



PLANNING REPORT

Proposed Expansion of Ren's Pets Depot – Aberfoyle

**Official Plan Amendment Application - County File OP-2012-05
Zoning By-law Amendment Application - Township File P4/2012**

**Part of Lot 20, Concession 7
Township of Puslinch**

Prepared by the Wellington County Planning and Development Department

March 12, 2014

Introduction

The applications currently before the County of Wellington and Township of Puslinch are a proposed Official Plan amendment and Zoning By-law amendment. The purpose of these applications is to provide for the expansion of an existing commercial use located in the community of Aberfoyle in Puslinch Township. A Site Plan Application was filed with the Township in 2013 (currently under review) and a consent application for a proposed lot line adjustment has recently been submitted to the County of Wellington.

This report addresses the proposed land use changes being requested through the applications (OPA and rezoning) filed with the County and the Township in early 2012. These applications are subject to the legislation and planning policies in effect at that time (i.e. Provincial Policy Statement 2005, Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2006, and the Wellington County Official Plan, 1999, as amended.

The subject land is not within the Greenbelt planning area and therefore is not subject to the policies of the Province's Greenbelt Plan.

Purpose of Current Applications

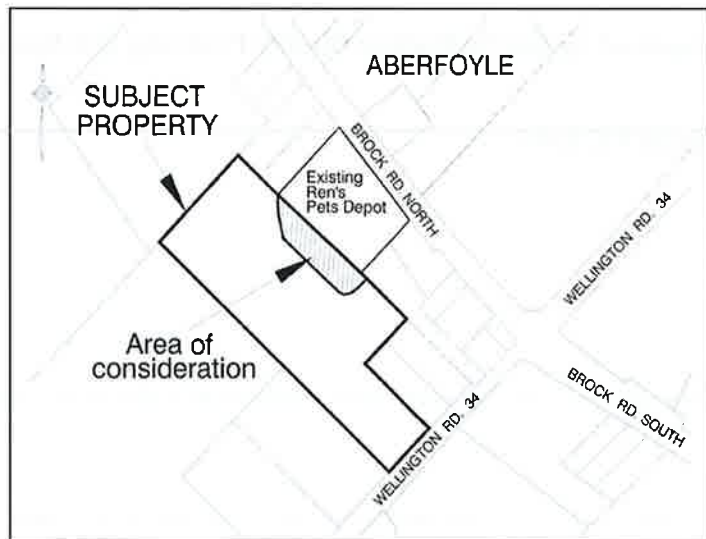
The Official Plan Amendment proposes to designate a portion of the subject lands from Residential to Highway Commercial. The balance of the subject lands will remain under the Residential and Core Greenlands designations. A copy of the proposed amendment to the County Official Plan is attached to this report.

The subject property is zoned Agricultural (A) Zone and Natural Environment (NE) Zone in the Township of Puslinch Zoning By-law 19/85. The Zoning By-law Amendment proposes to rezone a portion of the subject land ('area of consideration') from the Agricultural (A) Zone to a specialized Highway Commercial Zone. The balance of the property would remain under Agricultural and Natural Environment zoning. Special provisions are to be included in the amending by-law to limit the extent of the proposed development. A draft amending by-law is enclosed.

Location

The property subject to the planning applications is described as Part of Lot 20, Concession 7, Puslinch Township. The property is located in the community of Aberfoyle, west of Brock Road and north of Wellington Road 34 (see Location Map). The property is approximately 5.1 hectares (12.8 acres) in area. The "area of consideration" to be amended is approximately 0.6 ha (1.5 ac) in area and located immediately adjacent to the existing Ren's Pets Depot property at 20 Brock Road North (see map).

LOCATION MAP



Physical Characteristics of the Subject Property

The subject property is zoned Agricultural in the Township's Zoning By-law. The land is vacant and not currently used for farming. The 12 acre property has frontage and access to Wellington Road 34. The subject property was planted with coniferous trees and used by a previous owner as a tree nursery. Over time many of the trees have been relocated from the property. Two large tree clusters remain toward the centre and rear of the property.

The property contains a small watercourse (a tributary of Mill Creek) and its associated floodplain. The majority of the west half of the property is zoned Natural Environment (NE) which represents the extent of the floodplain. There are no other natural heritage features on the property.

Surrounding Land Uses

The land uses and features that surround the subject property include commercial, residential uses, institutional facilities or public uses, and large natural areas. More specifically: to the east are residential properties, to the north are large natural areas; to the west are open fields that are part of the Township and County municipal works yards; south of the 'area of consideration' is an open meadow with some scattered trees; further south are residential uses on large lots. The existing Ren's Pets Depot commercial use is immediately adjacent on the east side at 20 Brock Road North. Further east are natural areas and some residential uses.

AREA MAP



Development Concept

According to the applicant, the Ren's Pets Depot business is growing and requires additional warehouse and distribution space. The existing Aberfoyle site is constrained and the most optimal arrangement is to extend the existing warehouse building towards the west onto the adjacent property. The proposal is to expand the existing warehouse building by approximately 2322 m² (25,000 sq. ft.). The building expansion will require a severance and lot addition of approximately 0.6 hectares (1.2 acres) of land to the adjacent Ren's property.

Truck delivery and customer access to an expanded Ren's site will continue to be provided from Brock Road (Wellington 46). No new commercial access is proposed from Wellington Road 34. According to the applicant, the proposed warehouse expansion will not generate increases in truck traffic. The volume of merchandise/products to be brought to the site will increase, but that is achieved by delivery efficiencies not an increase in truck traffic.

In terms of the remaining property (i.e. retained parcel), the land will continue to be zoned Agricultural and Natural Environment.

