



Mill Valley Estates

Land Use Compatibility Study
Official Plan Amendment + Zoning By-law Amendment + Plan of Subdivision
December 16, 2022



Prepared for Houchaimi Holdings Inc.

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1.0 Introduction

Fotenn Planning + Design (“Fotenn”) has been retained by Houchaimi Holdings Inc. to submit this Land Use Compatibility Study in support of concurrent Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications for the project known as Mill Valley Estates located on the property known as 1218 Old Almonte Road (“the subject property”), located in the Municipality of Mississippi Mills. The intent of the development applications is to establish a primarily residential subdivision with one block allocated to a business park use, requiring the need for the Land Use Compatibility Study. This report should be read alongside the Planning Rationale, dated December 16th, 2022.

1.1 Application Overview

Houchaimi Holdings Inc. intends to develop the subject lands with a largely residential subdivision consisting of single detached dwellings, semi-detached dwellings, townhouse dwellings and low-rise apartment dwellings, as well as a business park (Figure 1). The proposed business park is proposed as a single block on the Draft Plan of Subdivision, and the business park designation and uses permitted on this block will be established through the Official Plan Amendment and Zoning By-law Amendment applications.

This report addresses the compatibility of the proposed business park with the adjacent residential portion of the proposed development. This report has considered the uses permitted in the business park designation and zone, despite the subject property including lands designated as Industrial, as the industrial lands will be redesignated to Business Park through the concurrent Official Plan Amendment. This report has examined the site and surrounding area context, policy and regulatory framework, and has provided conclusions and recommendations for land use compatibility. As previously stated, this report should be read in conjunction with the Planning Rationale that has been written by Fotenn in support of the Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision application.

