



Planning Report

To: Town of Saugeen Shores Council

From: Coreena Smith, Senior Development Planner

Date: December 16, 2024

Re: Zoning By-law Amendment - Z-2023-056 (Carson)

Recommendation:

That Council approve Zoning By-law Amendment - Z-2023-056 (Carson) and By-law 101-2024; and

That Council resolve that no further notice is necessary with respect to the minor changes in the proposed Zoning By-law Amendment in accordance with the provisions of Section 34(17) of the *Planning Act*.

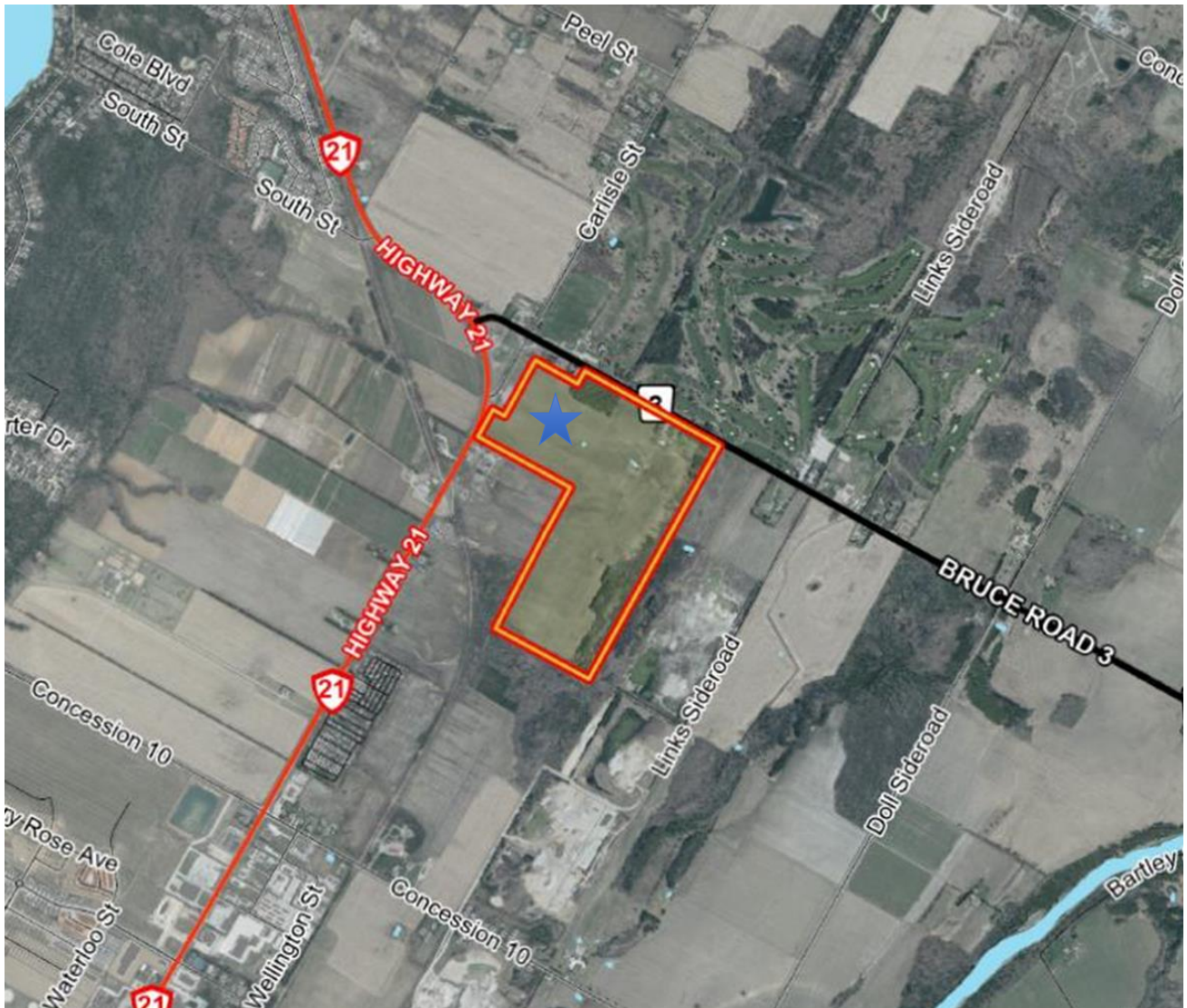
Summary:

The purpose of the Zoning By-law Amendment application is to re-zone a portion of 5331 Bruce Road 3 from Agricultural (A) and Institutional (I) to Agricultural Commercial Special with Holding (AC2-2-H), Agricultural with Holding (A-H1) and Open Space Special (OS-9) to permit a concrete manufacturing and pre-cast concrete facility and a polyvinyl chloride (PVC) injection and extrusion manufacturing facility, with outdoor storage, parking and a stormwater management pond.

If approved, the application will facilitate a partial relocation and expansion of Carson's Supply, a commercial business located in Port Elgin. The applicant is 2128080 Ontario Inc.

The by-law associated with this report is included in the By-law section of the Agenda.

Airphoto



Background:

The application will facilitate a partial relocation and expansion of Carson's Supply, a 40-year-old commercial business that currently operates out of 1071 Goderich Street in Port Elgin. Carson's Supply is a wholesale provider of plumbing; heating, ventilation and air conditioning (HVAC) equipment; waterworks; and hydronics (boilers, pumps and heaters). They have a custom PVC injection and extrusion facility at their Port Elgin location and also manufacture pre-cast concrete products on-site. The current +/-3.75 ha Port Elgin site no longer meets the applicant's needs and they are seeking to expand and relocate a portion of the business to 5331 Bruce Road 3. The applicant is proposing to redesignate and re-zone the western +/-13.9 ha of the +/-55.49 ha property for this purpose. The remaining +/-41.59 ha would continue to be used for agricultural purposes.