Technical Reports

To address the policies of the Provincial Policy Statement, the Growth Plan, the County Official Plan, and review agency requirements, the following studies and reports were submitted by the proponent:

- Planning Report (May 2012) prepared by MHBC Planning
- Functional Servicing Report (April 2012), prepared by MTE Consultants Inc.
- Hydrogeological Investigation (May 2013) prepared by MTE Consultants Inc.
- Geotechnical Investigation (January 2013) prepared by CMT Engineering Inc.

Additional technical information and revised concept plans were provided by the proponent's consultants throughout the review process in response to comments by the Township's peer review consultants, public agencies, the public and other stakeholders.

Public Meeting

The statutory public meeting for the subject planning applications was conducted in accordance with the requirements of the Planning Act. The meeting was held on October 23, 2013 at the Township of Puslinch. Public comments expressed at the meeting included: concerns regarding natural environment (flooding, impacts on wildlife, wetlands), access from Wellington Road 34, site design and building aesthetics, noise, traffic, and other land use compatibility concerns.

Technical and land use questions were addressed by the applicant's consulting planners (MHBC) and engineers (MTE). The proponent agreed to have their consultants follow-up with the Township on matters that they were not able to immediately address or that required further investigation. In a letter dated January 15, 2014 to the Township, MHBC provided a detailed response to questions and concerns raised at the public meeting. A copy of the letter is attached to this report. We provide additional responses to the public input later in this report.

Written Submissions

Area residents have provided written comments regarding the proposal and many have expressed similar concerns as those raised at the public meeting. Correspondence from public review agencies, Township staff and peer review consultants, was also provided regarding this development application. Supplementary comments from the applicant's consulting team were submitted to the Township and shared with public, review agencies and others.

Detailed reporting on this proposal was provided by the following review agencies and peer review consultants for the Township: GRCA, Gamsby and Mannerow Engineers, GWS Ecological Services, Harden Environmental Services, and Wellington County Engineering and Planning. Final comments from the public agencies and the Township's peer review consultants indicate no objections or concerns with the proposed land uses changes. Further, the GRCA, Township staff and the peer review consultants were satisfied that technical matters were addressed or would be addressed as part of the site plan application process.

All technical reports, studies, agency and peer review comments, and related correspondence are available for review.

Provincial Planning Policy and County Official Plan

The proposed development application has been assessed based on Provincial and County planning policies applicable to the subject land at the time the applications were submitted. This section reviews the applicable planning policies to determine consistency and conformity:

Provincial Policy Statement, 2005

Section 1.1.1 of the Provincial Policy Statement refers to 'Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns'. This section states: 'Healthy, liveable and safe communities are sustained by: ...accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs...'. The proposed building expansion is to be located within a recognized urban settlement and is essential for the viability of an existing business in the community.

Section 1.1.3.1 of the PPS states that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted. The proposed development is situated within the settlement area of Aberfoyle as identified by the County Official Plan.

Section 1.1.3.2 of the PPS states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and efficiently use the infrastructure and public service facilities which are available. The subject proposal would effectively develop vacant urban designated land and provide opportunity for economic intensification along a major road (Brock Road). The density of development would be regulated through appropriate zoning provisions and site plan control.

Section 1.7.1 states that long-term economic prosperity should be supported by optimizing the long-term availability and use of land, resources, infrastructure, and public service facilities. The proposal fulfills this policy objective by utilizing the existing urban designated land and existing infrastructure. The proposal would help sustain and foster employment opportunities for an existing business in a commercial node of the municipality.

The development proposal is consistent with the objectives of the Provincial Policy Statement and particular the provisions of sections 1.1.1, 1.1.3, 1.3.1, 1.7, 2.1, 2.2, and 3.0.

Provincial Growth Plan

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) was approved in 2006 and is applicable in the review of the subject planning applications. Section 2.2.2(1) of the Growth Plan states that municipalities, in managing growth, will accommodate population and employment by directing growth to the built-up areas of the community and by providing communities with a range and mix of land uses and employment opportunities.

According to the County Official Plan, the subject lands are within the Aberfoyle 'Urban Centre' and are adjacent to land currently designated 'Highway Commercial' and 'Central Business District'. The proposed expansion of the existing commercial use on the subject land provides continued employment opportunities and commercial services within Aberfoyle.

Section 2.2.6 of the Growth Plan states that municipalities will promote economic development and competitiveness by: providing for an appropriate mix of employment uses including industrial, commercial and institutional uses...providing opportunities for a diversified economic base... maintaining a range of economic activities and ancillary uses, and addressing the needs of existing and future businesses.

The proposed expansion of the Ren's business is in keeping with the objectives of the Growth Plan.

Wellington County Official Plan

The subject lands are located within the Urban Area of Aberfoyle as identified on Schedule A7 of the County Official Plan. The Official Plan directs the majority of growth to Urban Centres and these areas are expected to provide a full range of land use opportunities, including commercial development.

The subject lands are designated Residential on Schedule A7-1 (ABERFOYLE) of the Official Plan. It is proposed that a portion of these lands be re-designated 'Highway Commercial' and be added to the adjacent Highway Commercial lands (Ren's Pets Depot).

The Highway Commercial designation is primarily intended for commercial uses serving the travelling public or uses not considered compatible within the downtown of the urban centre. In addition, the Highway Commercial designation is appropriate for those uses that, due to their nature, require large sites to accommodate their associated buildings, storage and parking requirements which are either not available or suitable within the downtown area of the community. Building supply, wholesale, automotive, and similar large format retail uses are typically found in highway commercial areas along major roads.

Section 8.6.7 of the County Official Plan provides expansion criteria for lands designated 'Highway Commercial'. According to 8.6.7, areas designated Highway Commercial may be expanded or new areas may be identified provided it does not detract from the viability of the Central Business District (CBD). The proposed use is to expand the existing and permitted commercial use in the Aberfoyle Urban Centre and in our view would not detract from the viability of the Central Business District.

In considering an expansion to a Highway Commercial area, the Official Plan requires a review of matters such as scale of development, vehicular access, and site design. These and other land use considerations are addressed in the following sections.

