



A People Place, A Change of Pace
SHELBURNE
ONTARIO, CANADA

Meeting Date: Monday, August 23, 2021

To: Jennifer Willoughby, Secretary-Treasurer,
Committee of Adjustment

From: **Steve Wever, Town Planner**

Report: P2021-34

Subject: **Application for Consent B21/03**
485387 Sideroad 30 (County Road 11)
LOFT Planning for Gott Enterprises Inc.

Recommendation

Be it Resolved that Committee of Adjustment grant conditional approval of Consent Application B21/03 subject to the following:

1. That the Secretary-Treasurer's Certificate under subsection 53(42) of the Planning Act R.S.O. 1990, c.P.13, as amended, shall be issued and the Secretary-Treasurer's fee be paid;
2. That approval of the easement documents and the draft reference plan shall be obtained at the Committee of Adjustment office (Town of Shelburne) and the required number of prints (3) of the resultant deposited reference plan shall be received; and,
3. That the conditions are to be fulfilled and the consent is to be finalized on or before one year from the date of the issuance of the Committee's notice of decision.

Background

An application for Consent (pipeline easement) has been submitted by Loft Planning Inc., on behalf of the owner for the property located at 485387 Sideroad 30 (County Road 11). The property is owned by GOTT Enterprises

Inc. and is currently occupied by an existing plastics recycling operating as Blue Mountain Plastics as an Ice River Springs company. The subject property is legally described as Part Lot 31, Concession 2, Part 1 on Reference Plan 7R-4664. The property has a total area of approximately 9.3 hectares with 306 metres of frontage on 30th Sideroad. A water bottling facility is located on the adjoining property at 108 Prentice Drive, which is held in a separate property ownership name (Barlow Trail Investments Inc.) under the same group of companies.

The purpose of the application is to create an easement to allow a private water pipeline to run through the subject land to the abutting property to the west. The property currently contains two (2) existing industrial buildings (Blue Mountain Plastics/Ice River Springs) and associated parking, loading, storage, landscaping and stormwater management areas.

Analysis

The property is situated at the south limit of the Town along County Road 11 (30th Side Road) which is also the municipal boundary between the Town of Shelburne and the Township of Amaranth. The property is designated "Employment" in the Official Plan and zoned "Employment (M1) Zone" in the Zoning By-law.

The proposed pipeline easement starts in the south-east corner of the property and is approximately 1,964.93 square metres in area and has a length of approximately 330.36 metres. The width of the proposed easement is approximately 6.0 metres. The attached easement sketch illustrates the dimensions and location of the proposed pipeline easement on the subject property.

Surrounding Land Use Context

To the north is an industrial property that is currently occupied by KTH Manufacturing. The property is bounded by County Road 11 to the east and south. To the immediate west of the property is the new water bottling facility at 108 Prentice Drive and the related stormwater management facility, in the Shelburne Industrial Park. Agricultural uses are located to the south in the Township of Amaranth.

Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe

The 2020 Provincial Policy Statement (PPS) provides direction on matters of Provincial interest related to land use planning and development and is relevant to the proposed application. All land use planning decisions shall be consistent with the PPS in accordance with Section 3 of the Planning Act.

The Growth Plan for the Greater Golden Horseshoe ("Growth Plan") came into effect on May 16, 2019 and was amended on August 28, 2020. The Growth Plan is the Ontario government's initiative to guide and manage growth and development in a way that supports economic prosperity, protects the environment and helps communities achieve a high quality of life.

The proposal to create a pipeline easement within the subject property will not change the permitted uses of the land and will not create a new building lot. The pipeline easement will not have any significant impact on the potential for future additional buildings and intensification of the existing industrial use of the site or a change of use in the future to other permitted industrial operations.

The application is consistent with the PPS and conforms and does not conflict with the Growth Plan.

County of Dufferin Official Plan

The subject property is within the identified Urban Settlement Area of Shelburne and is within the built boundary. The proposed pipeline easement is in the area of Shelburne conforms and does not conflict with the Dufferin County Official Plan.