A public meeting for the Zoning By-law Amendment application was held at the Town of Saugeen Shores on February 20, 2024 (see [Saugeen Shores - Meeting Information](#)). No decision was made at that meeting.

Through the application review process some revisions were made to the proposal to address permitted uses in prime agricultural areas, compatibility, public health and safety, site servicing, access, and cultural heritage considerations, which are outlined later in the report.

A public meeting for the related County Official Plan Amendment application (File C-2023-004) was held on November 21, 2024 (see [Bruce County Council - November 21, 2024](#)). The purpose of that application was to redesignate a portion of the property from Agricultural Areas to Agricultural Areas with Exceptions to allow the proposed uses. The application was approved by County Council. The last date for an appeal of this decision to be filed is December 18, 2024.

The Official Plan and Zoning By-law Amendments would permit the construction of a concrete manufacturing and pre-cast concrete facility, which would produce products such as catch basins, septic holding tanks and electrical utility vaults. The concrete manufacturing and pre-cast concrete facility would be housed in a single building with a proposed future addition to that building (see attached site plan). The proposal also includes an area for outdoor storage, parking, and a stormwater management pond. The amendments would also permit a PVC injection and extrusion manufacturing facility to be constructed on the property in the future. This facility would be housed in a second building.

Site Context:

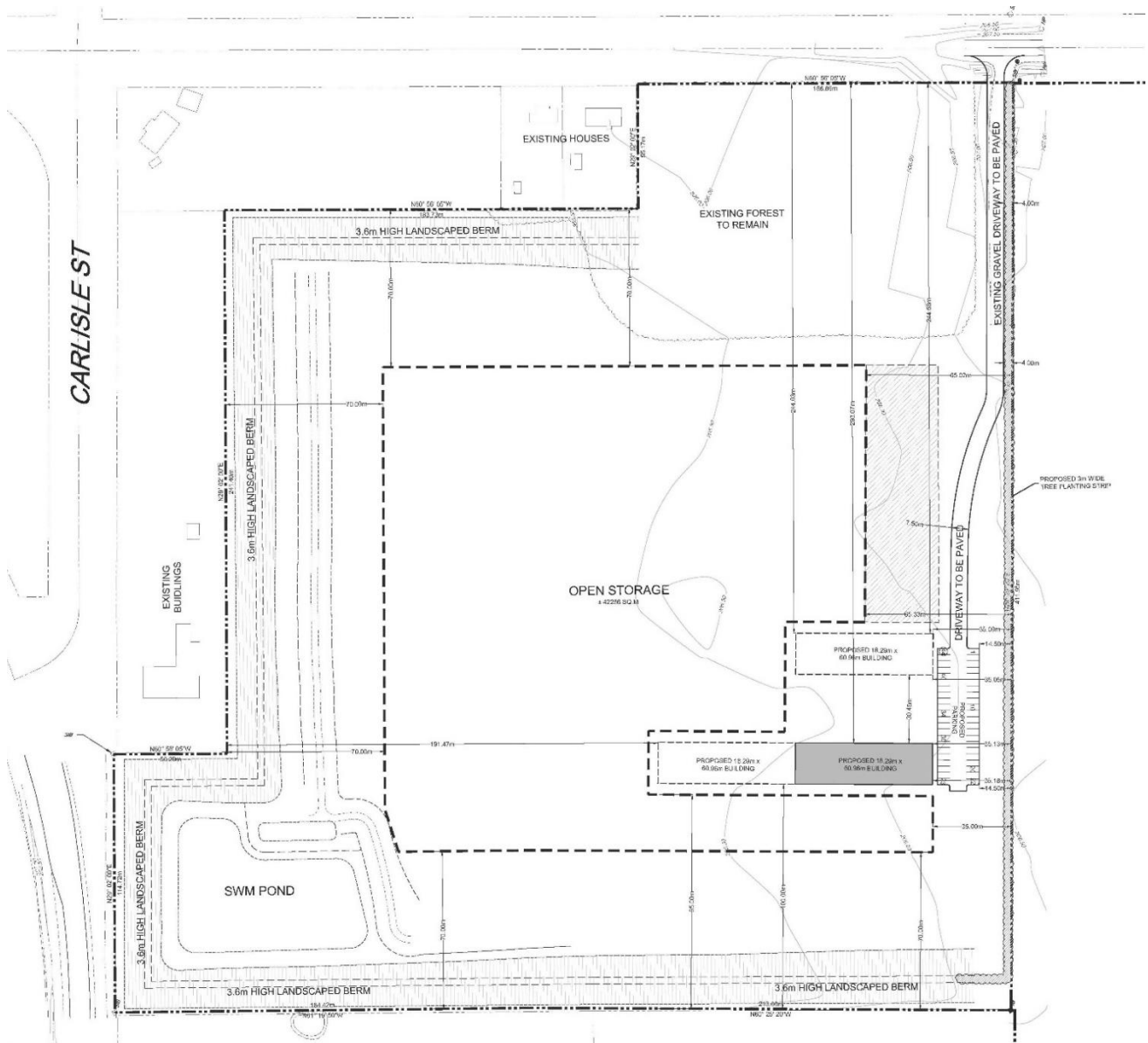
The subject lands are located between Port Elgin and Southampton at 5331 Bruce Road 3, in the geographic Township of Saugeen. The property is outside the Settlement Area. The property has frontage on Highway 21 and Bruce Road 3, with access provided from the County road. There is an existing single detached dwelling, barn and shed on the +/-55.49 ha site.