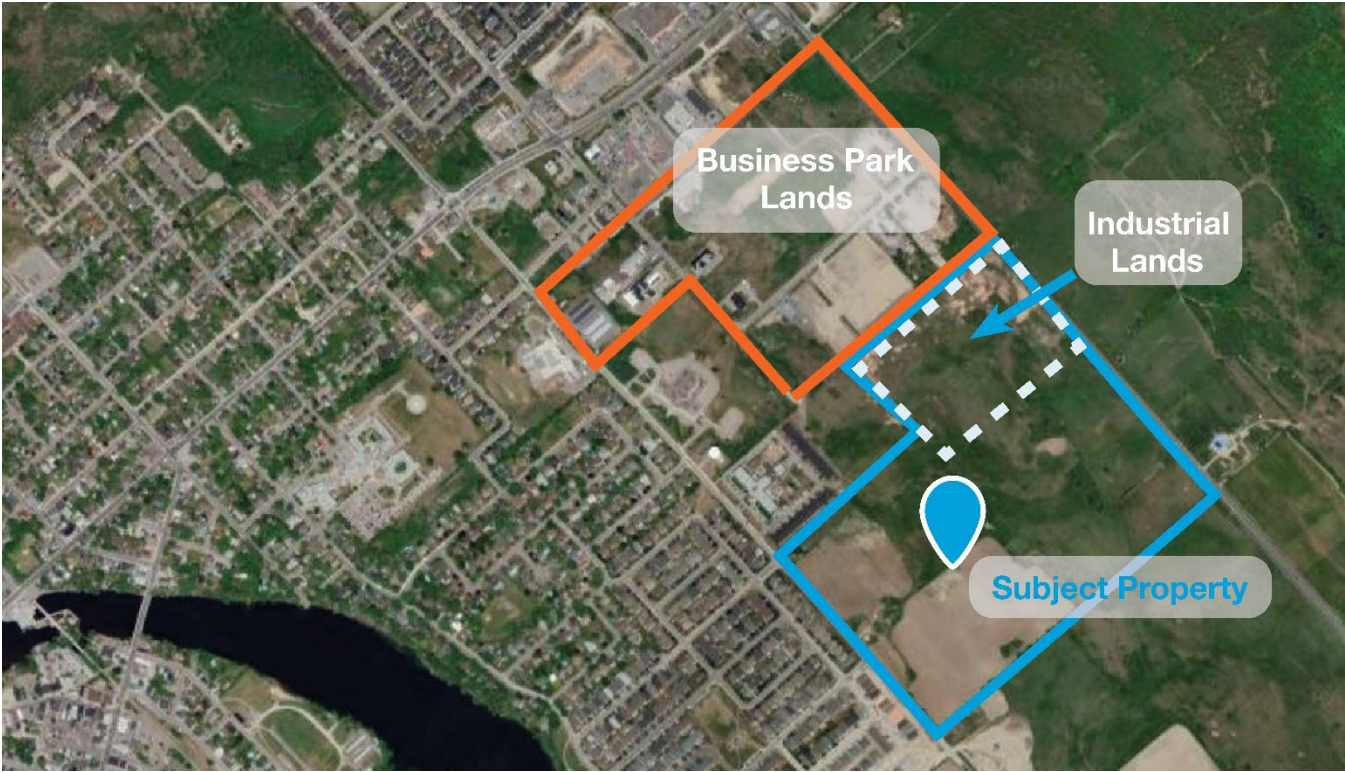


Figure 1. Site Context, outlining the Business Park lands in orange and the subject property in blue

Site and Surrounding Context

The subject property, known as 1218 Old Almonte Road is located within the Settlement Area boundary of Almonte, in the Municipality of Mississippi Mills. The subject property has a site area of approximately 33.59 hectares, with approximately 614.3 metres of frontage on Appleton Side Road and 427.5 metres of frontage on Old Almonte Road.

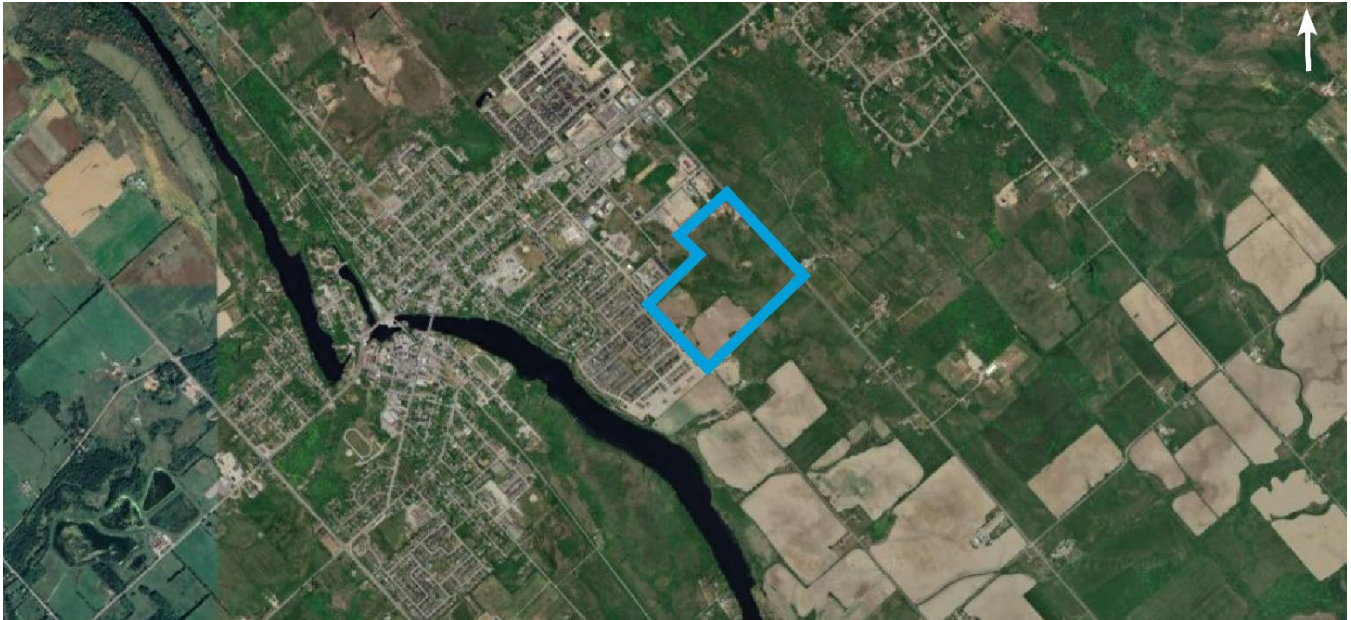


Figure 2: Satellite aerial image

The subject property is currently vacant and was recently subject to Official Plan Amendment 22, resulting in the property now being included as part of the Almonte Settlement Area boundary. As a result of this amendment, the subject property can develop in more of an urban manner compared to its previous location within a rural area. Despite this, the surrounding area is still rural, and the adjacent uses can be described as the following:

North: Immediately north of the subject property is a business park with access from Appleton Side Road. Further north of the subject property, north of Appleton Side Road is rural, vacant land, as well as the Appleton Trail and a single-detached dwelling. Further north, along March Road, is a mix of uses ranging from light industrial uses to residential uses.

