



Committee Report

To:	Warden Hicks and Members of Grey County Council
Committee Date:	September 23, 2021
Subject / Report No:	County Official Plan Amendment 42-05-220-OPA-10 / Report PDR-CW-20-21
Title:	Chapmans Official Plan Amendment # 10 Merit Report
Prepared by:	Scott Taylor
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Municipality of West Grey and Municipality of Grey Highlands
Status:	Recommendation adopted by Committee as presented per Resolution CW157-21;

Recommendation

1. That Report PDR-CW-20-21 regarding a proposed County Official Plan Amendment be received; and
2. That the proposal proceeds to a Public Meeting to consider an amendment to the County of Grey Official Plan to re-designate a portion of the lands from the 'Rural' designation to the 'Primary Settlement Area' designation to allow for the expansion of an industrial use on lands legally described as Part lots 94 – 97, Concession 1 SWTSR, Municipality of West Grey, geographic Township of Glenelg, provided the Municipality is prepared to hold a joint public meeting in consideration of the necessary local amendment requirements.

Executive Summary

A proposed County official plan amendment application (42-05-220-OPA-10) has been submitted to re-designate a portion of the subject lands to allow for an expansion of Chapmans Ice Cream. The subject lands are in the Municipality of West Grey, although the current Chapmans plant to be expanded is in the Municipality of Grey Highlands. The initial plant expansion would be approximately 8,400 m² (90,000 ft²) in building size and would also be accompanied by some additional parking areas. Future expansions to the building or parking areas could also be accommodated in the expansion lands. This proposed development also involves zoning by-law amendment and site plan applications to West Grey, as well as a future agreement with Grey Highlands.

Background and Discussion

The County has received an application from David Chapman's Ice Cream Limited (hereafter referred to as Chapmans), represented by Ron Davidson, Land Use Planning Consultant Inc., to amend the Grey County Official Plan as it applies to the subject lands. The amendment would re-designate approximately 6.6 hectares of land from the 'Rural' designation to the 'Primary Settlement Area' designation. The subject lands are approximately 44 hectares in size. There are also some designated 'Hazard Lands' on the subject property, but these lands are not within the areas to be re-designated.

Although the current Chapmans plant is in Grey Highlands, there are no practical locations on the lands to permit this expansion from both an operational and land use planning perspectives. Chapmans owns the abutting lands in West Grey, a portion of which would support the expanded buildings and parking facilities. Chapmans currently employs over 800 people, and these development applications would facilitate their continued growth. The plant expansion would be municipally serviced and gain access through the existing road network including Chapman's Crescent, Wellington Avenue North, and Highway 10.

The proposed development also requires an amendment to the Municipality of West Grey zoning by-law. Following decisions on the official plan and zoning amendment applications, it is anticipated that a site plan control application would also be required. An agreement with the Municipality of Grey Highlands regarding servicing will also likely be required.

This site abuts the northwest boundary of Markdale, on the south side of Highway 10. The subject lands are located at 775284 Highway 10, legally described as Part lots 94 – 97, Concession 1 SWTSR, geographic Township of Glenelg, now in the Municipality of West Grey. Map 1 below shows an aerial photo of the subject lands, while Map 2 shows the lands to be re-designated. Please note that the airphoto was taken in 2015, and further buildings have been constructed on the Chapmans Grey Highlands property since then.