The land uses immediately abutting 5331 Bruce Road 3 include:

- Three properties with single detached dwellings to the immediate north;
- A church to the west;
- A landscaping business with a nursery and two dwellings to the southwest;
- A woodlot and additional agricultural fields to the south; and
- A licenced aggregate operation to the east.

To the north of Bruce Road 3 are two golf courses and to the west of Highway 21 and Carlisle Street are additional agricultural lands with a mix of businesses and single detached dwellings. Further to the south and east are additional agricultural lands, rural residential properties, two additional licenced aggregate extraction sites, and a campground.

Site Plan (*full version attached separately)



Planning Considerations:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), public comments (attached), and planning policy sections.

Non-Agricultural Uses in Prime Agricultural Areas

The subject lands are within a prime agricultural area and are designated Agricultural Areas in the Bruce County Official Plan and primarily zoned Agricultural (A) in the Town of Saugeen Shores' Zoning By-law. Concrete and PVC injection and extrusion manufacturing are not permitted uses in the Agricultural Areas designation or Agricultural (A) zone. A site-specific

amendment is required to both the County Official Plan and the Town's Zoning By-law to permit those industrial uses.

The *Provincial Planning Statement, 2024* (PPS) directs that prime agricultural areas be designated and protected for long-term use for agriculture. Non-agricultural uses are only permitted in limited circumstances subject to the policies of the PPS. County policies similarly direct non-agricultural uses to settlement areas and encourage the retention of large farming areas. The intent is to keep agricultural areas unencumbered from non-agricultural uses, which was among the concerns raised by the public on the application.

A Planning Justification Report and subsequent addendum letters were provided in support of the subject application which address the PPS criteria, summarized below:

- The subject lands are not a specialty crop area;
- The proposed use complies with the minimum distance separation (MDS) formulae, which are guidelines developed by the Province to separate land uses to reduce incompatibility concerns;
- There is an identified need within the planning horizon in the County Official Plan for additional land to accommodate the proposed industrial use;
- Alternative locations have been evaluated and there are no reasonable alternative sites for the industrial use outside of prime agricultural areas or in lower priority prime agricultural areas; and
- Impacts on the agricultural system can be minimized and mitigated.

A detailed review of these criteria is provided as an appendix to this report. Based on this review, staff are satisfied the applicant has demonstrated consistency with the policies for locating a non-agricultural use in a prime agricultural area.

Compatibility with surrounding Land Uses

Compatibility of the proposed development with adjacent land uses was a concern raised by the public on this application. It is important that industrial facilities be planned and developed to avoid, or if avoidance is not possible, minimize or mitigate any potential adverse effects from odour, noise and other contaminants on sensitive land uses.

The Provincial *D-6 Guideline for Compatibility between Industrial Facilities* is used in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another.

The proposed development would be considered a Class II Industrial facility, defined as:

A place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e., it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and

low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

The potential influence area of a Class II facility is 300 m. This is the area where adverse effects may be experienced.

The Provincial D-6 Guideline recommends a minimum 70 m separation distance between a Class II facility and a sensitive land use. The applicant is proposing to locate the outdoor storage area a minimum of 70 m from the three residential properties to the north, the church to the west, and the landscaping/nursery business to the southwest which also has two single detached dwellings. All manufacturing is planned within the proposed buildings which are a minimum of 100 m from adjacent properties.

The applicant is also proposing a 3.6 m high landscaped berm on the north, west and south sides of the development as an additional measure to avoid or minimize conflicts with the adjacent sensitive land uses, and to provide a buffer to the Highway 21 corridor noted as significant by Town staff.

The proposal also retains the woodland on the northern portion of the property and includes a 3 m wide tree planting strip along the eastern limit of the development site to reduce visual impacts to users of Bruce Road 3.

Together, these measures will provide a visual and noise buffer to adjacent properties and roadways.

The proposed Zoning By-law and Site Plan Control will be applied to restrict permitted uses and ensure that setbacks and buffers described above will be maintained and to provide further opportunities to address potential adverse effects of the proposed land uses.

Planning staff are satisfied that potential adverse effects from the industrial facility will be avoided, minimized or mitigated.

Public Health and Safety

Many comments from the public also expressed concerns associated with the manufacturing processes and materials used for PVC and concrete production. In this regard, the PPS requires industrial facilities to minimize risk to public health and safety and to ensure the long-term operational and economic viability of the industrial facilities.

The separation distances and screening described above are intended to supplement, not replace, controls which may be required under other legislation like the *Environmental Protection Act*. The applicant will need to comply with all applicable legislation that may control emissions from the facility. The consultant has specifically noted that an Acoustic Assessment Report and an Emissions Summary and Dispersion Modelling Report will be required, which would be reviewed and approved by the Ontario Ministry of Environment, Conservation and Parks (MECP).

No chemicals are used in the PVC manufacturing process, instead PVC pellets are used in the injection and extrusion process where the pellets are heated, molded, cooled and further modified into their desired form. Water used for processing is in a closed system and is re-used for manufacturing purposes. The applicant supplied industry resources on the health and safety of PVC manufacturing and products, which are regularly used in municipal drinking water systems.

Materials required to mix concrete such as sand and gravel will be stockpiled and stored outdoors. Finished products will also be stored outdoors. Water for the concrete production will be provided through a well. No wastewater is anticipated through the concrete production process. The consultant indicated that the development will be included in the Concrete Precasters Association of Ontario Product Registration Program. A professional engineer tests and inspects the products yearly.