Town of Shelburne Official Plan

The property is designated as "Employment" on Schedule 'A' of the Official Plan. Section 8.4 of the Official Plan identifies factors to be considered in assessing applications for Consent:

a) That regard shall be given to the goals of Section 3 of the Plan.

The application for consent is supported by the goals and objectives of the Official Plan, specifically the proposed consent will create the pipeline easement to facilitate the conveyance of water to support the industrial use of the abutting property to the west. This will help to reduce the number of trucks going to and from the property.

b) That the severance will conform to Schedule 'A' and the appropriate land use policies in this Plan, and the provisions of the Zoning By-law.

The subject land is designated Employment in the Town's Official Plan and is located within the built boundary. The property is currently zoned Employment (M1) in the Town's Zoning By-law. The proposed easement will provide a water pipeline for the abutting property and is not specifically regulated by the Zoning By-law.

c) That the severance will conform to the Land Division policies.

- Lot size – no new lot is being proposed, but rather an easement for a pipeline.
- Public Road Access and Improvement – the property will continue to maintain the existing frontage and road access onto County Road 11 (Sideroad 30).
- As no new lots are created, cash in lieu of parkland dedication does not apply to the proposed easement.
- Compatibility with surrounding area – the subject easement is in an area characterized by industrial and agricultural uses. As the proposed easement will be used for a water pipeline, there are no concerns regarding land use compatibility.
- Hazard Lands – the proposed easement is not within or adjacent to any area identified as Natural Environment in the Official Plan.

The proposed easement is in keeping with the goals, policies and land uses designations of the Town of Shelburne Official Plan.

Servicing

There are no impacts to municipal services related to the proposed private watermain easement.

Summary

Application B21/03 to create a pipeline easement is consistent with the PPS, conforms and does not conflict with the Growth Plan and the Dufferin County Official Plan, and is in keeping with the Town's Official Plan and Zoning By-law. Standard conditions of approval are recommended.

Financial Impact

None. As the pipeline easement is on private properties, the owner of the facility and beneficiary of the easement is responsible for construction, inspection and maintenance and related costs.

Policies & Implications (if any) Affecting Proposal

Town of Shelburne Official Plan
Town of Shelburne Zoning By-law 38-2007

Consultation and Communications

The application was circulated to the required agencies and the public meeting was advertised in accordance with the Planning Act. No objections were received as of the report date.

Council Strategic Priorities

- Municipal Services review and evaluation
- Invest and fund critical infrastructure for future
- Promote balanced growth