East: Immediately east of the subject property, across Appleton Side Road is a single detached dwelling, surrounding by rural land that appears to be primarily grassland and some agricultural land. Further east, the area maintains its rural land uses and some residential uses (single detached dwellings).

South: Immediately south of the subject property, across Old Almonte Road is the Riverfront Estates Subdivision, consisting of a mix of low-rise dwelling types (single detached, semi-detached). Further south of the Riverfront Estates is the Mississippi River, with rural single-detached dwellings located along Old Almonte Road outside of the Almonte Ward Boundary.

West: Immediately west of the property, across Old Almonte Road is the Riverfront Estates Subdivision and another low-rise residential area, consisting of a mix of low-rise dwelling types. Within these residential areas are two parks – Riverfront Estates Central Park and Meadowglen Park, along with the Riverfront Trail along the Mississippi River. Across the Mississippi River is Almonte Beach, the Almonte Boat Launch and the downtown commercial area, which consists of commercial, and community uses.

3.0 Land Use Compatibility Policy

3.1 Provincial Policy Statement, 2020

The Provincial Policy Statement 2020 (PPS) provides direction on matters of provincial interest related to land use planning and development. The *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act, which includes the PPS.

Section 1.2.6 provides direction on land use compatibility and sets out the following policies:

- / Policy 1.2.6.1 – Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.
- / Policy 1.2.6.2 – Where avoidance is not possible in accordance with Policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:
 - a) There is an identified need for the proposed use;
 - b) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - c) Adverse effects to the proposed sensitive land use are minimized and mitigated; and
 - d) Potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

The PPS (2020) defines major facilities as the following:

- / “Major facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.”

Land use compatibility has been evaluated in the context of the Lanark County Official Plan, Municipality of Mississippi Mills Official Plan, and Municipality of Mississippi Mills Comprehensive Zoning By-law and the associated Official Plan Amendment and Zoning By-law Amendments. The proposed zoning for the development will include setbacks that will minimize and mitigate any potential adverse effects of the uses within the business park and the abutting adjacent residential uses, in accordance with the Provincial Policy Statement.

3.2 D-Series Guidelines on Land Use Compatibility

Section 1.3 of the D-1-1 Guideline states the proponent of development shall investigate the presence and severity of impacts, and propose any necessary remedial measures, including design details and specifications. Section 1.3.1 goes on to further state that the proponent shall provide evidence to the approving authority that a compatibility problem will not exist. The D-1-3 Guideline provides definitions to the related terms of land use compatibility, and include the following:

- / **Class I Industrial Facility:** A place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no

outside storage. See Guideline D-6, "Compatibility Between Industrial Facilities and Sensitive Land Uses" for classification criteria and examples to categorize a specific industry.

- / **Class II Industrial Facility:** 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. See Guideline D-6, "Compatibility Between Industrial Facilities and Sensitive Land Uses" for classification criteria and examples to categorize a specific industry.

The definitions of Class I and Class II Industrial Facilities are consistent with the definitions in the Mississippi Mills Official Plan and Zoning By-law.

Section 4.2.2 of the D-6 Guideline provides direction for determining permitted uses within Industrial land use designations. The Business Park designation is not an Industrial designation; however, Class I and Class II uses are permitted. As such, Appendix A of the D-6 Guideline has been reviewed to determine if there are any uses currently permitted in the Business Park (E1) zone that should be removed due to potential adverse effects. Upon review of Appendix A, the proposed uses within the business park will have a similar, if not less, output, scale, process, and operation/intensity of Class I industrial lands.