Land Use Compatibility and Other Planning Considerations

In response to the applications to allow for an expansion of the Ren's Pets Depot business, area residents raised concerns regarding the scale and design of the proposed commercial expansion and other potential impacts that development could pose on the natural environment and adjacent properties. The following sections review these concerns and other planning considerations.

Proposed Warehouse Expansion

Concerns regarding the proposed building's location, scale, and height were raised in relation to surrounding residential properties. In response, the applicant reduced the overall area of land for the proposed expansion from 0.9 hectares (2.2 acres) to 0.6 ha (1.2 ac.). This results in confining the building expansion to a smaller land area closest to the existing Ren's building and provided greater separation from the residential uses to the south.

It has been confirmed that the layout of the proposed building expansion is an L-shaped structure extending north and away from existing residences to the south. Building height would remain below 10 metres which is the maximum height permitted by the Township's Zoning By-law. The expansion would be limited to a maximum building area of 25,000 square feet. Total building coverage of the combined properties will be a maximum of 35% lot coverage. Outdoor storage of products and materials will be prohibited. These provisions and restrictions will be articulated in the amending zoning by-law.

The proposed building expansion will be visible from some of the surrounding residential properties. The on-site activities (unloading and truck movements) would be shielded or partially screened from surrounding properties due to the orientation of the proposed building and distance of this site to the property's boundaries. There are no commercial activities associated with the southern or western sides of the proposed building expansion. Outdoor lighting at those locations, if any, can be directional.

In summary, we believe that efforts have been made to setback and position the proposed use on the land to minimize potential impacts from commercial activities. Existing tree cover and landscaping on-site and on surrounding properties will also provide buffering and screening. Zoning provisions and site plan control will be used to ensure that land use compatibility is maintained for the proposed expansion.

Potential for Flooding

Area residents expressed concerns related to past flooding of properties and the potential for further flooding due to the proposed development. According to the Grand River Conservation Authority, the floodplain in the northwest area of Mill Creek in Aberfoyle (west of Brock Road and north of Wellington Road 34) covers a large area of the subject property and a majority of a residential property to the southwest. The watercourse at this location is narrow and shallow and in sustained rain events water levels can overflow the banks and extend throughout the relatively flat and wide floodplain. Because these areas are subject to periodic flooding they are zoned Natural Environment (NE). The temporary storage of water on NE lands is essential for flood control. The area proposed for the building expansion is not within the floodplain or the NE zone and the Conservation Authority had no objection to the proposed Official Plan and Zoning By-law amendments.

Stormwater Management and Drainage Concerns

The applicant has demonstrated, to the satisfaction of the GRCA and the Township's consulting engineers, that the stormwater management system on the Ren's site (at northwest end of the 20 Brock Road property) can be modified to accommodate storm water runoff for the proposed building expansion. It is expected that post-development runoff will match pre-development levels for all storm events. The GRCA and the Township's engineers will review the final design and construction of the stormwater management modifications as provided for through the site plan review process.

In an effort to address drainage concerns raised by a neighbour, Ren's conducted surface drainage works on the south side of their existing building. The improvements were carried out in August 2013 to ensure that surface runoff from the building's roof is contained on their property. We understand that through these changes, storm water from the roof now collects and outlets to the stormwater management system located on the north side of the property.

Natural Heritage Features and Functions

As noted, a tributary of Mill Creek traverses the subject property. The watercourse has a broad floodplain which covers a large portion of the west side of the subject property and beyond. There are no natural heritage features on the land to be severed and developed. In reviewing the proposal, the Grand River Conservation Authority had no concerns regarding the proximity of the proposed development to the surrounding natural features and functions. The Township's hydrogeologists (Harden Environmental) and ecologists (GWS Ecological Services) were satisfied that the proposed development would not have any adverse impacts on groundwater resources or natural heritage features.

In an effort to improve the stream channel (watercourse) on the subject property, a Landscape and Creek Enhancement Plan has been proposed by the applicant. The GRCA and Township's environmental consultant (GSW) reviewed the plan and, with some revisions, were supportive of the enhancement initiative. The creek enhancement and planting plan will be a requirement of the amending by-law and will be address through the site plan process.

Traffic

Truck traffic concerns were raised by area residents. The proponent has stated that truck traffic to the site will not increase. Based on recent correspondence from County Engineering Services (Roads Division), staff had no concerns regarding the proposed commercial expansion. In their view, there is adequate capacity on Wellington Road 46 (Brock Road) to accommodate traffic movements and any potential traffic increases. Access improvements (a left turn lane) were completed when modifications to 20 Brock Road were completed a few years ago. Truck traffic from Wellington Road 34 to Ren's site will not be permitted through this application.

Township's Design Guidelines

A concern was expressed regarding the design of the existing Ren's Pets Depot buildings and site layout and the proposed building expansion. It should be noted that the construction of the existing Ren's buildings pre-date the approval of the Puslinch Design Guidelines (February 2010). In our view, the overall site design and exterior treatment of the existing Ren's buildings are generally in keeping with the objectives of the Design Guidelines. With respect to the expansion, we anticipate that building design and exterior treatment would be similar to the existing buildings on the property. Staff will work with the Township to implement the Design Guidelines as they apply to the proposed expansion.

Peer Review and Public Agency Comments

The Township's consulting engineers (G&M), hydrogeologists (Harden Environmental), and ecologists (GWS) have reviewed the development proposal and associated studies and technical reports. As a result of the initial peer review comments, the applicant modified aspects of the development proposal including a reduced building envelope and a modified storm water management approach, among others. Upon review of the changes and updated technical reports, the Township's peer review consultants are satisfied with proposed development. The final design of the proposed storm water management will require further attention at the site plan stage, but staff and the consultants have confirmed that those matters can be appropriately addressed through the site plan review process.

