



Planning and Development Committee Report

To: To the Chair and Members of the Planning and Development Committee
From: Brandon Kortleve, Planner – Policy Planning
Date: September 6, 2022
Report #: RPT-0280-22
Subject: ZBH31-22-BK (160 Consolidated Drive, Removal of Holding Provision)
Purpose: For Approval

Recommendation

That application ZBH31-22-BK from Cynthia Baycetch/ Vicano Construction Ltd, applicant on behalf of Tigercat International Inc, owner of Concession 1, Part of Lots 27 and 28 and Part of the Gore fronting Lots 27 & 28, in the geographic Township of South Dumfries and the former Town of Paris, located at 160 Consolidated Drive, to amend the zoning of a portion of the lands from Heavy Industrial with a Holding Provision (h-M3) to Heavy Industrial (M3) for the purposes of undertaking a Site Plan Control application for the industrial development of the lands, be approved;

And that the reason(s) for approval are as follows:

- The proposed zoning change is consistent with Sections 34 and 36 of the *Planning Act*
- The proposed zoning change is consistent with the Provincial Policy Statement (2020) and conforms to the policies of the *Growth Plan for the Greater Golden Horseshoe (2020)*,
- The proposed zoning change is in conformity with the policies of Section 6.5.2 of the County of Brant Official Plan (2012) and meets the requirements of Section 15.1 of County of Brant Zoning By-Law 61-16, as amended.

Executive Summary

Tigercat International Inc, owner of the properties known as 160 Consolidated Drive in Paris, are preparing to develop a portion of their lands for industrial purposes. A site plan application for the property is required in accordance with Section 41 of the *Planning Act* and County of Brant Site Plan Control By-Law, 165-99, as amended. A notice of intention to remove the holding applicable to a portion of the subject lands has been provided in accordance with the *Planning Act*.

No public meeting is required for the removal of a holding and the appeal rights for such an application lie only with the applicant if an application is refused or no decision is rendered within 90 days of its submission. This report recommends approval of this application to remove the holding provision applicable to the lands at 160 Consolidated Drive and the draft By-Law attached to this report will be brought forward to Council for approval.

Strategic Plan Priority

Strategic Priority 1 - Sustainable and Managed Growth

Impacts and Mitigation

Social Impacts

While the proposed removal of a holding provision will not have direct social impacts, when considered alongside the corresponding site plan control application and industrial development of the lands, the application will result in additional job opportunities within the County of Brant. Land use compatibility will also be a key factor in this development as the lands are located in proximity to residential uses and an active rail corridor.

Environmental Impacts

With the subject lands containing several wetland and woodland features, and considering its proximity to the Grand River, environmental impacts are being carefully evaluated and will be comprehensively addressed through the site plan control application and subsequent development agreement.

Economic Impacts

The subsequent industrial development of the lands will result in economic benefits to the County of Brant through the collection of development charges, increased tax revenue, and the provision of additional employment opportunities.

Report

Background

The lands known as 160 Consolidated Drive are the subject lands for this particular application to remove the holding provision (h-) from the zoning of a portion of the lands to facilitate its industrial development. The subject lands have an overall lot area of 82.79 hectares (204.57 acres) located directly abutting several open and maintained rights-of-way and within the primary urban settlement area of Paris. The subject lands maintain frontages as follows:

1. Consolidated Drive – 470 metres (1542 feet)
2. Green Lane – 1250 metres (4100 feet)
3. Willow Street – 550 metres (1804 feet)

The lands are primarily designated Employment with portions also designated Natural Heritage and Urban Residential in the County of Brant Official Plan, 2012 (CBOP). This particular application focuses only on a portion of the lands with an Employment designation, being zoned Heavy Industrial with a Holding Provision (h-M3) in the County of Brant Zoning By-Law 61-16 (CZBL), as amended. The portion of the subject lands where the 'H' holding provision is to be removed is approximately 8.9 hectares (22.0 acres) in area.

These lands have been designated and zoned for industrial uses since at least 1978, shown as such in the Official Plan and Zoning By-Laws of the former Town of Paris. The holding provision was applied around that time to ensure the orderly development of the lands and ensure the adequate provision of municipal servicing infrastructure at a time when the Town of Paris was considering how to provide servicing to this particular area. With input from the County of Brant Development Engineering Division indicating no concerns with the provision of adequate servicing to these lands, the proposed removal of the holding provision and Site Plan Control process is the next step in the development process for these lands.

As legislated by Section 36(4) of *the Planning Act* and O.Reg. 545/06, notice of intention to pass an amending by-law to remove the holding symbol from approximately 8.9 hectares (22.0 acres)

of the subject lands has been given. Notice was provided by ordinary mail to every owner of land within 125.0m and no public comments were made to the Planning Department at the time of the writing of this report.

Public Considerations

Notice of the September 6, 2022, public meeting for this application was provided by regular mail on August 17, 2022, to all property owners within 125 metres of the subject lands for the purposes of providing public input on the development of the lands. A site visit and the posting of the Public Notice sign was completed on August 17th, 2022.

There is no right for the public to appeal a decision made on a removal of holding application under Section 36 of *the Planning Act* and public notice is provided as a “notice of intention” to remove the holding provision. The opportunity for the public to speak to this application is provided with the opportunity to appear as a delegation before the Planning and Development Committee meeting of September 6, 2022 or before the Council meeting of September 27, 2022, when the By-Law will be on the agenda for decision.

Summary and Recommendations

The purpose of this report is to provide the Planning and Development Committee and the public with information from this application to amend the County of Brant Zoning By-Law and remove the holding provision applicable to the subject lands at 160 Consolidated Drive.

Based on the analysis of applicable policies and standards, I can confirm that the legislative requirements for this application have been met. It is my professional opinion that this rezoning is consistent with the Provincial Policy Statement, conforms with the Growth Plan and the County of Brant Official Plan, and meets the applicable standards and intent of the County of Brant Zoning By-Law.

No concerns were raised to the Planning Division by the circulation of this application, and further review during the site plan control process will provide additional opportunities to address requested studies and conditions that may arise. The County of Brant will continue to work with the applicant toward this appropriate development of the subject lands.

Attachments

1. Draft By-Law and Schedule ‘A’ Mapping
2. Locational Mapping - Zoning, Official Plan & Aerial

Reviewed By

1. Mat Vaughan, BES, MPLAN, MCIP, RPP, CMM3, Director of Development Planning
2. Pamela Duesling, MAES, MCIP, RPP, Ec.D., CMM3, General Manager of Development Services

Copied To

1. Applicant / Agent
2. Alyssa Seitz, Planning Administrative Assistant

By-law and/or Agreement

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