthermore, it is my professional opinion that the proposed development is taking place in a logical time and order, in which services and amenities can be made available to support the proposed development, at no cost to the County.

The subject lands contain a small portion of Natural Heritage designation, which is an anthropogenic wetland that is proposed for removal. GRCA policies permit development of such wetlands if it can be demonstrated that the functions can be maintained elsewhere in the planning area, and where the wetland is determined not to be provincially significant and does not consist of other significant features such as fish habitat or significant wildlife habitat. Through an EIS, it was determined that the wetland met GRCA criteria for removal. The wetland will be replaced with an approximate 0.95 ha landscaped conveyance channel and a 2.75 ha naturalized SWM facility, which will provide higher quality wetland habitats than that of the existing wetland. It is noted that a condition of approval has been included which will allow for the County to update the Natural Heritage System on Schedules "A" and "C" of the Official Plan, in accordance with the approved EIS, as part of the next housekeeping amendment for the Official Plan. An Official Plan Amendment is therefore not required as part of this application.

Based on the foregoing analysis, it is my professional opinion that the proposed development conforms to the policies of the County of Brant Official Plan (2012).

Infrastructure/Servicing

The subject lands will be fully serviced by Municipal water and sanitary services.

Source Water Protection

Source water protection plans contain a series of locally developed policies that, as they are implemented, protect existing and future sources of municipal drinking water. Municipalities, source protection authorities, local health boards, the Province and others, are responsible for implementing source protection plan policies.

Through consultation with the County's Sourcewater Protection consultant, it has been confirmed that the proposed ZBA and Draft Plan of Subdivision do not pose any conflicts with the Grand River Source Protection Plan, and that future detailed design through Site Plan Control will be reviewed by the Risk Management Office.

Zoning By-Law 61-16

The subject lands are currently zoned as Holding, Prestige Industrial (H-M1) and Natural Heritage (NH) in Zoning By-Law 61-16.

The Applicant is proposing to amend the zoning to Special Exception Prestige Industrial (M1-16), Special Exception Light Industrial (M2-34), and Open Space (OS1), with site-specific provisions to allow for the following:

- To permit warehousing and ancillary offices in the M1-16 Zone;
- To permit a reduced parking provision for warehousing and ancillary office uses of 1 space per 160 square metres of gross floor area in the M1-16 and M2-34 Zones.
- To require a 6.0 metre wide planting strip for any lot or block abutting Bethel Road.

The draft By-Law submitted by the applicant contemplates the removal of any Holding (h) provision from the zoning on the subject lands. It is my recommendation that the Holding (H) provision remain in place at this point, to be lifted in-future when the subdivision agreement is registered. The intent of a Holding provision is to ensure the orderly development of the subject lands, and requires that a development agreement, pursuant to the requirements of the *Planning Act*, be entered into.

It is my professional opinion that the proposed Zoning By-Law Amendments are appropriate for the development of the subject lands. The proposed addition of warehousing and ancillary offices within the Prestige Industrial (M1) Zone category will allow for more flexible development potential within this portion of the subdivision. Furthermore, the proposed zoning provision to allow for a reduced parking ratio for warehousing and ancillary offices are appropriate for the development of the lands. Similar large-scale warehouse project in the Rest Acres/403 Interchange area have been approved with a parking ratio of 1 space per 220 square metres, and Staff are confident that the proposed ratio being provided will adequately serve the needs of this development as a whole.

Based on the foregoing, it is my professional opinion that the proposed Zoning Amendments are appropriate and desirable for the development of the subject lands.

Interdepartmental Considerations

Environmental Planning:

- Environmental Planning has reviewed the revised submission. As per the recommendations of the EIS, SWM Channel Blocks continue to be proposed to provide compensation for the loss of the wetland. As such, the proposed draft plan conditions dated October 21, 2021 continue to apply, with the respective block numbers (e.g. SWM) being updated).
- Further to the comments dated October 2021, it is the interpretation of staff that while the Official Plan permits refinements to natural heritage features without an amendment, the removal of natural heritage features such as the wetland on the subject lands does require an amendment (e.g. Section 3.16.4). It is recommended that this be completed by the County and that the following condition be added:
 - *That the Applicant acknowledges and agrees that the County will update the Schedules in the Official Plan pertaining to the Natural Heritage System and Natural Heritage System Features, in accordance with the approved Draft Plan of Subdivision and Environmental Impact Study, as part of the next update to the County Official Plan.*