Section 4.1 of the D-6 Guideline states that the potential influence area for Class I industrial land uses is 70 metres. Section 4.3 goes on to provide a 20-metre minimum separation distance between the designation, zoning, or property lines of the sensitive land use and the Class I industrial lands. Within this separation distance, no incompatible development is permitted to occur even if additional mitigation for adverse effects is provided.

Section 4.4.3 states that setbacks within the property can be utilized as part of the minimum separation distance requirement where site-specific zoning precludes the use of the setback for any activity associated with the industrial land use.

The proposed business park lands are proposed to have the following zoning provisions as outlined in Section 27.2 of the Mississippi Mills Zoning By-law, which in combination with the 20-metre right-of-way between the business park lands and residential lots will satisfy the required minimum separation distance in Section 4.3 and 4.4.3 of the D-6 Guidelines:

- / A 15-metre minimum rear yard setback;
- / A 3-metre minimum width of landscaped area abutting the street;
- / A 3-metre minimum width of landscaped area (may be reduced to 1 metre if a 1.4 metre high opaque screen is provided) abutting a residential or institutional zone;
- / No open storage shall be located within 20 metres of the abutting residential lot line or portion of the street;
- / A buffer area, 7.5 metres in width, consisting of a planting strip for rows of trees along the abutting residential zone;
- / Except for off-street parking, trash enclosures, and loading areas, all Business Park uses shall be carried out entirely within completely enclosed buildings or structures;
- / No open storage area as a permitted use.

The minimum separation distance of 20 metres is well exceeded within the proposed development, as the road right-of-way, setbacks and buffering requirements result in at least 35 metres between buildings. Appropriate buffering and mitigation measures will be implemented during the Site Plan Control process, at which time additional technical studies will be provided based on the proposed land uses within the business park. The proposed Business Park land use has

resulted in much softer land uses being permitted, with limited Class I uses within the business park, therefore due to the larger separation distance combined with mitigation measures and buffering residential land uses beyond a 35 metre separation distance are appropriate.

3.3 Lanark County Sustainable Communities Official Plan

Section 7.9 of the Lanark County Sustainable Communities Official Plan provides policy direction regarding Incompatible Land Uses. It states that every effort shall be made to prevent or minimize future land use conflicts which can arise when incompatible land uses develop in close proximity to one another. Ministry of the Environmental guidelines on Land Use Compatibility (Guidelines D-1, D-2, D-4 and D-6 and any other relevant or future MOE Guideline documents) should be considered when preparing and adopting local Official Plans and Zoning By-laws and when considering amendments to this Plan.

The proposed subdivision layout has been designed to minimize future land use conflicts by locating a 20-metre road right-of-way immediately abutting the proposed business park, providing addition separation from the residential uses in addition to the required setbacks. The MOE Guideline documents on Land Use Compatibility have been considered in the proposed Zoning By-law Amendment, specifically as they relate to permitted land uses, influence areas and minimum separation distances.

3.4 Municipality of Mississippi Mills Community Official Plan

Section 3.7.4.1 of the Mississippi Mills Community Official Plan outlines the permitted land uses within the Business Park designations. Included in the range of permitted uses are Light Industry (Class I) and Medium Industry (Class II) as defined in Section 3.7.5 of the Official Plan. The following uses are permitted in each industry class:

- / Light Industrial (Class I) – A place of business for a small scale, self-contained plant or building that produces, manufactures, assembles or warehouses a product which is contained in a package and has a low probability of fugitive emissions e.g. noise, odour, dust and vibration. Such industries generally operate in the daytime only with infrequent movement of products and/or heavy trucks and no outside storage. Examples may include electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, parts supply.
- / Medium Industrial (Class II) – A place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g. noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and/or heavy trucks during daytime hours. Examples include dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing, and contractors' yard. Uses that are compatible with industrial uses, such as banks, restaurants, wholesale, offices, research and communication facilities and other quasi-industrial or service industrial uses may be permitted.

Policy 3.7.5.2.2 states that influence areas for Classes I, II, and III industrial uses shall apply between industrial uses and sensitive uses (reciprocally). Sensitive uses shall not be permitted within the influence area unless it is clearly demonstrated by a developer that adverse effects are clearly and fully mitigated to the satisfaction of Council and, where applicable, environmental approval has been obtained from the Ministry of Environment, Conservation and Parks (MOECP). The influence area shall be measured from the nearest point of the property line of an industrial use to the nearest point of the property boundary of the sensitive land use.

