
HALDIMAND COUNTY

Report PDD-48-2021 Zoning By-law Amendment to Facilitate Future Commercial Development – 350 Argyle Street North

For Consideration by Council in Committee on September 14, 2021



OBJECTIVE:

To inform Council regarding application for a Zoning By-law amendment that was submitted to facilitate future commercial development in Caledonia and conduct the statutory public meeting.

RECOMMENDATIONS:

1. THAT Report PDD-48-2021 Zoning By-law Amendment to Facilitate Future Commercial Development – 350 Argyle Street North, be received;
2. AND THAT application PLZ-HA-2021-101 to amend the Haldimand County Zoning By-law HC 1-2020 by rezoning the subject lands from 'Light Industrial (ML)' and Development (D) to 'Service Commercial – Holding (CS-H)', be approved for reasons outlined in Report PDD-48-2021;
3. AND THAT the Zoning By-law Amendment attached to Report PDD-48-2021 to amend the Haldimand County Zoning By-law HC 1-2020, be presented for enactment;
4. AND THAT the Holding Provision Removal By-law attached to Report PDD-48-2021 be presented for enactment, and the General Manager of Community and Development Services be granted authority to remove the holding provision when all conditions relating to the matter are satisfactorily addressed;
5. AND THAT the application is considered to be consistent with the Provincial Policy Statement 2020, Provincial Growth Plan 2020 or other matters of provincial interest.

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Reviewed by: Shannon VanDalen, MCIP, RPP, CMMI, Manager of Planning and Development

Respectfully submitted: Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

This Zoning By-law Amendment is to facilitate the future development of commercial uses. The amendment is required to promote a comprehensive development along Argyle Street North and provide a sense of consistency with adjacent land uses. While specific uses have not yet been identified, the requested 'Service Commercial (CS) Zone' would provide the necessary breadth of uses desired by the applicant, while also representing a suite of permitted uses that would be consistent with current policy in this location and be compatible with existing and potential land uses on surrounding lands.

Planning staff are of the opinion that this proposal is in conformity with the Provincial Policy Statement (2020), complies with the Provincial Growth Plan (2020), conforms to Haldimand County's Official Plan,

and maintains the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020. Planning staff recommend approval of this amendment for the reasons set out within this report. A public notice sign was posted at the site and visible when the Planner conducted a site visit.

BACKGROUND:

An application to amend the Haldimand County Zoning By-law HC 1-2020 was received to facilitate future commercial development. The proponents—Empire Communities—recently purchased the former CN rail corridor for the purpose of facilitating infrastructure for their proposed Georgia Pacific (GP) Subdivision to the north and to ensure that a future trail connection is established for consistency with the Official Plan and Master Trails Plan.

The subject lands are located at the east side of Argyle Street North and south of Haldimand County Road 66, and are described as Range 1 East of Plank Road, Lots 9 to 11, Range East of Plank Road, Part A Block, Urban Area of Caledonia, Geographic Township of Seneca, known municipally as 350 Argyle Street North (Attachment 1).

The lands that are subject to this amendment are part of a parcel that is a former CN rail corridor. The entire parcel has an approximate area of 8 hectares (20 acres) and 23 metres (75 feet) of frontage on Argyle Street North. The lands have been merged with the adjacent former Georgia Pacific lands to the north, which are proposed for subdivision development. The proponents have recently received conditional approval from the Committee of Adjustment (July 20, 2021) to sever a portion of the lands from the remaining future subdivision. The severed portion would represent the entire frontage along Argyle Street North and would extend back (easterly) approximately 170 metres (550 feet) with an area of 0.35 hectares (0.8 acres) and identified as the subject lands for the zoning amendment.

Commercial uses are proposed on lands to the north of a site that consist of a multi-unit type development and Tim Hortons as well as mixed-use condominium buildings are located south of the site along Argyle Street North. A Food Basics grocery store is located to the west, and some smaller scale industrial and a future trail as part of the GP subdivision are to the east of the site.