Economic Development:

- The Economic Development and Tourism Division supports the proposed rezoning and plan of subdivision for Rest Acres road and Bethel Road.
- The zoning that is achieved by this application is supported by the County of Brant Economic Development Strategy and Action Plan, Specifically Pillar 2: Driving Investment to the County of Brant, Objective 2: to have a diverse inventory of shovel ready land, office and buildings available for business investment.
- Given the location, these lands are of substantial importance for the County and there should be assurance that this proposal is working to achieve the County of Brant Strategic Plan, including:
 - *Strategic Plan Priority 1 is: Sustainable and Managed Growth – Grow in a responsible manner that protects and enhances the attributes that are unique to each individual community.* There needs to be assurance that the County's transportation infrastructure is keeping up with development. Additionally growth must occur in a responsible manner which should consider job creation.
 - *Strategic Plan Priority 3: Economic Resilience - Facilitate the growth of a diversified local economy, Action 3.3.1 Improve the current "live and work" in the County ratio to 40:60 by the end of 2022.* (40% live and work in the County, while 60% live in the County and work outside the County). It important for these lands to positively impact this ratio.

Fire Department:

No objections.

Community Services:

- We still need to see a comprehensive landscape plan. It looks like have proposed a coniferous row along Pottruff road, but there needs to be additional planting throughout the site.
- There needs to be pedestrian connectivity from Bethel Road and within.
- We would like to see bicycle storage as well as amenity areas for employees (lunch breaks, etc.)

- We're not sure how far along this is in the process, but if possible we'd like to get the 2% cash-in-lieu.

Sourcewater Protection:

See attached.

Operations:

See attached.

Development Engineering:

See attached.

Ministry of Transportation:

The Ministry of Transportation (MTO) has completed our review of the Zoning By-law Amendment ZBA33/20 & and Draft Plan of Subdivision PS2/20 prepared by Webb Planning Consultants dated Feb 14, 2022. The Draft Plan was reviewed in accordance with the requirements of MTO's highway access control policies, and the Public Transportation and Highway Improvement Act. The following outlines our comprehensive comments

Access

MTO has no objections with the location of Street 'A' does meet MTO's offset spacing along Bethel Rd.

No access will be permitted to Block 1 or 8 from Highway 24 (Rest Acres Rd), and shall be achieved via Street 'A'.

Blocks and Land Use

MTO will require 0.3 metre reserve Blocks 1 and 8 along Highway 24 (Rest Acres Road) frontage shall be identified on the final plan.

Stormwater Management

Stormwater Management Blocks are to be assumed and owned by Brant County.

To ensure that stormwater runoff from this property does not affect our highway drainage system or right-of-way, we require the owner to submit a stormwater management report along with grading/drainage plans for the proposed development for review and approval as a condition of our permit approvals. The owner's consultant should refer to the website:

<https://www.library.mto.gov.on.ca/SydneyPLUS/TechPubs/Portal/tp/TechnicalPublications.aspx>

Utilities

Utility installations within the footprint of the Highway 403 and Rest Acres Rd interchange shall not be permitted. Prior to final approvals, MTO shall review and approve the details of utility installations in the Highway 24 (Rest Acres Rd) corridor or any utility that may need to cross Highway 403.

Proposed Conditions of Draft Plan Approval

The following are MTO's proposed Conditions of Draft Approval:

1. That prior to final approval, the owner(s) to submit to the Ministry of Transportation for review and approval, a copy of a Traffic Impact Study indicating the anticipated traffic volumes and their impact on Highway 24 (Rest Acres Rd) the following locations:

- Highway 403 and Rest Acres Rd North ramp terminal,
- Highway 403 and Rest Acres Rd South ramp terminal, and
- Rest Acres Rd and Bethel Rd.

The Traffic Impact Study will be prepared in accordance with MTO's Traffic Impact Study Guidelines. The owner's transportation consultant shall be RAQS certified.

2. That prior to final approval, the owner should be aware that any highway improvements identified from our review and analysis of the Traffic Impact Study will be the financial responsibility of the owner. A Legal Agreement will be required to be entered into between the owner and MTO, whereby the owner agrees to assume financial responsibility for the design and construction of all necessary associated highway improvements.