In their letter dated July 8, 2013, the Grand River Conservation Authority confirmed that they had no objection to the proposed planning applications. The Authority also asked to be involved in the review of the final design of the storm water management system.

As mentioned, County Engineering Services (Roads) reviewed the development proposal and had no concerns with respect to traffic, access and storm water management. No other public agencies raised concerns or objections to the proposed planning applications.

Proposed Zoning By-law Amendment

The subject property is currently zoned Agricultural (A) Zone with the Natural Environment (NE) Zone which reflects the floodplain on the property. The request is to rezone the smaller 'area of consideration' to a site specific highway commercial zone. Staff has prepared a draft amending by-law (attached) to address the uses proposed and to: limit building size and height, restrict truck access to Brock Road (Wellington Road 46), and prohibit outdoor storage on the site. The

draft by-law also requires the merger of the proposed severed parcel with 20 Brock Road (Ren's site). Building coverage is limited to 35% of the lot and this provision will apply to the subject land. The existing NE Zone on the subject property will remain unchanged. The balance of the subject land will remain within the Agricultural (A) Zone.

Conclusion

The community of Aberfoyle is a designated Urban Centre in the County Official Plan. As directed by Provincial and County planning policy, settlement areas are expected to provide a range of land uses and future development opportunities. Urban Centres are the focus of commercial, residential, industrial, and cultural and recreational land use activities. While land use changes are expected for settlement areas, new development must be appropriately located and serviced, have regard to the protection of the natural environment, and designed to minimize impacts on surrounding land uses.

The purpose of the planning applications is to allow for the expansion of an existing business in the Township. Ren's Pets Depot requires additional warehouse and distribution capacity at its Aberfoyle location and they propose to expand their existing warehouse building onto the abutting property. Changes to the land use planning documents and a consent application are required to accomplish this expansion.

It has been demonstrated that the subject property does not contain significant environmental features and that the proposed development would not impact adjacent natural heritage features or their ecological functions. The proposed expansion will not alter or impact the watercourse or its floodplain on the retained lands or on surrounding properties.

Based on agency and peer review input, the proposed site (when merged with the neighbouring property) can be appropriately designed and serviced to accommodate the proposed building expansion. Site design measures and zoning regulations will be implemented to minimize impacts on adjacent properties and ensure land use compatibility.

County Staff will continue to work with municipal staff and its consultants through the site plan review process to ensure the proper and orderly development of the property and that matters such as: building design, site services, lighting, off-street parking and loading areas, storm water management, and landscape enhancement plans, are adequately addressed.

The proposal conforms to the policies of the Provincial Growth Plan and is consistent with the Provincial Policy Statement. The proposal conforms to the applicable policies of the County of Wellington Official Plan, as amended.

In our opinion, the re-designation of the 'area of consideration' from Residential to Highway Commercial to allow for the expansion of the existing commercial warehouse at 20 Brock Road is appropriate and conforms to the applicable policies of the County Official Plan. The zoning by-law amendment provides for the proposed commercial expansion in a manner that will regulate the scale and extent of the development. The amending by-law implements the intent of the Official Plan Amendment which conforms to provincial planning policy.

A copy of the proposed Official Plan amendment page and schedule and the amending by-law are attached.

Recommendations

It is recommended:

- i) That Council receive the Planning Report prepared by the County of Wellington Planning and Development Department regarding the expansion proposed by Ren's Pets Depot;
- ii) That Council support of the proposed Official Plan Amendment and advise County Council of its position on the matter;
- iii) That staff bring forward an amending zoning by-law for Council's consideration upon adoption of the Official Plan Amendment by Wellington County Council; and
- iv) That Council instruct staff and the Township's consultants to work with the GRCA, County Planning Staff, and applicant to prepare an appropriate site plan and development agreement for Council's review and consideration.

RESPECTFULLY SUBMITTED,
COUNTY OF WELLINGTON PLANNING & DEVELOPMENT DEPARTMENT



Aldo L. Salis, M.Sc., MCIP, RPP
Manager of Development Planning

Attch. Copy of Proposed Official Plan Amendment
Copy of Draft Zoning By-law Amendment
MHBC Letter dated January 15, 2014.

PART B - THE AMENDMENT

All of this part of the document entitled **Part B - The Amendment**, consisting of the following text constitutes Amendment No. ____ to the County of Wellington Official Plan.