The subject lands also contain the tributaries of Seneca Creek across the northern portion of the property and will have no negative impact from the future development of the subject site. Chippewa Trail is located to the northeast of the site and the proposed GP subdivision development will incorporate connecting trails as part of the Master Trails Plan for Haldimand County.

The proponents are proposing to amend the Zoning By-law from the current Light Industrial Zone (ML) and Development (D) zone to a Service Commercial (CS) with a Holding (H) provision to facilitate future commercial development. The Holding (H) provision is required to ensure that adequate access is provided via an easement for the trail connection. While there are no immediate development plans for the property, it is the intent of the proponent to re-zone and provide continuity along Argyle Street which has a majority of commercial type developments.

ANALYSIS:

Planning staff have determined key planning issues related to this application. They are as follows:

Provincial Policy:

Provincial Policy Statement

The Provincial Policy Statement (PPS) 2020 directs growth and development to settlement areas and promotes the vitality and regeneration of those areas. The proposed rezoning is intended to allow for future commercial development and the preservation of the future trail connection in

the urban area of Caledonia. A Holding provision will ensure that an easement is established to provide for the future link to the Chippewa Trail as part of Haldimand County's Masters Trail Plan. The proposal will maintain a positive land use that is consistent with the area and is separated from future sensitive land uses.

The proposed commercial zone will help facilitate the redevelopment of the former CN lands that will be in keeping with the neighbouring commercial uses such as Food Basics and Tim Hortons. There are many other commercial uses that front Argyle Street as well. Further, providing a consistent zone with adjacent lands will allow for future comprehensive development of the lands that will maximize the capabilities of the site with the inclusion of the trail connection. Furthermore, as part of the Official Plan update the idea of commercial development was considered in this location given the proximity to the downtown core. The growth strategy concluded that the historic industrial designation was not required as part of the overall land supply and the core employment lands designation was removed.

Amending the current zone to commercial will not only allow for a more comprehensive development but will aid in the growth of employment and economic stability within the County. The proponents have submitted an Employment and Residential Land Needs Analysis (Urban Metrics, October 2019) with the Gateway Subdivision application, which also includes the subject lands. The findings based on the analysis of land needs concludes that there is a surplus of employment lands. In speaking of long term needs, there is an improvement with the conversion of employment lands to commercial, in this location. As there is a number of proposed residential units within the area, amending the site to future commercial creates additional employment opportunities. This change supports the PPS policy framework of providing a variety of economic opportunities with an appropriate range and mix of commercial land types. Based on the foregoing, job opportunities and economic growth will be benefitted by permitted commercial uses that will serve the growing urban area of Caledonia.

The proposal is consistent with the PPS.

Provincial Growth Plan

Places to Grow was also reviewed in relation to the subject application. The Growth Plan (2020), to protect prime agricultural lands, directs growth to existing settlement areas and encourages intensification to promote complete communities that are compact, vibrant and optimize infrastructure. The proposed Gateway and Georgia Pacific subdivisions are promoting growth in both residential and commercial opportunities. The proposed amendment will also compliment the future growth of the urban area of Caledonia by providing additional employment opportunities. The conversion of employment lands will have no negative long term impact within the County, allowing for a complete development and maintaining the density of people and jobs per hectare and will have no negative impact on Major Industrial Parks or other industrial areas. Based on this, the application also aligns with the preliminary conclusions of the County's growth strategy.

Planning staff are confident that the application does not conflict with the Growth Plan and that the proposal is consistent with the intent of the Growth Plan.

County Policy:

Haldimand County Official Plan

The subject lands are designated 'Urban Business Park' and subject to the related policies within the Official Plan. The intent of this designation is to protect and preserve industrial and commercial development within settlement areas that have minimal impacts from sensitive land uses.

