

Ref No: 11239

October 17, 2022

Michael Drezin
Facilities and Project Leader
HFI Pyrotechnics Inc
3322 Hands Road
R.R. #4
Prescott, ON K0E 1T0

Dear Mr. Drezin:

Re: Planning Justification Report
Proposed Rezoning
Part of Lots 32, 33 and 34, Concession 4, geographic Township of Edwardsburg

Further to your request, this Planning Justification Report has been prepared in support of a proposed application to amend By-law 2022-37, the Comprehensive Zoning By-law of the Township of Edwardsburgh Cardinal.

Background and Context – HFI Pyrotechnics (HFI and formerly Hands Fireworks) has been creating commercial pyrotechnics since 1873 when it was founded by William Hand. HFI was initially a fireworks manufacturer and then transitioned into a specialty pyrotechnics supplier for the Canadian Military during the first and second world wars. As a result, HFI has developed a wide range of specialty pyrotechnic products to meet the needs of the global defense and security market. HFI has owned and continuously operated their site on Hands Road since 1984 and there are currently 125 employees working at the site.

The existing parcel of land owned by HFI north of Hands Road is approximately 386 acres (155 ha) in area; approximately 82.0 acres (33 ha) is currently zoned MR-1 and 304 acres (123 ha) is zoned RU. The company also maintains facilities and operations south of Hands Road on lands zoned MR-1. The rezoning application does not include any lands south of Hands Road, nor any lands currently zoned MR-1 north of Hands Road.

The purpose of the rezoning application is two-fold. Firstly, HFI is planning the construction of a new office building on lands fronting on Hands Road near the intersection of Glen Smail Road. The site for

the new office building is 3.6 acres (1.5 ha) in area and construction is anticipated over the next year (see aerial photo of site on page 17).

The second purpose of the rezoning is to rezone the remaining lands north of Hands Road within Lots 32, 33 and 34, Concession 4, geographic Township of Edwardsburg from Rural (RU) to Rural Industrial – 1 – Holding (MR-1-h) to permit the implementation of the company's long-term expansion plans for the overall facility.

The rezoning would see the lands for the office building and future expansion placed in a holding zone until Council's conditions for removal of the h-holding symbol are met to the satisfaction of Council.

Provincial Policy Statement, 2020 (PPS) – The PPS was issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. In exercising any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Planning Act. This includes the decision on an application for a zoning by-law amendment.

Section 1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* includes the following applicable policies that must be considered for the subject rezoning application.

Section 1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective

- development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
 - g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs
 - h) promoting development and land use patterns that conserve biodiversity; and
 - i) preparing for the regional and local impacts of a changing climate.

Section 1.1.4 *Rural Areas in Municipalities* includes the following policies:

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of brownfield sites;
- c) accommodating an appropriate range and mix of housing in rural settlement areas;
- d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;
- e) using rural infrastructure and public service facilities efficiently;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- h) conserving biodiversity and considering the ecological benefits provided by nature; and

i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

1.1.4.4 Growth and development may be directed to rural lands in accordance with policy including where a municipality does not have a settlement area.

1.1.5 Rural Lands in Municipalities

1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.5.2 On rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings);
- c) residential development, including lot creation, that is locally appropriate;
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;
- e) home occupations and home industries;
- f) cemeteries; and
- g) other rural land uses.

1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

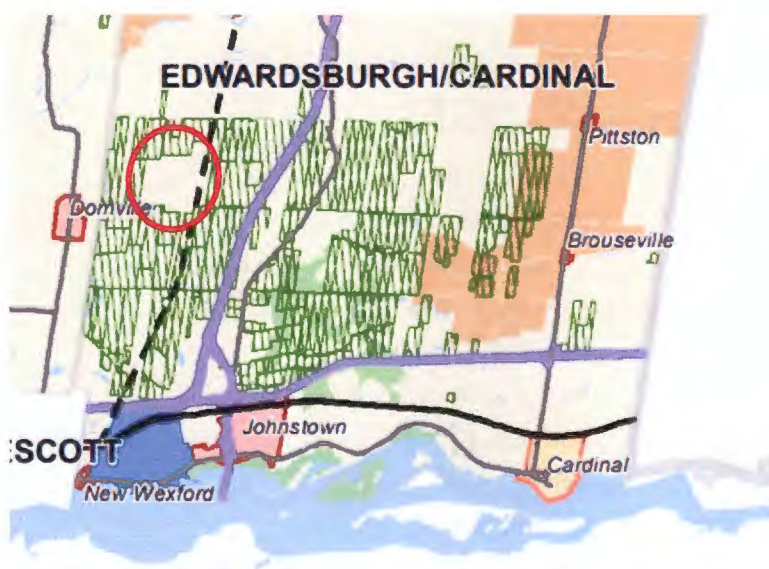
1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

Counties Official Plan – The lands are designated Rural Lands on Schedule A to the Official Plan of the United Counties of Leeds and Grenville.