Section 3.7.5.2 provides the following influence areas for industrial uses:

- / Class I Industry – 70 metres
- / Class II Industry – 300 metres

/ Class III Industry – 1,000 metres

Section 5.3.16 of the Official Plan speaks to Land Use Compatibility, specifically stating that in reviewing development applications, Council will be satisfied that the proposed land use will be compatible with surrounding uses or can be made to be compatible in a manner that either eliminates or minimizes to an acceptable level any adverse effects from the proposed use.

As part of the Official Plan Amendment, the Industrial lands will be redesignated to Business Park. The intent of this change is to limit the permitted land uses in order to be more compatible with the adjacent residential uses. The proposed zoning has also considered land uses that will have fewer adverse effects on the adjacent residential land uses, and the required setbacks will ensure that a minimum of 35 metres of non-developable area is provided between a non-residential building within the business park and a residential dwelling. Taking into consideration the proposed zoning, setbacks, and buffering requirements, adverse effects have been mitigated and as such residential uses are considered appropriate within the 70-metre influence area. At the time of Site Plan Control, detailed buffering and mitigation requirements will be reviewed by the Municipality. Additional technical studies will be required to be submitted, which will provide mitigation recommendations based on the proposed uses, further reducing any use specific, adverse effects within the business park on the residential uses.

3.5 Municipality of Mississippi Mills Comprehensive Zoning By-law (11-83)

As part of the proposed development, the subject property will be rezoned to six (6) different zones to permit residential uses and the business park. The proposed rezoning of the business park lands from “Development (D)” to “Business Park (E1)” is generally consistent with the existing E1-1 zone, which immediately abuts the subject property. The proposed E1-XX zone for the subject property will permit commercial storage as an additional use, and maintain all other permitted uses in the E1-1 zone, as follows:

- | | |
|---|--|
| / Business offices; | / Retail stores; |
| / Communication and information establishments; | / Training centre; |
| / Computer, electronic or data processing establishments; | / Warehousing; |
| / Drive-through facility; | / Wholesale outlets; |
| / Education and training facilities; | / Wholesaling and distribution centre |
| / Factory outlets; | / Showroom; |
| / Home furnishing retail; | / Garden centre; |
| / Hotel; | / Research and development facilities; |
| / Light industrial uses; | / Scientific or technological establishment; |
| / Lodging facilities; | / Business and government services; |
| / Medical facility; | / Public use; |
| / Motel; | / Parking lot; |
| / Equipment rental outlet; | / Commercial storage. |
| / Repair and service establishment; | |
| / Research and development centre; | |
| / Restaurants; | |

As discussed in the preceding sections, the proposed zoning will be consistent with the permissions of the Business Park designation, and site-specific provisions will be established that will prohibit development associated with industrial uses in the rear yard of any lots abutting a residential zone. This will result in a minimum 35 metre setback between any Class I industrial land use within the business park and a residential dwelling or the park.

4.0 Conclusions and Recommendations

In consideration of applicable Official Plan policies and Zoning By-law provisions, the proposed subdivision development, including the proposed Official Plan Amendment to redesignate Industrial lands to Business Park lands and the proposed Zoning By-law Amendment to rezone the Business Park lands "Business Park (E1)", is **consistent with the Provincial Policy Statement** and has **adequately addressed the D-6 Guidelines on Land Use Compatibility**. The proposed development on the subject property, within the business park and residential portion of the development are **required to employ appropriate setbacks/buffers and screening**, to minimize and mitigate any adverse effects.

It is understood that **additional technical studies may be required** at the time of Site Plan Control, which will provide an additional opportunity for specific mitigation measures to be recommended based on the proposed land uses at the time of the application. The implementation of these recommendations will further promote land use compatibility between the proposed land uses within the proposed development. **Based on the number of mitigation measures, buffering provisions, and proposed setbacks, it is Fotenn's opinion that locating residential uses within the 70-metre influence area is appropriate if a separation distance of 35 metres is employed for the proposed Mill Valley Estates subdivision.**

Sincerely,



Patricia Warren, M.Pl.
Planner



Lisa Dalla Rosa, MCIP RPP
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