Specifically, the 'Urban Business Park' permits some commercial uses within the designated areas such as but not limited to animal hospitals, offices, automotive service station, drycleaners and wholesale outfitters. These commercial uses are to serve the industrial area and increase the attractiveness of the industrial uses. The proposal is an efficient use of the lands since the configuration of the site and limitations of the required future trail connection will allow for future development of the site that will be consistent and complimentary to the surrounding uses. The majority of Argyle Street North consists of commercial type uses including a grocery store, restaurants, multi-use buildings, plazas with service commercial uses (insurance, real estate offices) and some general retail. The inclusion of the subject lands for commercial purposes will allow the opportunity to continue the commercial development along Argyle Street North. There are minimal industrial lands in the area since the proposed plan of subdivisions to the north east is proposed to be residential with the industrial permissions being removed as part of the Official Plan Phase 1 (Growth Strategy).

The overall intention of application to amend the Zoning By-law to be consistent with surrounding land uses, to provide an opportunity for efficient use of the land, and to ensure that any future development will include a trail linkage.

Parkland/Trails:

Empire recently purchased the site from CN and intends on developing the lands as an extension to the Chippewa Trail which aligns with the County's Trails Master Plan. These lands have become part of the plan of subdivision application for Georgia Pacific which is currently under review. Similarly, a holding has been included to ensure that the appropriate connection from Argyle Street North can be established and maintained for public use.

The trail is identified in the Official Plan and is part of the County's Trails Master Plan. By way of this application and implementation of a holding, the intent of the trail development in this location will be preserved and its construction will be facilitated through a future site plan control application. The construction of the trail is a key piece of active transportation infrastructure that would ultimately connect the commercial area of Caledonia to all of the future Empire subdivision development and the Chippewa Trail that connects to Hamilton.

Based on the foregoing, it is staff opinion that the zoning amendment is consistent with the permitted uses within the Urban Business Park designation.

Haldimand County Zoning By-law

The subject lands are zoned 'Light Industrial' (ML)' and 'Development (D)' in the Haldimand County Zoning By-law HC 1-2020 and as depicted as part 1 and part 2 on Attachment 3. Part 1 identifies the portion of lands currently zoned Light Industrial and Part 2 identifies the portion currently zoned Development. Subsequently, part 1 and 2 are proposed to be amended.

The intent of this proposal is to provide consistency along Argyle Street North and amend the current zone to a 'Service Commercial (CS) zone. The adjacent lands to the north and south are also zoned for Service Commercial uses. The Service Commercial zone includes uses such as animal hospital, automotive gas station, automotive service shop and washing establishment, bake shop, bar or night club, boutique, building supply establishment, office uses, restaurants and certain retail stores amongst others. All of these uses align with the policy permissions of the Urban Business Park designation of the Official Plan and would allow for an overall comprehensive development opportunity for the former rail lands. To the north, there is a proposed commercial development currently under review and commercial uses such a Tim Hortons and a grocery store, located to the west and south of the site respectively. The full range of permitted uses in the CS zone was evaluated and staff do not foresee any compatibility issues

to any adjacent properties and technical issues such as access, grading, screening will be addressed through the required site plan review process.

Additionally, a Holding (H) will be applied to the subject lands to ensure the trail access will be included in any future development plans. The intent of the holding provision is to ensure transparency regarding the trail connection and to flag the trail connection as a pertinent aspect of future site design. Staff note that any future development will be subject to site plan control.

Planning staff are satisfied that the proposal meets the general intent of Zoning By-law HC 1-2020.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Building & Municipal Enforcement Services—No objections.

Grand River Conservation Authority—No objections.

Roads Operations—No objections.

Planning and Development (Development and Design Technologist)—No objections.

Water and Wastewater Engineering & Compliance—No objections.

Emergency Services—No objections.

No comments were received from the public or the Mississaugas of the Credit First Nation, Six Nations Council, Hydro One, MTO, MPAC, and Union Gas.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. General Location Map.
2. Location of Lands Affected—Owner's Sketch.
3. Draft Zoning By-law Amendment.
4. Draft Holding Removal By-law.