Public comments further cited risks of contamination from runoff, especially considering the high water table in the area and the reliance on wells for drinking water. The consultant noted there will be fuel on-site, but no chemicals are proposed to be stored outdoors. All manufacturing will be contained within the proposed buildings. A Spills Response Plan will be completed after the construction of the facility, which will include the location of spill mitigating materials.

The Saugeen Shores Fire Department, County Paramedic Services and Brightshores Health System have plans in place to deal with fire and other emergency situations at the current business and proposed expansion site. The *County of Bruce Emergency Response Plan* (August 2024), for example, describes how the County coordinates emergency response in partnership with its lower-tier municipalities and other organizations.

Based on the information provided and response from partner agencies, staff are satisfied that the risk to public health and safety has been considered and there are appropriate measures in place.

Sewer and Water Services

Provincial and County policies identify a hierarchy of servicing where full municipal water and sewage services are preferred. The policies direct new industrial uses to areas where these services are provided. In Bruce County, full municipal services are generally available in Primary and Secondary Urban Communities like Port Elgin and Southampton. For development proposals outside settlement areas, private services can be considered. Partial services are permitted where necessary to address failed individual on-site sewage or water services in existing developments. The PPS also recognizes there are circumstances where partial services may be used to service existing lots of record where this would represent a logical and financially viable connection to the existing partial service and providing the site conditions are suitable for the long-term provision of such services with no negative impacts.

A Functional Servicing Report was prepared in support of the proposal. The applicant is proposing a combination of municipal and private servicing.

Water for employee and fire flow purposes is proposed through a connection to the existing municipal watermain on Highway 21. While the connection to municipal water is not necessary to address a failed on-site system, the connection is available and there is sufficient capacity and flows available to accommodate the proposed development without any extension to the water system. Town staff noted that the connection to municipal water is acceptable.

Water for manufacturing purposes will be provided from a new well extending to the bedrock aquifer. The estimated water taking is 7,000 L/day. The revised Preliminary Groundwater Supply Evaluation submitted with the application indicates there is enough recharge to the aquifer to supply this site without affecting neighbouring water wells used for domestic and irrigation purposes. This will be confirmed through drilling and testing the future well. Approval from the MECP is not required for this volume of water.

Sanitary servicing is proposed through the installation of a new sewage treatment and disposal system. The new system would require approval from the MECP due to the proposed peak flow being greater than 10,000 l/day.

Town staff initially requested that a Holding (H) provision be applied to the site and that the Holding (H) not be removed until: MECP approval has been given for the on-site sewage treatment and disposal system; and the installation of a drilled well has been completed. Based on further review with the applicant and Town's Chief Building Official, the Holding (H) provision will be applied for the well only. The installation of the on-site sewage treatment and disposal system will be addressed through the building permit process.

Detailed servicing drawings will be provided at a later stage to the satisfaction of the Town, Ministry of Transportation (MTO) and MECP should the Zoning By-law Amendment application be approved. On this basis, planning staff are satisfied that the proposal can be appropriately serviced.

Stormwater Management

In order to control flooding, ponding, erosion and sedimentation, and to provide protection of water resources and natural habitat dependent upon watercourses and other water bodies for their existence, the County Official Plan requires that stormwater management strategies be provided for new development.

A Preliminary Stormwater Management Report was prepared for the project which outlined how stormwater is proposed to be addressed on the site. This includes a new stormwater management pond at the western limits of the site adjacent to Highway 21. The pond would be separated from the highway by the proposed landscaped berm. The stormwater management pond would control the quantity, quality and erosion potential of stormwater before it discharges from the site to the Highway 21 ditch. The stormwater management strategy is not expected to worsen any existing drainage issues reported by residents along the highway.

MTO provided detailed comments relating to the stormwater management strategy. The consultant provided a revised report in response to those comments. MTO has since advised that it is generally supportive of the proposal. Any outstanding comments will be addressed through the detailed design stage of the project.

Town staff also reviewed and provided comments on the revised Preliminary Stormwater Management Report. Those detailed comments will be addressed by the applicant through the Site Plan Control process.

Roadways and Access

One of the objectives of the County Official Plan is the provision of an adequate and appropriate transportation system that moves people and goods in a safe, environmentally responsible and economically efficient manner within the County, and between the County and other areas. As such, land use decisions shall have regard to their implications on the transportation network.

The subject lands have frontage on Highway 21 and Bruce Road 3, with access provided from the County road. There is a driveway to the existing single detached dwelling and a separate gravel driveway for the proposed development site. The gravel driveway is proposed to be extended and paved. The driveway will provide access for employees and vehicles carrying raw materials and manufactured goods.

Concerns were expressed from the public about the impacts the proposed development will have on traffic on Bruce Road 3 and nearby intersections with Carlisle Street and Highway 21. A Transportation Impact Study was prepared in relation to the proposed development. The study concluded that the area intersections are currently operating within acceptable levels of service and will continue to operate at acceptable levels to the ten-year study horizon. The analysis looked at existing traffic conditions, development trip generation, background traffic conditions and total traffic conditions. The report concluded that no off-site remedial measures / road improvements are required.

This study was based on a review of trips generated at the existing business, plus a factor accounting for the expansion based on the proposed gross floor area (GFA) of the buildings at the new site. The new facilities are expected to generate approximately 50 new employees at full buildout. The consultant was asked to confirm if that would change their analysis (using projected employees vs. a factor for proposed GFA). The traffic consultant indicated that even if the trip generation forecasts were to increase, there is enough capacity on the existing roadways to accommodate the development without the need for road improvements or signalization.