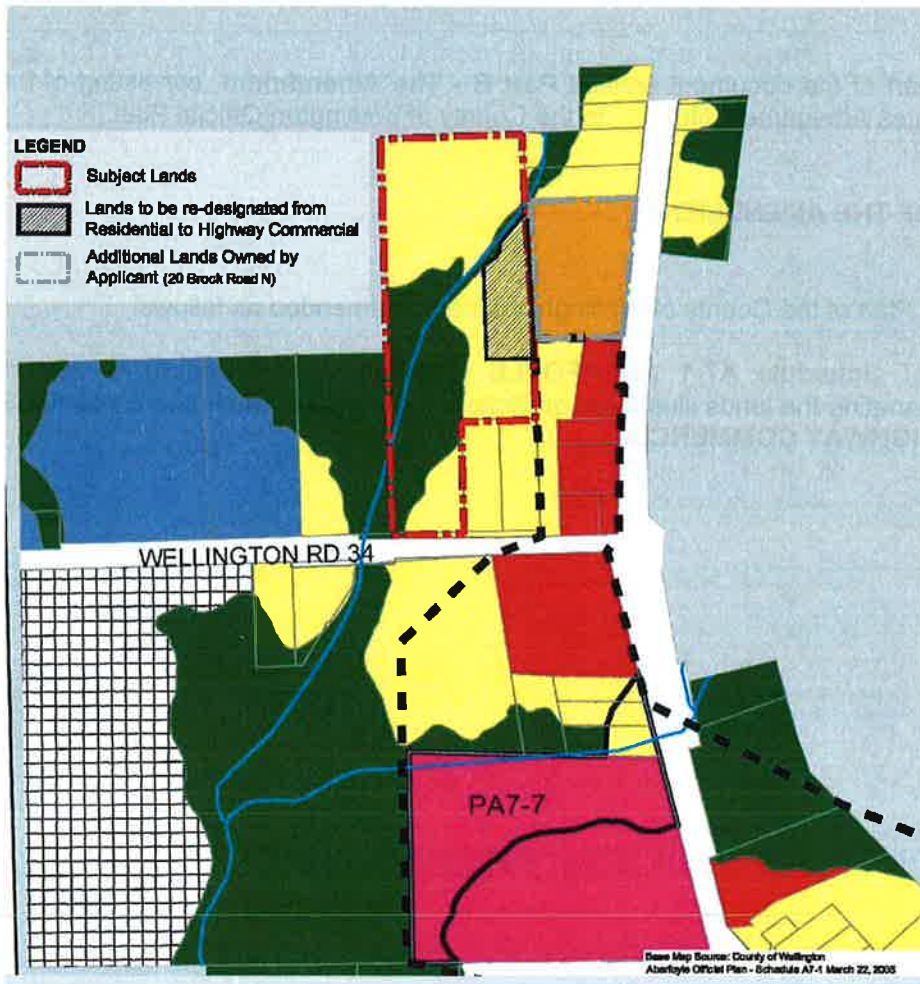
DETAILS OF THE AMENDMENT

The Official Plan of the County of Wellington is hereby amended as follows:

1. THAT **Schedule A7-1 ABERFOYLE (Township of Puslinch)** is amended by re-designating the lands illustrated on Schedule 'A' of this Amendment from RESIDENTIAL to **HIGHWAY COMMERCIAL**.

THE CORPORATION OF THE COUNTY OF WELLINGTON

SCHEDULE 'A'
OF
OFFICIAL PLAN AMENDMENT NO. ____



Draft Official Plan Amendment for Proposed Expansion of Ren's Pets Depot

ZONING BY-LAW AMENDMENT

for

R&C Job Holdings Inc.
(Ren's Pets Depot - Warehouse Expansion)

Part of Lot 20, Concession 7
(Aberfoyle)

Township of Puslinch

Township Application #P4/2012
(Related OPA File OP-2012-05)

DRAFT

Prepared by the
County of Wellington Planning Department

REVISED
March 13, 2014

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER _____

**A BY-LAW TO AMEND BY-LAW NUMBER 19/85, AS AMENDED,
BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH**

WHEREAS, the Council of the Corporation of the Township of Puslinch deem it appropriate and in the public interest to amend By-Law Number 19/85 pursuant to Section 34 of the Planning Act, R.S.O. 1990 as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

1. That Schedule 'A' (Map A-3) of Zoning By-law 19/85 is hereby amended by rezoning Part of Lot 20, Concession 7, from AGRICULTURAL (A) ZONE to a site specific **HIGHWAY COMMERCIAL (C2-7) ZONE**, as shown on Schedule "A" of this By-law.
2. That subsection 12(4) SPECIAL PROVISIONS is amended by adding the following new exception:

"(g) C2-7 Ren's Pets Depot – Expansion

Notwithstanding any provisions of this By-law to the contrary, for the land zoned C2-7 on Schedule 'A' and Map A-3, the following special provisions shall apply:

(i) Uses Permitted

- (a) A warehouse use in association with existing retail and office uses.
- (b) Buildings and structures accessory to the uses permitted in this Zone.

(ii) Zone Requirements

The applicable provisions of the C2 Zone shall apply to the subject land together with the following special regulations:

- (a) **LOT AREA & LOT FRONTAGE** Any building or structure on in the C2-7 Zone shall only be constructed as an addition to existing buildings within the C2 Zone and such land shall be merged with the abutting 20 Brock Road property (C2 zoned land).
- (b) **BUILDING HEIGHT (MAXIMUM)** 10 metres for warehouse buildings
- (c) **BUILDING AREA (MAXIMUM)** The maximum building area expansion for a warehouse use in the C2-7 Zone shall be 2323 metres square. The total floor area devoted to all warehouse uses, including the C2-7 Zone and the existing building, shall be a maximum of 4645 metres square.

(d) LOT COVERAGE (MAXIMUM) 35%

(e) OUTDOOR STORAGE The outdoor storage of raw materials and finished products is prohibited.

(iii) Additional Zone Requirements

SITE ACCESS Truck and vehicular access to the C2-7 Zone shall only be permitted from Brock Road (Wellington Road 46). No commercial vehicular access shall be permitted to the C2-7 Zone from Wellington Road 34.

LANDSCAPED AREA A landscape planting area shall be established along the creek corridor.

Unless otherwise provided above, all other applicable provisions of By-law 19/85, as amended, shall apply to the C2-7 Zone.”

3. This By-law shall become effective from the date of passage by Council and come into force in accordance with the requirements of the Planning Act, R.S.O. 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2014.

MAYOR

CLERK

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2014.