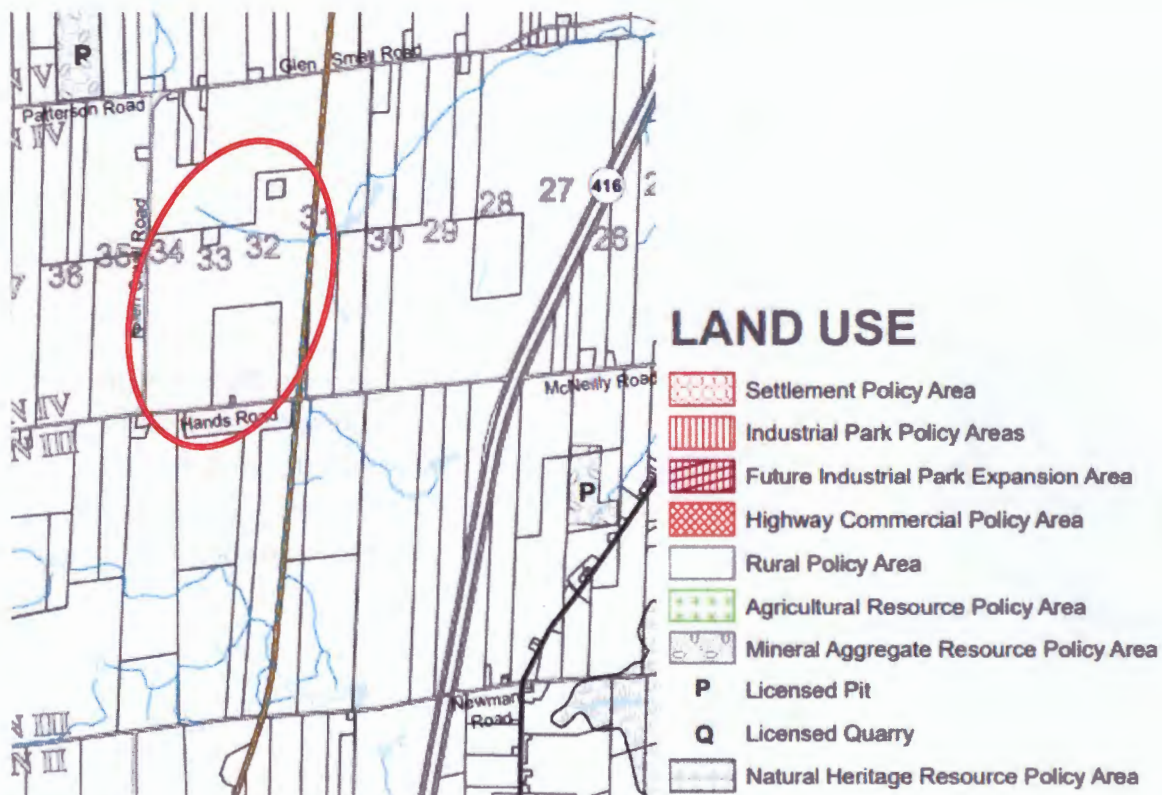


Schedule A to the Official Plan of the United Counties of Leeds and Grenville – Lands are designated Rural Lands and are encompassed by Crown Lands (green cross hatching).