Bruce County Transportation and Environmental Services reviewed and commented on the report and the consultant's additional analysis. County staff were satisfied with the materials and requested that there be no increased stormwater to Bruce Road 3 and that a paved apron be provided at the access point. These issues can be addressed, along with entrance width requirements, when the applicant applies for an entrance permit from the County.

The MTO also reviewed and provided comments on the Transportation Impact Study to which the applicant consultant's provided a response. The comments related to study methodology and the location of buildings, structures and features in relation to the highway property. Based on further review, MTO noted that the proposed development is a low-traffic generator and will not cause measurable impacts on the operations of the surrounding road network, especially when all the roads in the vicinity are already low volume. MTO accepted the conclusions and recommendations identified in the Transportation Impact Study. The location of buildings and structures will be further addressed through the detailed design of the project should it be approved.

Planning staff are satisfied that traffic generated from the proposed development has been appropriately considered.

Cultural Heritage

Provincial and County policies identify that development on lands containing possible archaeological resources or areas of archaeological potential should occur in such a manner as to avoid destruction or alteration of these resources. Where this is not possible, the development proponent shall conserve the resources through removal and documentation in accordance with the *Ontario Heritage Act*.

For this project, a Stage 1-2 Archaeological Assessment was completed on the subject lands in the area of the proposed amendment. No archaeological resources were identified in the study area during the Stage 2 assessment. The report concluded that no further assessment was required. The remainder of the parcel was not subject to archaeological assessment. The report noted that if impacts are proposed for this area, an archaeological assessment is required.

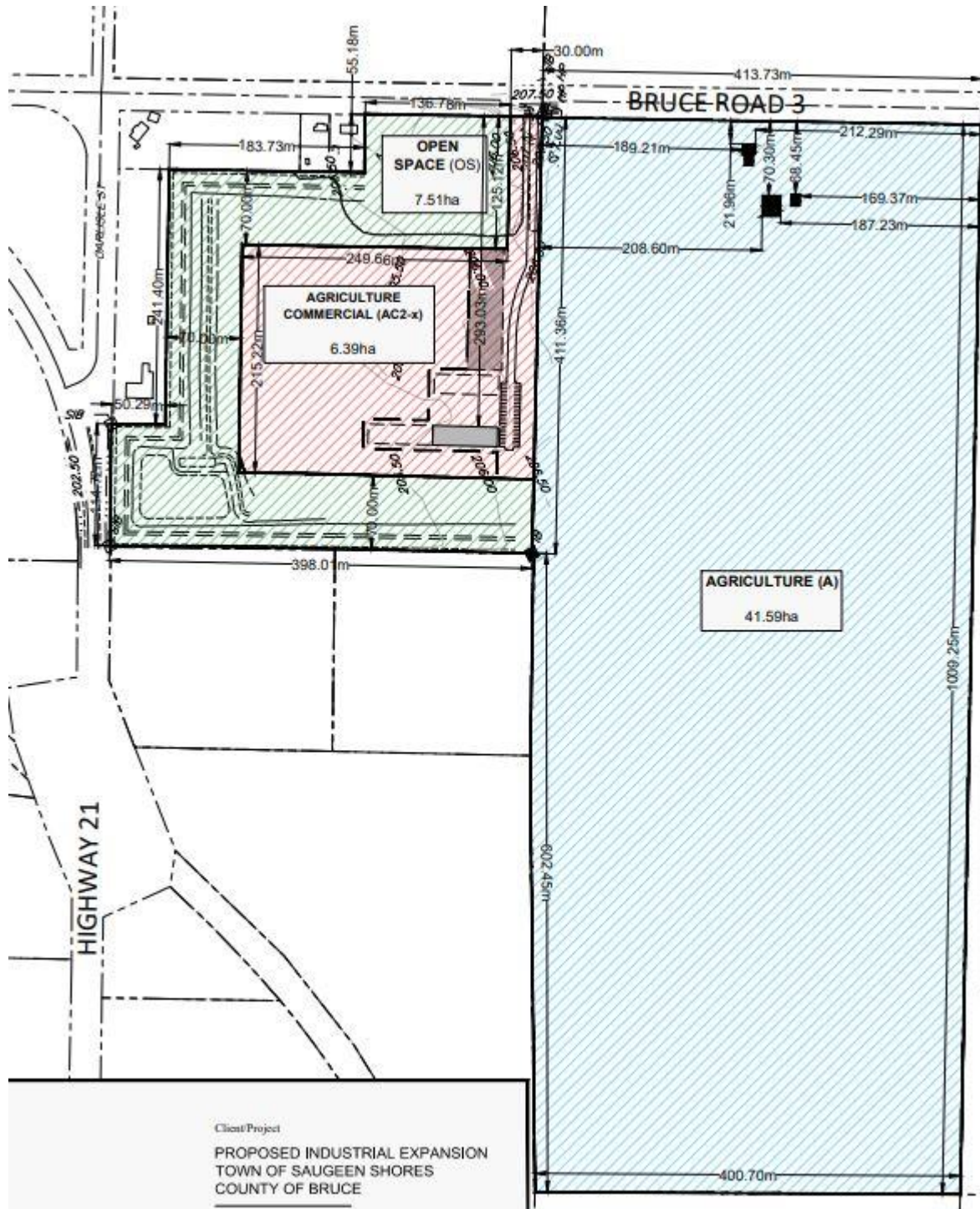
Saugeen Ojibway Nation (SON)'s Archaeology Department reviewed the report and found it acceptable. They asked to inspect the soil when topsoil stripping is undertaken on the site, which will be coordinated by the applicant with SON.

The Historic Saugeen Métis Lands, Resources and Consultation Department reviewed the submission materials, including the Stage 1-2 Archaeological Assessment, and had no objection or opposition to the proposed Zoning By-law Amendment and Official Plan Amendment as presented.