3. That prior to final approval, the owner shall submit a stormwater management report along with grading/drainage plans for the proposed development for review and approval.

4. That prior to final approval, arrangements shall be made to the satisfaction of the Ministry of Transportation for the erection of a security fence along the westerly boundary of the plan where it abuts Ministry of Transportation lands along Highway 24 (Rest Acres Road).

5. That prior to final approval, 0.3 metre reserve Blocks 1 and 8 along Highway 24 (Rest Acres Road) frontage shall be identified on the final plan, and that the Owner's/Developer's Solicitor provides the Ministry of Transportation with a signed Undertaking to convey these blocks to the Ministry of Transportation immediately following registration of the plan, to the satisfaction of the Ministry of Transportation.

6. That Prior to final approval, the owner shall submit to the Ministry of Transportation for review and approval a draft copy of the M-Plan for this subdivision.

7. That prior to final approval, the owners shall provide the Ministry of Transportation for review and approval, the Conditions of Draft Plan Approval and Draft Subdivision Agreement to ensure our requirements have been incorporated.

Notes to Draft Plan Approval - Conditions of MTO permits

The owner should be made aware that under the Public Transportation and Highway Improvement Act, Ministry of Transportation permits are required prior to development of the subject property. The owner shall submit site plans, site-servicing plans, grading plans, and drainage plans for the proposed development to MTO for review and approval.

1. MTO Building and Land Use permits will be required prior to any bulk grading, and subdivision servicing.
2. MTO Building and Land Use permits for individual site plans (Site Plan Applications) will be required for the Block which fall within the MTO Permit Control Area, namely Block 1, Block 2, Block 3 and Block 4. For each of these Blocks, as well as any further lands identified in the Legal Agreement as contributing lands, the owner shall submit a site plan, site-servicing plan, grading plan, and drainage plan for the proposed development to MTO for review and approval.
3. MTO will require that any construction deemed necessary to the continued viability of the development including buildings and structures, stormwater management facilities, loading docks, drive-isles, parking shall be setback a minimum of 14.0m from our highway property limit.
4. The owner shall submit an illumination plan indicating the intended treatment of the site lighting glare directed towards Highway 403 or Highway 24 (Rest Acres Rd) to MTO for review and approval.
5. MTO Sign permits are required for any sign visible within 400m of the Highway 403 or Highway 24 property limits.

Grand River Conservation Authority:

- GRCA has reviewed the 3rd submission for PS2-20 & ZBA33-20 including the revisions to the draft plan, and have no additional comments to provide at this time. No changes to the original Draft Plan Conditions requested by the GRCA would be affected by the proposed changes.

Ontario Provincial Police:

- The only issue raised by OPP would be the addition of some type of fencing to protect us “visually” from the east side block 9 - building 3 (what was talked about as a possible new fire hall beside us but now looks like a public access industrial unit). You can see this on drawing SK-18.
- Further we would ask to address the same issue to the north side building #2 due to the high level parking along the length of the OPP sited property.

Mississaugas of the Credit First Nation:

- On behalf of the Credit First Nation, Department of Consultation and Accommodation, I reviewed the stages 1-2 Archaeological Assessment report prepared by LEC for the Rest Acres Road/Highway 24 and Bethel Road project.
- MCFN is currently in agreement with the work conducted and the recommendations of the report. I just wanted to point out that, contrary to what it is stated in the report (p.10), it is possible for a licensed archaeologist to use the MHSTCI database to find archaeological assessments carried out within 50m of the study property (I attached the instructions to this email).

Bell:

See attached.

Six Nations of the Grand River:

See attached.

Grandbridge Energy:

See attached.

Public Considerations

Notice of the July 5, 2022 public meeting was circulated via mail on June 15, 2022 to all property owners within 125 metres of the Subject Lands in accordance with the requirements of the *Planning Act*. A site visit along with the posting of the Public Notice sign was completed on June 15, 2022.

At the time of writing this report, no public comments or correspondence have been received.