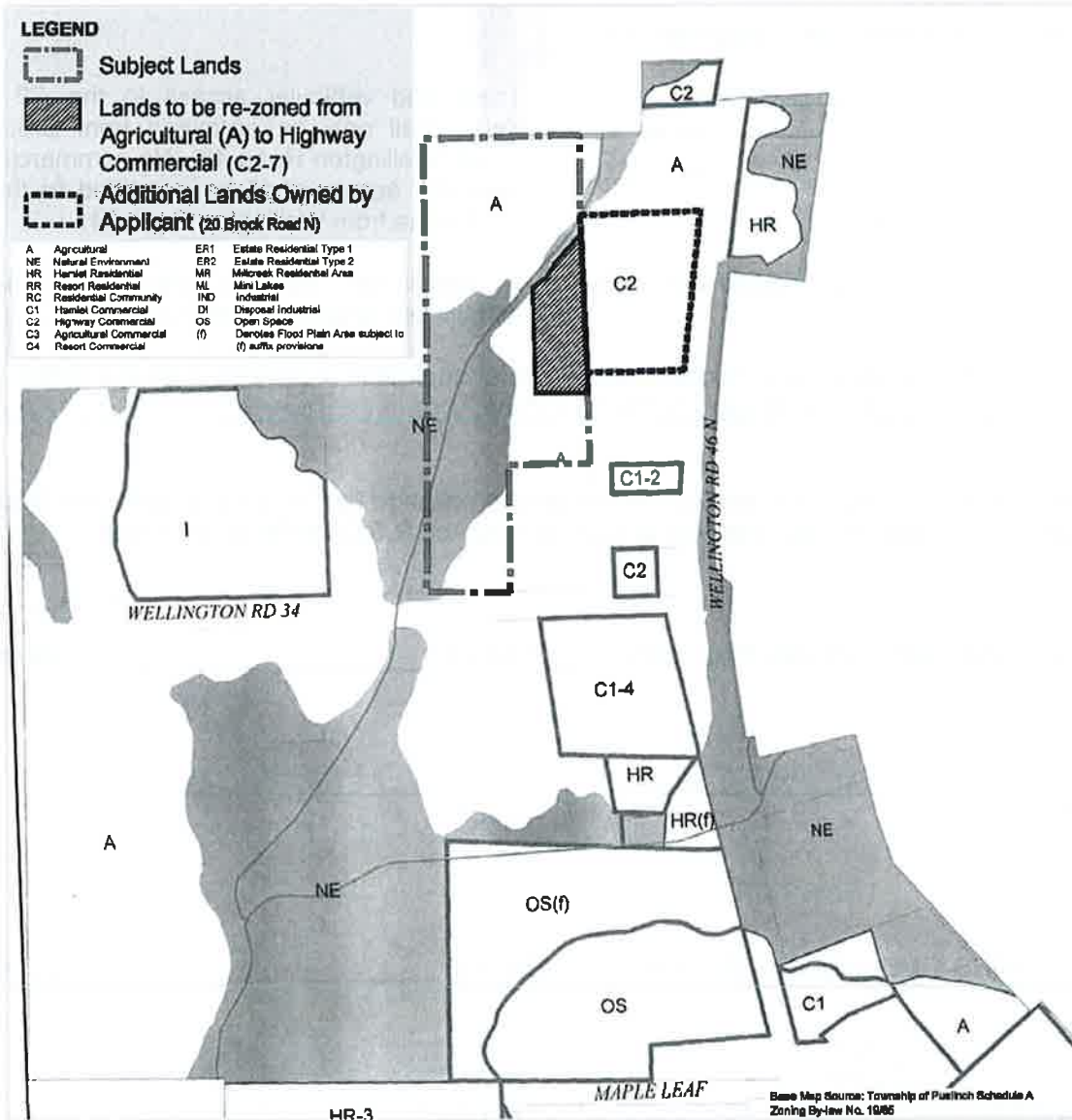
MAYOR

CLERK

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NO. _____

SCHEDULE "A"



This is Schedule "A" to By-law No. _____

Passed this ____ day of _____, 2014.

MAYOR

CLERK

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

EXPLANATION OF BY-LAW NO. _____

By-law Number _____ amends the Township of Puslinch Zoning By-law 19/85 by rezoning Part of Lot 20, Concession 7 from the current Agricultural (A) Zone to the HIGHWAY COMMERCIAL (C2-7) ZONE as shown on Schedule "A" of this By-law.

The purpose of this Zoning By-law amendment is to allow for the expansion of an existing highway commercial use in Aberfoyle. Ren's Pets Depot is located at 20 Brock Road North in Aberfoyle. The existing Ren's site contains a building used for retail sales and a separate warehouse building. It is the owner's intent to expand the existing warehouse building immediately west of the Ren's site onto the subject property. Amendments to both the County Official Plan and Township Zoning By-law are required in order to permit the proposed building expansion.

The existing Natural Environment (NE) Zone is to remain unchanged.

The related Official Plan Amendment (OPA) application is County File OP-2012-05. Adoption of the related OPA is necessary before rezoning by the Township. A separate application to the Wellington County Land Division Committee for a lot line adjustment will be required to allow for the proposed site to be added to the existing Ren's commercial property.

Redevelopment of the property will be subject to Site Plan Control.

January 15, 2014

Ms. Karen Landry
Chief Administrative Officer/Clerk
Township of Puslinch
7404 Wellington Road 34
Guelph, ON N1H 6H9

Dear Ms. Landry,

**RE: Rens Pet Depot Expansion – Brock Road, Township of Puslinch
OUR FILE 0988B**

On behalf of our client, please accept this letter as a response to the comments received at the recent Public Meeting for the Official Plan Amendment and Zone Change application for the lands.

The project team has been working to resolve the Township and agency comments for over the last 2 years. The project team met with the Township and agencies to review the comments provided through the Township circulation process and the details necessary to respond to the comments. Additional study and analysis was completed by the project team and a response to the comments was submitted to allow the Township to move forward with a Public Meeting. The intent of this letter is not to reiterate the approvals of the agencies, however the approvals will be reference where they also address a public comment. The Township of Puslinch/Agency comments were provided to the Township in advance of the Public Meeting and are summarized below:

- Harden Environmental - Letter dated June 24th 2013 to Township of Puslinch – Storm Water concerns were addressed - No concerns.
- Grand River Conservation Authority (GRCA) – Review the submission and have no objections.
- GWS Ecological & Forestry Services - Satisfied with proposed Landscape and Creek Enhancement Plan – no further concerns raised.
- County of Wellington/Roads Department - No concerns. Requested copy of Storm Water Management Report and this has been given to them.
- County of Wellington – Planning Department - Letter October 15th 2013 – It would appear that the major technical issues for the proposed expansion have been addressed to the satisfaction of Township staff, peer review consultants and applicable public agencies.