The Ministry of Citizenship and Multiculturalism has also confirmed that the report has been entered into the Ontario Public Register of Archaeological Reports.

The archaeological potential for the development area has been satisfactorily addressed. A special Holding (H1) provision is proposed on the lands intended to retain their Agricultural (A) zone, which would require an assessment to be undertaken should development be proposed on those lands in the future. Normal agricultural activities can continue without the need for an assessment.

Zoning Sketch (*full version attached separately)



Zoning By-Law Amendment

The applicant proposes to re-zone +/-6.39 ha of 5331 Bruce Road 3 from Agricultural (A) to Agricultural Commercial Special with Holding (AC2-2-H). The Agricultural Commercial (AC2) zone permits:

- a) any use permitted in the AC1 Zone (see [Town of Saugeen Shores Zoning By-law](#));
- b) contractor's yard;
- c) feed mill;
- d) flour mill;
- e) food processing plant;
- f) industrial use;
- g) office, support;
- h) repair and rental establishment;
- i) sawmill;
- j) service establishment;
- k) tradesman's shop;
- l) truck terminal;
- m) warehouse.

The proposed uses would fall within the definition of an industrial use in the Town's Zoning By-law:

"INDUSTRIAL USE" means the use of any land, building or structure for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substance, article or thing, or any part thereof, and the storage of building or construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of personal services.

However, the draft by-law has been worded to only permit a concrete manufacturing and pre-cast concrete facility, a polyvinyl chloride (PVC) injection and extrusion manufacturing facility, and outdoor storage associated with those uses in the proposed Agricultural Commercial Special with Holding (AC2-2-H) zone. This will avoid potential conflicts should another industrial use be proposed on the property in the future which may require a greater separation distance to adjacent sensitive uses. A zoning by-law amendment would be required to facilitate that change in use.

The Agricultural Commercial (AC2) zone also requires a planting strip having a minimum width of 3 m along every lot line abutting a lot containing a dwelling and/or a lot zoned to permit a dwelling, and along every lot line abutting a street on the opposite side of which a lot contains a dwelling or is zoned to permit a dwelling. The applicant proposes to exceed this requirement by providing a landscaped berm and retaining the existing woodland to act as a buffer to adjacent properties. The berm would be approximately 3.6 m high and 21.6 m wide. The landscaped berm, woodland and 70 m separation distance are now proposed in an Open Space Special (OS-9) zone, instead of being proposed as part of the Agricultural

Commercial Special with Holding (AC2-2-H) zone. The proposed Open Space Special (OS-9) zone is +/-7.51 ha in size. Permitted uses would be limited to agriculture, conservation and stormwater management. The applicant also amended their proposal to provide a 3 m planting strip along the eastern boundary of the Agricultural Commercial Special with Holding (AC2-2-H) zone. Staff consider these changes to be minor modifications to the application in response to comments received and that no further notice is necessary with respect to these changes.

A site-specific amendment is proposed for the open storage area. The open storage area is needed for raw materials and the bulky finished products proposed to be manufactured on the site. The Town's Zoning By-law does not permit open storage to cover more than 35% of the lot area of any lot nor exceed twice the ground floor area of the main building on the lot. The proposed open storage area is +/-42,286 sq. m and the proposed buildings are +/-3,344 sq. m, which is more than twice the size of the two proposed buildings. The draft by-law includes a site-specific maximum area for open storage and provisions relating to the location, screening, maintenance and use of the open storage area.

Town staff are also asking that the lands proposed to be re-zoned be designated as a Site Plan Control area and that the development be subject to Site Plan Control. This has been captured in the site-specific zoning provisions. Site Plan Control can be used to outline other measures to avoid, minimize or mitigate any potential adverse effects from odour, noise, dust, light, vibration and/or other contaminants on adjacent land uses.

The remaining +/-41.59 ha of farmland on the site are proposed to retain their Agricultural (A) zone, with the addition of a Holding (H1) provision for archaeological assessment purposes.

A portion of the site is zoned Institutional (I) adjacent the church on Carlisle Street. This was originally thought to be a mapping error but a more detailed review has determined that this zoning was carried forward from the Town's previous Comprehensive Zoning By-law (i.e., By-law 201-2000). Town staff are generally supportive of the proposal to re-zone this area from Institutional (I) to Open Space Special (OS-9).