Summary and Recommendations

The purpose of this report is to provide the Planning and Development Committee and members of the public with information and a recommendation regarding the proposed Draft Plan of Subdivision and Zoning By-Law Amendment Application. The applicant's Draft Plan of Subdivision proposes to create one new municipal road, along with four blocks for large-scale employment users, three blocks for a stormwater management pond and channels, as well as one block for a sanitary pumping station. Furthermore, the applicant's Zoning By-Law Amendment application proposes to re-zone portions of the subject lands from Holding, Prestige Industrial (H-M1) and Natural Heritage (NH) to Special Exception Prestige Industrial (M1-16), Special Exception Light Industrial (M2-34), and Open Space (OS1). It is my recommendation that the Holding (H) provision remain in place at this point, to be lifted in future when the subdivision agreement is registered. The intent of a Holding provision is to ensure the orderly development of the subject lands, and requires that a development agreement, pursuant to the requirements of the *Planning Act*, be entered into.

It is my professional opinion that the proposed land uses are being directed to an appropriate area and are not likely to have any adverse impact on any existing or future land uses in the area. Further, Planning Staff note that this application has received support from the County of Brant's Economic Development Division, who note that the proposal is supported by the County of Brant Economic Development Strategy and Action Plan.

I am of the opinion that the Draft Plan of Subdivision and Zoning By-Law Amendment applications have merit, as they are consistent with the *Provincial Policy Statement*, and conform to the general intent of the Growth Plan for the Greater Golden Horseshoe and County of Brant Official Plan. Furthermore, it is my opinion that the proposed site-specific provisions related to reduced parking provisions for warehousing and ancillary offices are appropriate given the large scale of the proposed developments. Similar large-scale warehouse project in the Rest Acres/403 Interchange area have been approved with a parking ratio of 1 space per 220 square metres, and Staff are confident that the proposed ratio being provided will adequately serve the needs of this development as a whole. Furthermore, I am supportive of the proposed zoning provisions to allow warehouse and ancillary offices as a permitted use within the Special Exception Prestige Industrial (M1-16) Zone, as the proposal conforms to the general intent of the County of Brant Official Plan. Therefore, I support these provisions, as

they will allow for flexibility and a more versatile development on this key Highway Interchange. It is noted that Staff have not received any objections from internal or agency Staff, or members of the public through the formal circulation process.

Based on the analysis above, I can confirm that the appropriate measures have been taken to ensure that the proposed Draft Plan of Subdivision and Zoning By-Law amendment is consistent with the *Provincial Policy Statement* and conform to the Growth Plan for the Greater Golden Horseshoe and County of Brant Official Plan. It is therefore my professional opinion that applications **PS2/20/RC and ZBA33/20/RC** be **Approved**.

Respectfully Submitted,

Ryan Cummins, Senior Planner

Attachments

- 1. Draft Plan of Subdivision
- 2. Draft Plan Conditions
- 3. By-Law
- 4. By-Law Schedule

Reviewed By

Reviewed By: Mat Vaughan, BES, MPLAN, MCIP, RPP, CMM3, Director of Development Planning

Submitted By: Pamela Duesling, MAES, MCIP, RPP, Ec.D., CMM3, General Manager of Development Services

Copied To

- 1. Alysha Dyjach, Clerk
- 2. Mat Vaugahn, Director of Development Planning
- 3. Alyssa Seitz, Planning Administrative Assistant
- 4. Applicant/Agent