The following table provides an overview of the comments that were received at the public and throughout the process and how the comments have been addressed or considered:

Public Meeting Comment	How Comment Addressed or Considered
Reduction in neighbouring property value.	<ul style="list-style-type: none"> The consideration of property values is not a consideration of the Planning Act.
Flooding Issues on Property and adjacent lands	<ul style="list-style-type: none"> GRCA has mapped the floodplain and is the authority on the floodplain. The proposed development is outside of the mapped floodplain. All proposed grading operations fall outside a 5.0 m wide setback as reviewed and approved by the GRCA. A stormwater management report was prepared by MTE Consultants which considered the 100 year storm event. The analysis assessed pre/post conditions and confirmed the proposed stormwater management scheme will result in no additional peak flows compared to current conditions. GRCA and the Township Engineer have supported the stormwater management report.
Aesthetics of Warehouse - Height Use of Materials	<ul style="list-style-type: none"> The owner has agreed to change the design of the building to a flat roof (from a peak roof) and is prepared to set a maximum height of 10 m (33 feet). The building design is a matter of site plan control. The owner has agreed to a design consistent with the existing facility to ensure a cohesive look to the building. The owner has agreed to not have any building openings or loading areas in the direction of the properties to the east.
Township Design Guidelines	<ul style="list-style-type: none"> The guidelines apply to the lot frontage and the subject application is for an addition at the rear of the property. The proposed addition will be appropriately designed and landscaped through the site plan process.
Increased Trucking Traffic	<ul style="list-style-type: none"> All movement will be through existing site access on Wellington Road 46 (Brock Road N) which was improved with a right turn lane at the time of the previous construction. No additional truck traffic or employee traffic will be generated for the proposed warehouse addition Currently, the vehicles are parked on site waiting in queue for a loading dock to become vacant. The proposed expansion is for better staging of his inventory as currently the pallet racking system in place does not work as efficiently as it could. Therefore, the same number of trucks are coming to/leaving the site will not have an impact traffic
Noise from the proposed addition	<ul style="list-style-type: none"> No loading areas directly facing existing residential uses and Wellington Road 34 A Noise Study had not been requested up to this point. Ren's Pets advised that back up beepers are a Safety Standards Issue.
Access to Wellington Road 34	<ul style="list-style-type: none"> The owner has no intention to use Wellington Road 34 driveway access for the commercial use. All site access will be through Wellington Road 46 (Brock Rd). The owner has agreed to have a restriction placed through

	<p>zoning and the site plan agreement that all commercial access is through the existing access.</p> <ul style="list-style-type: none"> The owner has also agreed to the use of a 1' reserve across the frontage of Wellington Road 34 until such time as the site plan approval is granted and the site plan agreement is in place for the commercial use.
Effect on Nature and Wildlife and encroachment to creek	<ul style="list-style-type: none"> No GRCA designated wetlands are located on subject lands. There are no designated natural features on the lands subject to the application. No alteration to creek is proposed. Development located outside designated GRCA floodplain area with a 5.0 m setback provided to all proposed grading operations. The proposed infiltration gallery will provide base flow recharge to the creek. Appropriate engineering studies (Functional Servicing, Hydrogeological, Geotechnical) have been completed and supported by key agencies. Proposed creek enhancement landscape plan has been prepared and supported. The landscape plan proposes enhancements to the creek through planting of larger canopy trees and other vegetation along the creek corridor.
<p>Mr. Finck suggestions on zoning considerations:</p> <ul style="list-style-type: none"> Implement a restriction stating that there will never again be a rezoning of that land in the future. Mr. Job stated he is willing to sign this document. Ensure that no additional flooding happens on 7424 and 7410 Wellington Rd 34 or any other neighbouring properties Restrict the height of the warehouse to a single storey. No more than 20 feet to the roof peak Prohibit construction traffic or any trucking access to the driveway off Wellington Road 34 Put in a monitoring method to ensure that no additional traffic occurs off Brock Road 	<ul style="list-style-type: none"> Any new application would be subject to the required planning process, including public consultation. The owner has agreed to site specific zoning to limit the proposed expansion and require that any change 'trigger' another process. The stormwater management plan has been reviewed and approved by the GRCA. The current GRCA mapping identifies these lands as being partially within the GRCA regulated area but all proposed grading operations will be a minimum of 5.0 m outside of the floodplain. The owner has agreed to change the design of the roof and limit the height to 10m (33 feet). The owner has agreed to no truck or commercial use access to Wellington Road 34 and further controls (as noted above). Brock Road is a County Road with significant capacity for traffic movement. Improvements were previously made to Brock Road.
Compatibility with Hamlet area	<ul style="list-style-type: none"> The Hamlet currently has a range of uses permitted in the Official Plan and Zoning By-law. Adjacent lands are zoned commercial. The area to be zoned commercial has been 'scoped' to provide a setback from existing residential.
Traffic Study	<ul style="list-style-type: none"> A traffic study was done previously for the existing warehouse and road improvements were completed. The proposed