Supporting Documentation

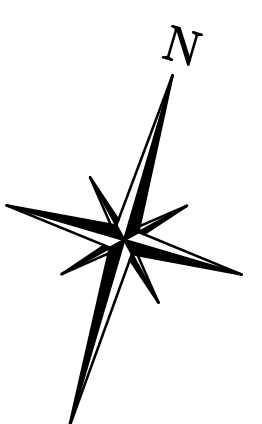
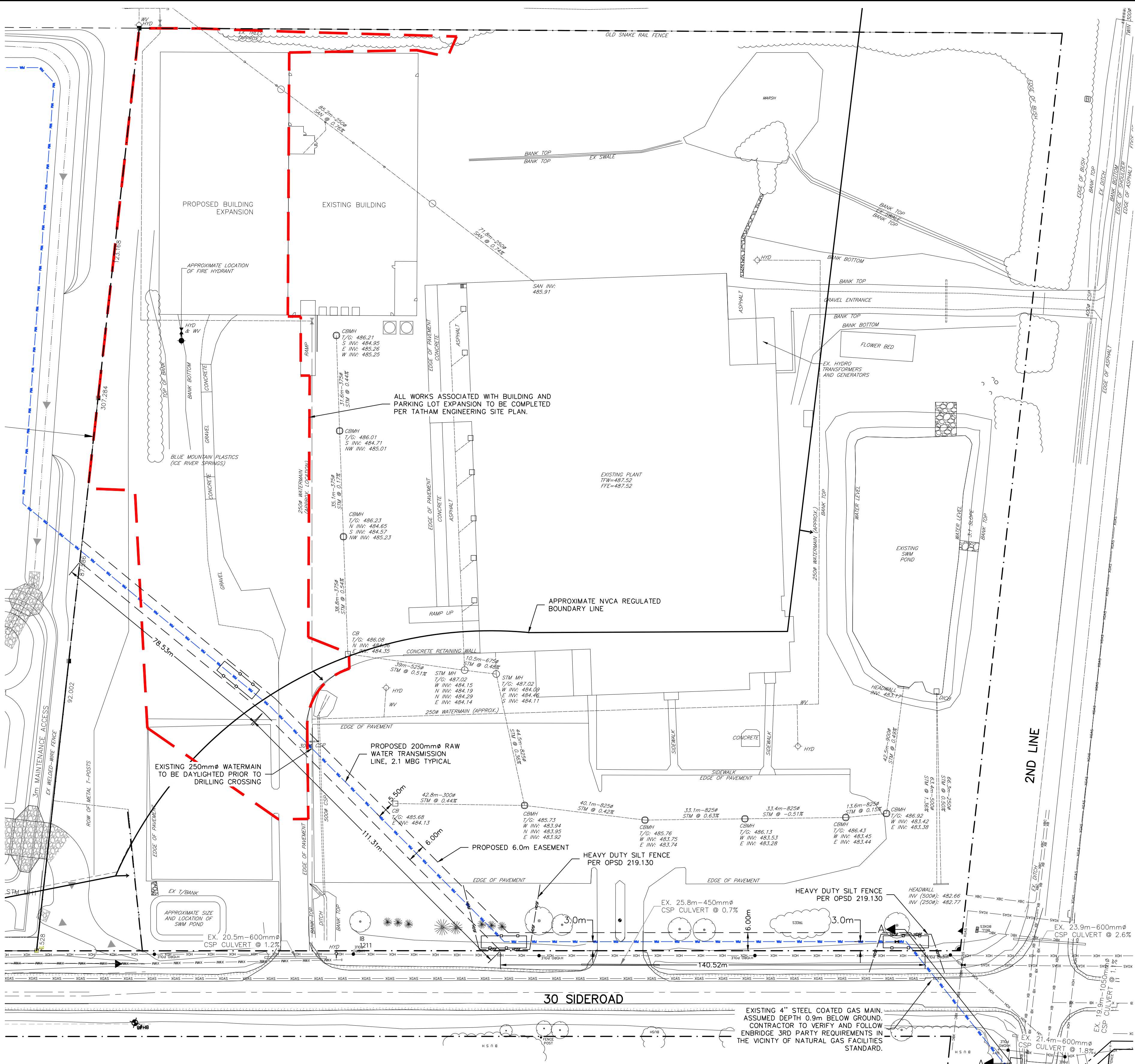
Consent Sketch

Prepared by:

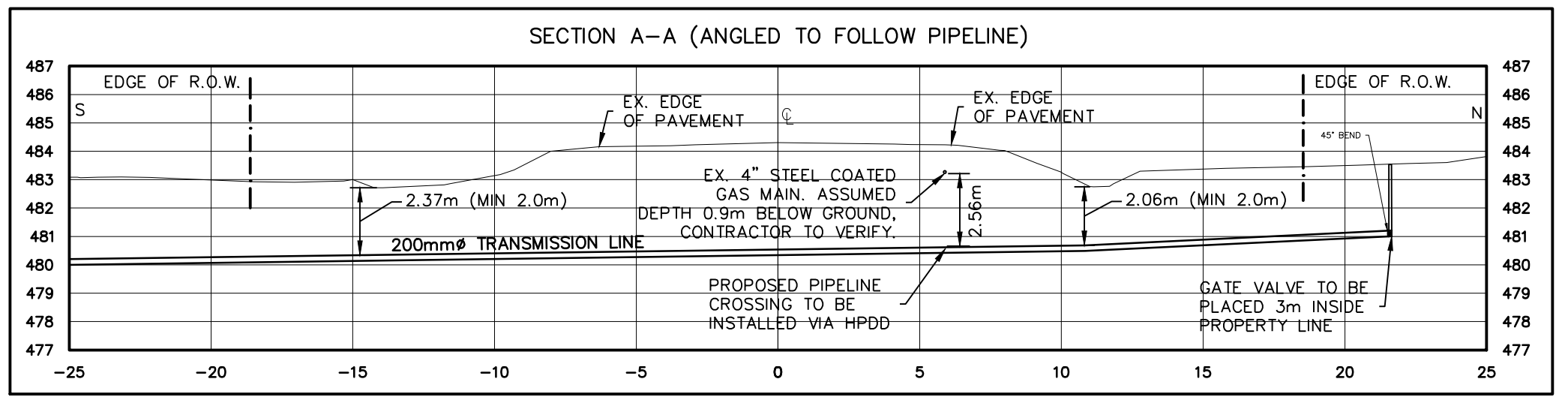
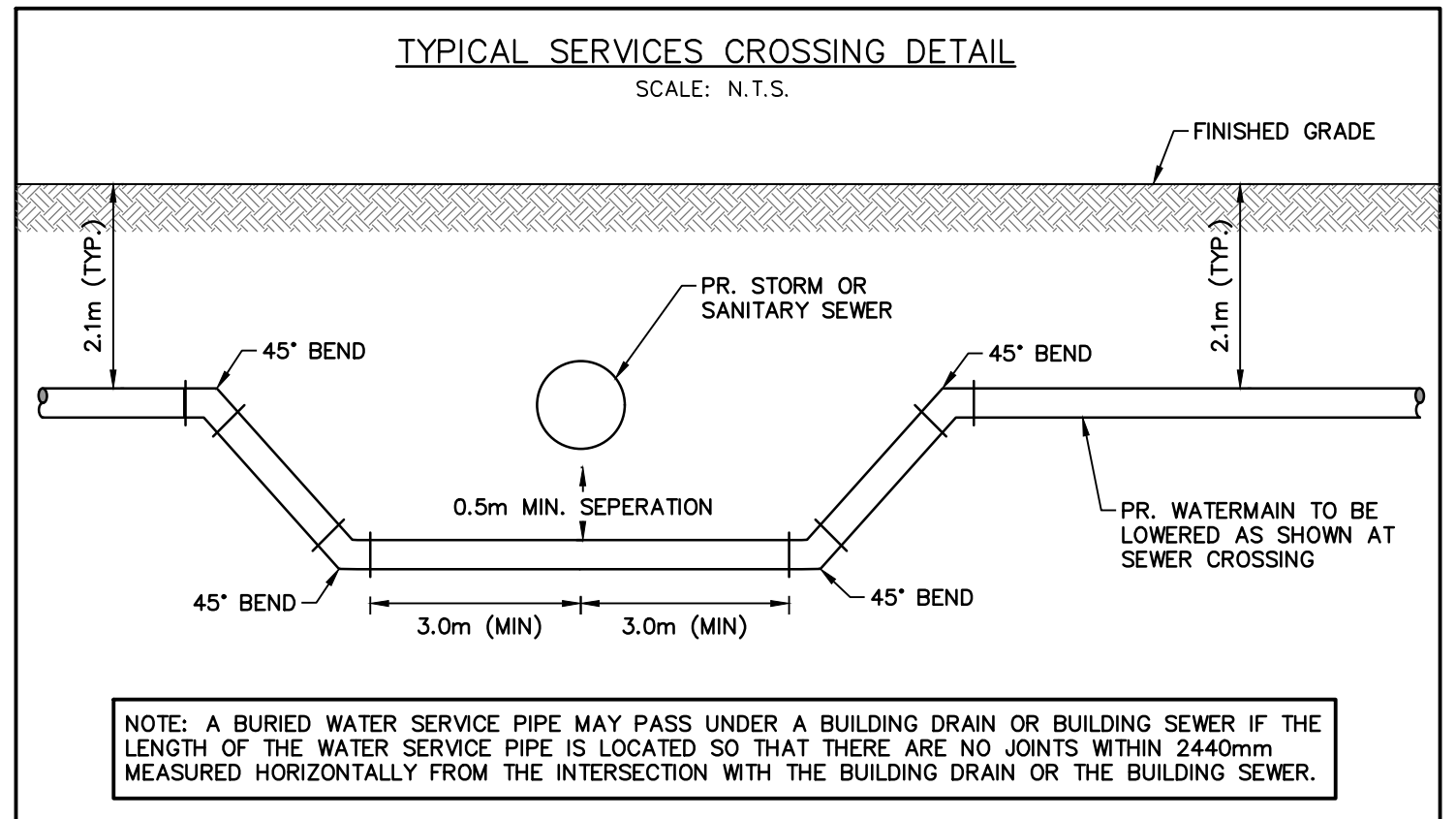
Jenna Daum, Planner