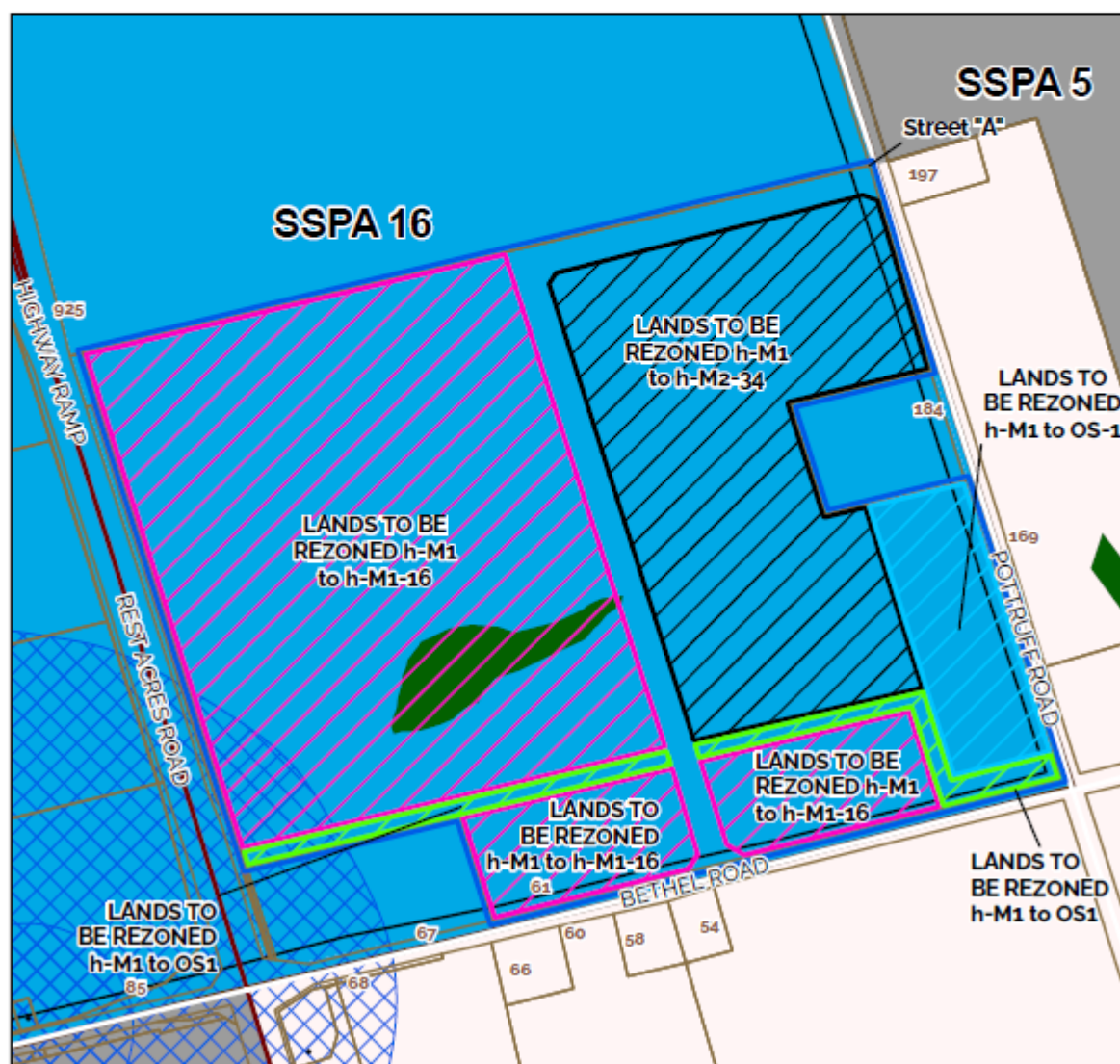
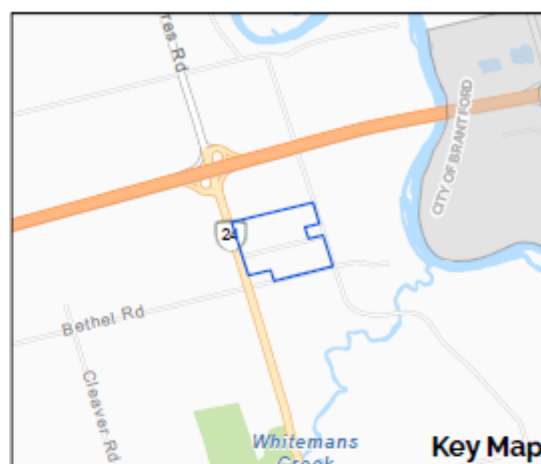
By-Law and/or Agreement

By-Law Required	Yes
Agreement(s) or other documents to be signed by Mayor and /or Clerk	No

61 BETHEL ROAD
County of Brant
Ontario

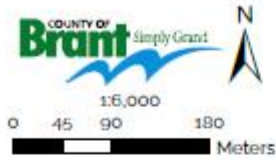


Date Printed:6/20/2022



MAP 3: AERIAL IMAGERY 2020
FILE NUMBER
TCA Lands Rest Acres Road

61 BETHEL ROAD
County of Brant
Ontario



Date Printed: 2022-06-15