	<p>expansion did not trigger the need for any further analysis or improvements to the road. The County has not raised any concern with regard to this matter.</p>
Existing drainage issue	<ul style="list-style-type: none"> The existing drainage issue has been addressed by the Owner through recent works. The proposed addition is based on a stormwater management and grading approach that will not direct water to adjacent lands.
Lot coverage percentage	<ul style="list-style-type: none"> The Owner has agreed to establish a specific regulation in the by-law. The lot coverage has been established in consideration of previous comments to limit the area of the C2 zoning to a minimum and therefore limit and future expansion potential. To address agency, Council and public comments, the proposal has been revised and as such approximately 0.52 ha of the property is now requested to be redesignated and rezoned for highway commercial uses as illustrated in the attached plans. Overall, the revised proposal represents a reduction in land area to be redesignated/rezoned for highway commercial purposes by approximately 56% and a reduction in land area of approximately 64% included in the proposed Consent. A site plan, including engineering design, has been prepared and illustrates the site area that will appropriately accommodate the proposed expansion.
Artesian well location	<ul style="list-style-type: none"> The proposed expansion has considered the location of the well and is designed to avoid the artesian well.
Existing use permissions	<ul style="list-style-type: none"> The building was deemed to comply through previous Township approvals.
Location of fire hydrants	<ul style="list-style-type: none"> The placement of the existing fire holding tank and hydrant were approved through a previous site plan application by the Fire Department. The current plan for the expansion would have to be approved by the current Fire Department and will accommodate the comments received from the Fire Department. This may include moving the existing hydrant to a more accessible area.
Timing for expansion	<ul style="list-style-type: none"> The objective is to begin construction in Spring 2014.
Impact of stormwater run-off and flooding	<ul style="list-style-type: none"> Existing stormwater management facility will not be modified. Stormwater from the roof of the proposed warehouse addition will be directed to a groundwater infiltration gallery. Infiltration gallery has been sized to accommodate runoff from the proposed addition roof for storms up to and including the 100 year storm event. Post development runoff rates match pre-development levels for all storm events. Post-development flow rates have been reduced to pre-development levels and peak runoff to creek will not increase as a result of the proposed addition. The GRCA has reviewed and is in support of the proposed Stormwater Management Scheme.
Run-off of untreated surface water	<ul style="list-style-type: none"> Runoff from the roof of the building addition can be

to creek	<p>considered clean water for the purposes of stormwater management. Roof runoff will be directed into the infiltration gallery thereby cooling the water and satisfying temperature requirements</p> <ul style="list-style-type: none"> • Runoff from the proposed additional asphalt area will be directed to a Stormceptor oil-grit separator to provide water quality control. • The Stormceptor, along with the existing SWM facility, will provide a treatment train approach thereby improving overall water quality. • Sediment control fencing will be installed along the 5.0 m GRCA floodplain setback as the limit of grading for the site. The fencing will help to prevent sediment migration into the creek during construction.
Water temperature impacts	<ul style="list-style-type: none"> • The infiltration gallery helps provide a cooling effect on runoff from the proposed addition. • The Township and GRCA have approved the stormwater management approach.
Floodline location not accurate	<ul style="list-style-type: none"> • The Chair suggested that the County Planner Aldo Salis follow up with GRCA regarding their mapping. • MHBC has discussed with GRCA and GRCA confirmed the floodplain mapping.
Spill Control Plan	<ul style="list-style-type: none"> • There is a minimal chance of a spill occurring on site given that no fueling of vehicles will occur on site; and there are no chemicals stored outside. • In the event that there is fluid leak from any of the trucks while docking, an oil-grit separator is proposed near the loading dock, which will separate oil and grease from runoff, treating it before it enters the creek. The owner will enter into a maintenance agreement with a suitable contractor to clean the oil-grit separator on an annual basis.
Septic and Groundwater Concerns due to increased employees and customers	<ul style="list-style-type: none"> • The existing septic system was investigated as a part of the Preliminary Servicing Study. The investigation found septic system is adequately sized to support the site including the proposed building addition. • The Preliminary Servicing Study was reviewed and approved by the Township.
Impacts of building foundation	<ul style="list-style-type: none"> • Groundwater analysis completed including spring conditions. The floor slab elevation for the building is set significantly above the groundwater table in the area. This has been reviewed and approved by the Township Hydrogeological expert.
Installation of culvert behind retail store	<ul style="list-style-type: none"> • The culvert installed directly behind the retail building was part of the previous stormwater management design. This culvert is not within the creek corridor and does not alter or impact the creek.
What amount of rainfall is held within the infiltration gallery	<ul style="list-style-type: none"> • MTE Consultants advised that approximately 60 m³ of water would be held in the infiltration gallery. When modeled using

	<p>MIDUS modeling software, it was found that the proposed gallery was sufficient to infiltrate all storm events up to and including the 5 year storm event. The 100 year storm event had a some residual overflow but the peak flow matched pre-development levels.</p> <ul style="list-style-type: none"> The approach has been reviewed and approved by the Township and GRCA.
Feasibility of a one foot reserve on Wellington Road 34	<ul style="list-style-type: none"> The Owner has agreed to a 1' reserve on the Wellington Road 3 entrance until such time as appropriate site
Current and planned capacity	<ul style="list-style-type: none"> There are between 40-50 employees currently on site for both the retail and warehouse component. There are no plans to employ more staff at this time. The proposed expansion will operate with the existing staff levels.
Night time operations	<ul style="list-style-type: none"> There are currently no restrictions. The owner advised that employees working at night is not out of the question, however the Owner is agreeable to restricting truck traffic throughout the night time hours.

In our opinion, it is appropriate for the Township and County to proceed to finalizing their respective staff reports for consideration by Council, as:

- The application has been revised throughout the process to address the technical comments from the Township, County and agencies:
 - GRCA has no objection to the OPA and Zoning By-Law.
 - Township staff and consultants support the OPA and Zoning By-Law.
 - County Engineering Services and Roads Division have no objection to the OPA and Zoning By-Law.
- Public comments received through Planning Advisory Committee meetings and letters have been considered. The applications have been adjusted in an effort to respond to concerns. This letter represents a further response to the comments.

We are working on draft regulations for the site specific zoning that will provide direction (i.e. maximum building height, setbacks) and detailed design through Site Plan Review process. This will be provided under separate cover upon discussion with Mr. Salis.

We look forward to moving forward with a staff report and Council consideration to meet the construction timelines for Spring 2014.

Yours truly,

MHBC



David Aston, MSc, MCIP, RPP

C. Mayor Lever, Aldo Salis, Colin Job, Francis Reyes