Reviewed by:

Steve Wever, Town Planner



| LEGEND | |
|-----------------------------------|------------------|
| EXISTING OVERHEAD HYDRO | —XOH—XOH—XOH— |
| EXISTING HYDRO POLES AND GUY WIRE | —XOH—XOH—XOH— |
| EXISTING GAS LINE | —XGAS—XGAS—XGAS— |
| PROPOSED WATER TRANSMISSION LINE | —W—W—W—W— |
| EXISTING STORM SEWER | —SS—SS—SS—SS— |
| LEGAL FABRIC | — |
| PROPERTY LINE | — |



SURFACE CONDITIONS TO BE RE-INSTATED AT MINIMUM TO EXISTING CONDITIONS AT TIME WORKS COMMENCE

NOTE: SITE PLAN PREPARED TO INDICATE PIPELINE LAYOUT ONLY. REMAINDER OF SITE WORKS TO BE COMPLETED PER C.C. TATHAM SITE PLAN AND ENGINEERING DESIGN DRAWINGS

- THIS DRAWING IS THE EXCLUSIVE PROPERTY OF C.F. CROZIER & ASSOCIATES INC. AND THE REPRODUCTION OF ANY PART WITHOUT PRIOR WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
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- THIS DRAWING IS TO BE READ AND UNDERSTOOD IN CONJUNCTION WITH ALL OTHER PLANS AND DOCUMENTS APPLICABLE TO THIS PROJECT.
- DO NOT SCALE THE DRAWINGS.
- ALL EXISTING UNDERGROUND UTILITIES TO BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

| TEMPORARY BENCHMARKS | |
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| TBM#1 - SOUTHERN CONCRETE FOOTING OF BLUE MOUNTAIN PLASTICS/ICE RIVER SPRINGS ENTRANCE FEATURE SIGN AT 485.387 COUNTY ROAD 11. ELEV = 485.742 | |
| TBM#2 - TOP OF CONCRETE OF SWM POND OUTLET MAINTENANCE HOLE STRUCTURE IN SOUTHEAST CORNER OF 108 PRENTICE DRIVE. ELEV = 487.195 | |

| No. | ISSUE | DATE: MM/DD/YYYY | Engineer |
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| 0 | ISSUED FOR AMENDMENT TO SITE PLAN APPROVAL | 07/22/2021 | |
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ICE RIVER SPRINGS, 485387 30 SIDEROAD
SHELBOURNE, DUFFERIN COUNTY

AMENDING SITE PLAN
(PIPELINE INFRASTRUCTURE)

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|----------|------|-----------|------|---------|-----------|
| Drawn By | N.L. | Design By | N.L. | Project | 1837-5491 |
| Check By | K.R. | Check By | B.E. | Scale | 1:750 |
| | | | | Drawing | C102C |