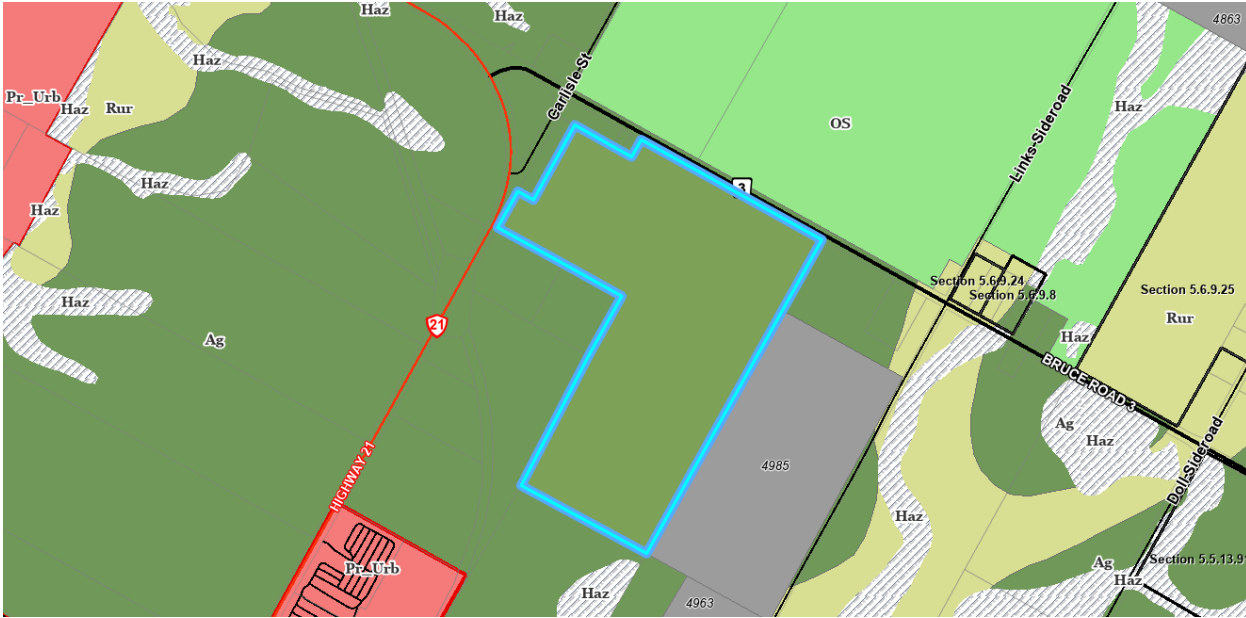
The proposal meets the regulations of the Agricultural Commercial (AC2), Open Space (OS) and Agricultural (A) zones for lot area, lot frontage, lot depth, setbacks, lot coverage and landscaped open space, and the general regulations relating to parking.

Appendices

- County Official Plan Map and Local Zoning Map
- List of Supporting Documents and Studies
- Images of the Site
- Review of Non-Agricultural Uses in Prime Agricultural Areas
- Agency Comments
- Public Comments
- Public Meeting Notice

- Notice of Decision for County Official Plan Amendment C-2023-004
- Revised Site Plan
- Revised Zoning Sketch

County Official Plan Map (Designated Agricultural Areas)



Local Zoning Map (Zoned A - Agricultural and I - Institutional)



List of Supporting Documents and Studies

The following documents can be viewed in full at [Planning Saugeen Shores | Bruce County](#).

First Submission

- Planning Justification Report, prepared by Cobide Engineering Inc., dated May 2023
- Addendum Property Search Letter, prepared by Cobide Engineering Inc., dated August 23, 2023
- Functional Servicing Report, prepared by Cobide Engineering Inc., dated June 2023
- Stormwater Management Report, prepared by Cobide Engineering Inc., dated June 2023
- Transportation Impact Study, prepared by Paradigm Transportation Solutions Limited, dated February 2023
- Site Plan, prepared by Cobide Engineering Inc., dated July 2023

Second Submission

- Additional Supporting Materials Email, prepared by Cobide Engineering Inc., dated December 13, 2023
- Revised Planning Justification Report, prepared by Cobide Engineering Inc., dated May 2023 (revised December 13, 2023)
- Revised Functional Servicing Report, prepared by Cobide Engineering Inc., dated December 2023
- Revised Stormwater Management Report, prepared by Cobide Engineering Inc., dated December 2023
- Transportation Impact Study Response to Ministry of Transportation Comments, prepared by Paradigm Transportation Solutions Limited, dated December 6, 2023
- Public Comment Matrix Letter, prepared by Cobide Engineering Inc., dated December 12, 2023
- Preliminary Groundwater Supply Evaluation, prepared by Gaman Consultants Inc., dated November 28, 2023
- Geotechnical Investigation, prepared by CMT Engineering Inc., dated February 8, 2023
- Revised Site Plan, prepared by Cobide Engineering Inc., dated December 2023

Third Submission

- Response Letter, prepared by Cobide Engineering Inc., dated March 20, 2024
- Revised Preliminary Groundwater Supply Evaluation, prepared by Gaman Consultants Inc., dated March 18, 2024
- The Health, Safety, and Environmental Performance of PVC Pipe, prepared by Uni-Bell PVC Pipe Association, UNI-PUB-19-24
- PVC Pipe: Safe and Beneficial to Public Health, PVC Pipe Association Issue Brief, prepared by Uni-Bell PVC Pipe Association, dated June 1, 2023
- Zoning Schedule, prepared by Cobide Engineering Inc., dated March 2024
- Revised Site Plan, prepared by Cobide Engineering Inc., dated March 2024

Fourth Submission

- Planning Response Letter, prepared by Cobide Engineering Inc., dated July 12, 2024
- Stage 1-2 Archaeological Assessment, prepared by TMHC Inc., dated June 13, 2024
- ENTERED INTO REGISTER Archaeological Report for P1048-0142-2024, prepared by the Ministry of Citizenship and Multiculturalism, dated July 17, 2024
- Revised Zoning Schedule, prepared by Cobide Engineering Inc., dated July 2024
- Revised Site Plan, prepared by Cobide Engineering Inc., dated July 2024

Fifth Submission

- Revised Planning Response Letter, prepared by Cobide Engineering Inc., dated October 16, 2024
- Revised Zoning Schedule, prepared by Cobide Engineering Inc., dated October 2024
- Revised Site Plan, prepared by Cobide Engineering Inc., dated October 2024

Images of the Site



Looking south from the proposed entrance at Bruce Road 3



Looking south from the gravel driveway toward the proposed building site



Looking east from Carlisle Street toward the proposed building site with the church property in the foreground



Looking east from Highway 21 toward the proposed building site

Review of Non-Agricultural Uses in Prime Agricultural Areas

The property falls within a prime agricultural area. The *Provincial Planning Statement, 2024* (PPS) states that prime agricultural areas shall be designated and protected for long-term use for agriculture.¹ Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority. The subject lands are Class 2F.