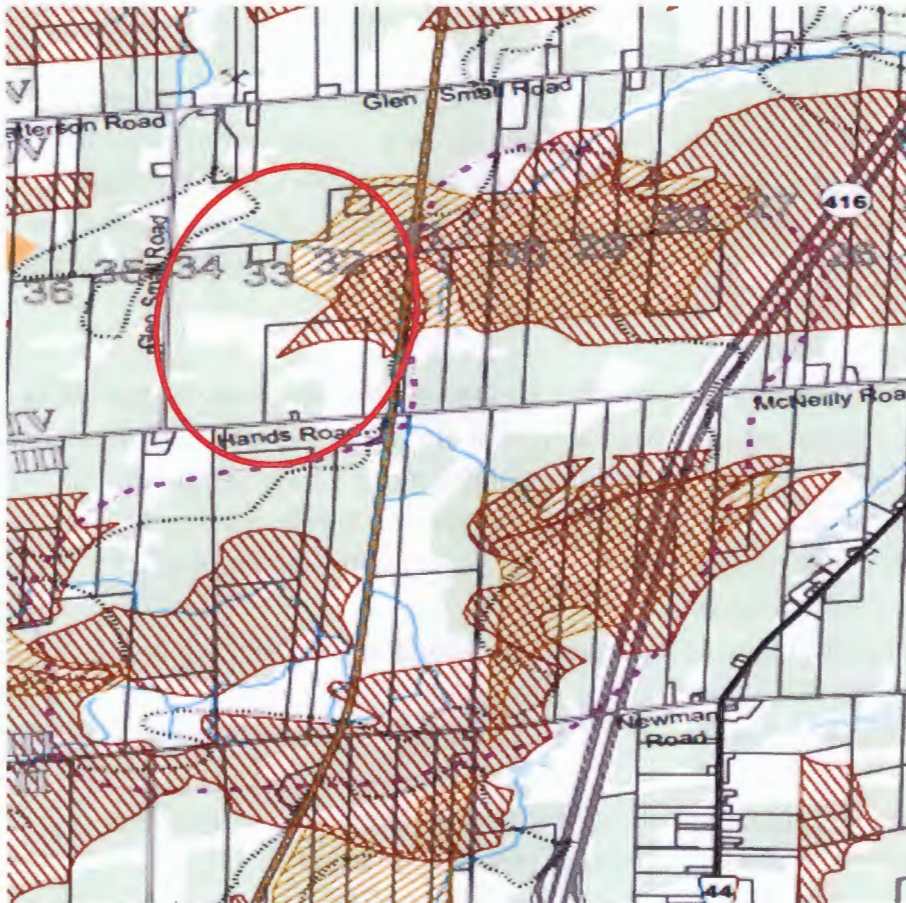
Section 3.3 Rural Lands of the Official Plan permits a wide range of uses including rural uses that cannot be located in a settlement area and uses that are new or expanding and require separation from other uses. The expansion of an existing industrial use is permitted on lands designated Rural Lands.

Prior to development occurring on lands designated Rural Lands the Official Plan requires a number of issues to be reviewed, including mineral and mineral aggregate resources, natural heritage features and areas and natural and human-made hazards.

Township Official Plan – The lands are designated Rural Policy Area on Schedule A to the Official Plan of the Township of Edwardsburgh Cardinal.



Schedule A, Official Plan,
Township of Edwardsburgh
Cardinal; lands are designated
Rural Policy Areas.





Mineral Aggregate Reserves

-  Bedrock Resources
-  Sand & Gravel Resources
-  Settlement Area

CONSTRAINTS

Natural Heritage Constraints

- Significant Woodlands
-  ANSI
-  Significant Wildlife

Hazard Constraints

-  Flood Plain
-  Organic Soils

Official Plan – Schedule B – Development Constraints
–Significant Woodlands, Bedrock Resources, Sand & Gravel Resources

The following excerpts of the Official Plan are applicable to the proposed zoning by-law amendment:

3. 4 Rural Policy Area

- Within the Rural Policy Area, a variety of land uses shall be permitted. The primary use of land will be for the management and use of resources such as forestry, conservation, resource based recreational uses (including seasonal dwellings), home occupations, home industries, and cemeteries. Agricultural uses (including agriculture-related uses, on-farm diversified uses and normal farm practices), as well as commercial, industrial, and limited residential uses are also permitted, subject to the use-specific policies set out below:
 - 3.4.1 Goals and Objectives Goal: To provide for the long-term orderly development of the rural lands in a manner which is consistent with ensuring the protection of natural and environmental resources, while providing opportunities for a modest amount of compatible development and a diversified rural economy. Objectives:
 - To promote a wide range of development opportunities that diversify the Township's rural economy;
 - To provide opportunities to locate new or expanding uses that require separation from other uses;
 - To provide for the protection of natural heritage features and their ecological functions.
 - 3.4.2.2 The implementation of this Official Plan through zoning regulations and development approvals shall be based on the following principles:
 - Special regard shall be given to ensure adequate separation between residential uses and incompatible non-residential uses, including the application of Minimum Distance Separation formulae, where appropriate;
 - Development shall provide for the protection of natural and cultural heritage features in accordance with the relevant policies of this Plan;
 - When reviewing development applications, consideration shall be given to the criteria set out in the Development Criteria section of this Plan.
 - 3.4.3 Non-Residential Land Use Policies Non-residential uses in the Rural Policy Area are varied in nature as is their potential for offsite impacts. The policies in this Section are designed to provide for a broad range of uses which are appropriate for the rural countryside.
 - 3.4.3.1 The following non-residential uses are permitted in the Rural Policy Area, subject to other relevant policies in this Plan:
 - Commercial and Industrial Uses