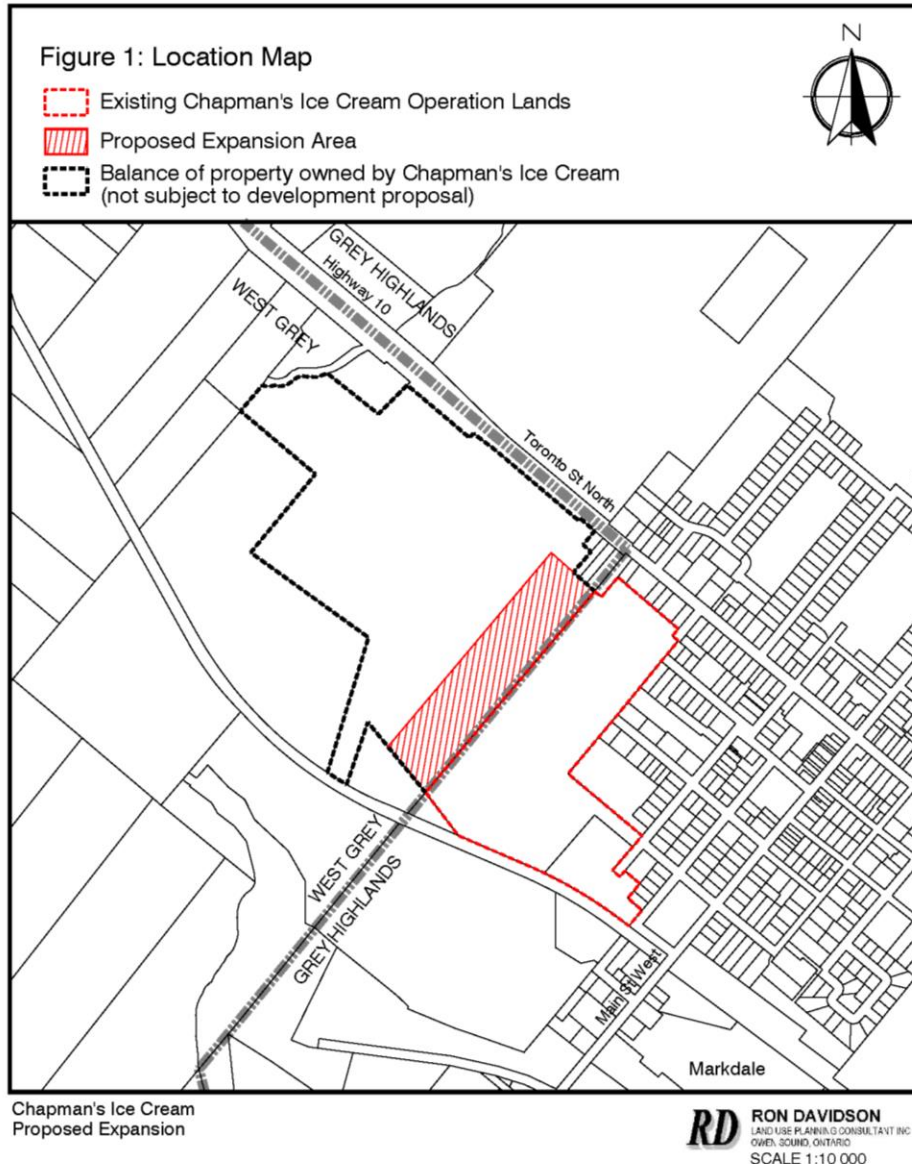
Map 1: Airphoto of the Subject Lands

The subject lands are currently farmed. Surrounding the proposed expansion site are a mixture of residential, industrial, farmland, future development lands, sewage lagoons, and natural areas.

In support of these applications the applicant has submitted planning servicing, traffic, and stormwater management reports, as well as site plans. Copies of the reports and background materials can be found at the below link:

[Link to Background Materials](#)

A joint public meeting has been scheduled with the Municipality of West Grey for Monday October 18, 2021.



Map 2: Proposed Expansion Lands (courtesy of Ron Davidson)

Analysis of Planning Issues

In rendering decisions, planning authorities must have regard to matters of Provincial interest under the *Planning Act* and be consistent with the Provincial Policy Statement (PPS). Decisions within the County must also conform to the County of Grey Official Plan and any Provincial plans in force and effect.

A detailed planning analysis has not been undertaken at this stage. Following the public process, and agency comments, a thorough analysis and staff recommendation will be provided. Key Provincial and County policies have been flagged below for consideration.

Provincial Legislation – The Planning Act

Most notable to this proposed official plan amendment are the following clauses from the *Planning Act*, which will need to be considered.

- (a) the protection of ecological systems, including natural areas, features and functions,
- (b) the protection of agricultural resources of the Province,
- (e) the supply, efficient use and conservation of energy and water,
- (k) the adequate provision of employment opportunities,
- (m) the co-ordination of planning activities of public bodies,
- (o) the protection of public health and safety, and
- (p) the appropriate location of growth and development.

The above matters have been reviewed in the background reports accompanying this development. Following public and agency review, County staff will offer a thorough analysis of these matters.

Provincial Policy Statement (PPS 2020)

Section 1 of the PPS promotes development and redevelopment within settlement areas. Section 1.1.3.8 contains policies with respect to expanding a settlement area and requires that a comprehensive review be submitted in support of such proposals. This section also notes that; *“In undertaking a comprehensive review, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.”* This settlement area expansion is a little different from others across the County, in that the expansion is needed onto the existing ice cream plant, therefore there is little opportunity to explore alternate locations.

Section 1.2.6 of the PPS relates to land use compatibility and the need to mitigate any impacts between major facilities and sensitive land uses. Section 1.3 provides policy direction on employment areas.

Other sections of the PPS cover similar subject matter as the *Planning Act* including the need for servicing, protection of the environment, etc.

County of Grey Official Plan

Similar to the PPS, the County Plan contains policies on directing the majority of new development to settlement areas and only expanding settlement areas at the time of comprehensive review. As noted earlier in this report, the subject lands are Rural, but abut the Primary Settlement Area of Markdale. There is currently no opportunity to expand the plant elsewhere within Markdale and the expansion is a natural extension of the existing plant from an operations perspective. The proposed development will be outside of the designated Hazard Lands on-site.

Portions of the subject lands are within a Wellhead Protection Area (WHPA)-D, Significant Valleylands, and Other Identified Wetlands. Only WHPA D impacts the expansion lands, while the other environmental features are located outside of the expansion area. There are also some Significant Woodlands on lands adjacent to this property.

Section 8 of the Plan provides policies on roads and transportation. Chapmans has a significant volume of employees and truck traffic using the current plant. The proposed expansion will result in some increased traffic. Review of this application will require input from the Ministry of Transportation, County Transportation Services, as well as West Grey and Grey Highlands staff.

As noted above, following the public and agency processes, a thorough planning analysis and staff recommendation will be provided.

Legal and Legislated Requirements

The application will be processed in accordance with the Planning Act.

Financial and Resource Implications

There are no anticipated financial, staffing, or legal considerations associated with the proposed official plan amendment, beyond those normally encountered in processing an amendment. The County has collected the requisite application fee and peer review deposit for this application.

Relevant Consultation

- Internal: Planning, Transportation Services, and Economic Development Staff
- External: Municipality of West Grey, Municipality of Grey Highlands, Ministry of Transportation, required agencies under the *Planning Act*, and the public

Appendices and Attachments

None