Permitted uses and activities in prime agricultural areas include agricultural uses, agriculture-related uses and on-farm diversified uses. The PPS states:

- 4.3.5.1 Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:
- a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*; or

¹ The Provincial Policy Statement, 2020, was in effect at the time the planning applications were received. The new Provincial Planning Statement, 2024, applies to all decisions made on or after October 20, 2024.

- b) limited non-residential uses, provided that all of the following are demonstrated:
1. the land does not comprise a *specialty crop area*;
 2. the proposed use complies with the *minimum distance separation formulae*;
 3. there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

4.3.5.2 Impacts from any new or expanding non-agricultural uses on the *agricultural system* are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

Similarly, County policies direct non-agricultural uses to settlement areas and encourage the retention of large farming areas within the County. The intent is to keep these areas unencumbered from non-agricultural uses. With respect to these policies, the applicant has demonstrated:

- The subject lands are not a specialty crop area. Specialty crop areas are designated using guidelines developed by the Province (e.g., Holland Marsh, Grey County's apple-growing area). There are no specialty crop areas in Bruce County.
- The proposed use complies with the minimum distance separation (MDS) formulae, which are formulae and guidelines developed by the Province to separate land uses to reduce incompatibility concerns about odour from livestock facilities and anaerobic digesters.
- There is an identified need within the planning horizon identified in the Official Plan for additional land to accommodate the proposed use. The *Plan the Bruce: Good Growth Discussion Paper* (September 2022) identified that there is a sufficient supply of serviced or serviceable employment areas across most of the County to year 2046, but that the Town of Saugeen Shores has a projected shortfall in its urban area over that period. The paper also reported a shortfall of existing larger vacant employment parcels County-wide.

- There are no reasonable alternative locations outside prime agricultural areas or in lower priority prime agricultural areas.

For this, the consultant first outlined the applicant's site selection criteria which included:

- Separation from residential uses to avoid land use conflicts.
- Three-phase power which is used in industrial settings due to its efficiency, stability, and performance advantages.
- Location on a road without half-load restrictions to ensure the efficient movement of raw materials and products, thereby reducing truck traffic.
- Proximity to Highway 21 and/or a County road to move manufactured goods within the County and throughout North America.
- Proximity to the existing business at 1071 Goderich Street in Port Elgin.

With those priorities noted, the consultant listed several properties that were considered in or just outside the Town of Saugeen Shores.

The sites selected within the settlement area were in the Employment designation² of the Town's Official Plan and zoned Business Park (BP), Light Industrial (LI) or Planned Development (PD) in the local Zoning By-law. The report concluded the sites were too small, were located in proximity to a large number of residential dwellings, were not on a Provincial or County road and/or were not available. Town staff acknowledged the limited opportunities for space-extensive industries to locate in the settlement areas of Port Elgin or Southampton.

Sites reviewed outside the settlement areas were in the Rural or Agricultural Areas designations of the County Official Plan and zoned Agricultural (A). While the properties were Canada Land Inventory Class 5 with some associated Class 1 or 2 sections, they also did not meet applicant's locational needs and were not available for purchase.

Most of the lands around Port Elgin are Canada Land Inventory Class 1, 2 or 3, with some pockets of lower class lands. The Highway 21 corridor specifically between Port Elgin and Southampton largely consists of Class 2 lands, with variable levels of soil fertility. The subject lands are Class 2F.

For these reasons, the consultant noted there are limited opportunities for the applicant to locate their business outside of prime agricultural lands or on lower priority agricultural areas while still staying in the Port Elgin area.

The consultant was subsequently asked to look at other industrial lands within Bruce County and to provide further rationale for locating the proposal in the Town of Saugeen Shores. In response, the consultant noted that the existing family-owned

² One site was also partially within the Residential designation.

business has operated in Port Elgin for 40 years. The new facility is an expansion of that business and will share resources, such as equipment, staffing and transportation, with the existing business. Finished products will be stored at the new site, which is 3.5 km from the existing business. Locations like the Bruce Energy Centre in the Municipality of Kincardine and East Ridge Business Park in the Municipality of Brockton are at least 25 km away and would result in increased transportation costs and time delays. Employee attraction and retention was also cited among the locational considerations, with the proposed site being easily accessible by car or active transportation from Port Elgin or Southampton. Other factors like the lack of a suitably sized site in the current phase of the East Ridge Business Park were also noted by the applicant.

County planning and economic development staff reviewed the supplementary information and are satisfied with the evaluation of industrial lands across the County. Economic development staff specifically noted that the application is aligned with the core principles for sustainable growth, workforce retention, and investment attraction.

- Impacts on the agricultural system are to be minimized and mitigated. The subject lands are in a fragmented portion of the agricultural area. There are a number of non-agricultural uses in the immediate vicinity including an automobile repair shop, contractor's business, single family dwellings, church, two golf courses and three licenced aggregate extraction sites. The development is proposed to be sited closer to the Highway 21 corridor where the greater mix of uses already exist. Approximately 13.9 ha of land will be removed from agricultural production. The remaining +/-41.59 ha of farmland on the property will be retained and will offer a buffer to other agricultural parcels to the south and east. The proposed buildings and outdoor storage area will be set back from adjacent properties and roadways. A landscaped berm and tree planting strip will screen the development from those adjacent properties and roads. Any potential impacts to traffic, water quality and water quantity have also been examined and addressed as detailed in other sections of this report.

Based on the above, the applicant has demonstrated consistency with the policies for locating a non-agricultural use in a prime agricultural area.