- 3.4.3.2 The implementation of this Official Plan through zoning regulations and development approvals shall be based on the following principles:
 - 1. The Zoning By-law shall permit and regulate a range of appropriate nonresidential uses;
 - 2. The Zoning By-law shall ensure the protection of resources from incompatible uses through the imposition of appropriate zoning standards;
 - 3. The Zoning By-law shall ensure that uses are appropriate and compatible with the existing adjacent area uses. Special regard shall be given to ensure adequate separation between non-residential development and existing residential uses;
 - 4. Development shall provide for the protection of natural heritage and cultural heritage features, in accordance with the relevant policies of this Plan;
 - 5. When reviewing development applications, consideration shall be given to the criteria set out in the Development Criteria section of this Plan
- 4.6.1 Incompatible Land Uses
 - 4.6.1.1 Every effort shall be made to prevent or minimize health and safety concerns and future land use conflicts which can arise when incompatible land uses develop in close proximity to one another. Accordingly, development shall address land use separation and compatibility, as set out in the Land Use Compatibility section.
- 6.8 DEVELOPMENT CRITERIA
 - 6.8.1 Council shall consider the following development criteria when reviewing development applications under the Planning Act:
 - 1. The provision of safe access onto or from a Township or County Road or Provincial Highway;
 - 2. Adequate access to, and provision of, off-street parking;
 - 3. Barrier-free access to public and commercial buildings and the designation of parking spaces to address accessibility standards;
 - 4. Access and maneuvering of emergency vehicles in providing protection to public and private properties;
 - 5. The availability of municipal services and the cost of upgrading such services including water, sewage treatment facilities, fire and police protection, street lighting, roads and winter maintenance, waste disposal, community facilities and recreation;
 - 6. Adequate grade drainage or stormwater management and erosion control;
 - 7. The screening, buffering or fencing of aesthetically displeasing or dangerous land uses or open storage. A buffer may be open space, a berm, a wall, a fence,

plantings, a land use different from the conflicting uses but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose;

- 8. The provision of landscaping, the creation of privacy and/or open space areas around buildings and other uses;
- 9. The establishment of appropriate setbacks to maintain proper distance separation between new development and natural heritage sites, natural hazards and resource areas and development constraints such as noise and vibration;
- 10. The adequacy of exterior lighting for access and parking areas for public or private use such as in commercial, industrial, institutional and multiple residential development;
- 11. The control of signs and advertising such that they are in scale with the intended use and with surrounding uses;
- 12. Protection of the environment by avoiding air, soil or water pollution;
- 13. The preservation and protection, whenever possible, of street trees, street tree canopies and the urban forest;
- 14. The adequacy of school board facilities to accommodate new development or redevelopment and the provision or availability of school bussing and active transportation routes;
- 15. Protection and/or enhancement of natural heritage resources; 16. Conservation of cultural heritage resources;
- 17. The physical suitability of the land for the proposed use;
- 18. Safety and security considerations, such as: • sufficient lighting in spaces intended for public use after dark to support the kind of activities envisioned for that space; • signs and an overall pattern of development that supports users' sense of orientation and direction; • preservation of clear lines of sight for persons passing through the space; • attention to the proposed mix of uses and their proximity to each other to ensure they are complementary; • the routing and design of bicycle and pedestrian routes so that they are accessible to populated areas.

○ 6.11 ECONOMIC DEVELOPMENT

- 6.11.1 Council recognizes that the economic base of the Township is dependent upon a mix of commercial, service industries, manufacturing activities, agriculture and tourism. It is Council's intent to establish a framework in which to encourage new economic growth and new employment generation while sustaining existing economic strengths.

- 6.11.2 It is a goal of this Plan to sustain the strengths of the existing economic base and to broaden the Township's employment opportunities. The Township's objectives with respect to economic development are as follows:
 - To sustain and to build on the existing strength of the commercial, industrial, agricultural and tourism sectors of the economy;
 - To undertake initiatives to stimulate new employment generation;
 - To work cooperatively with senior governments and community groups in promoting and undertaking economic development activities.
- 6.11.3 In addition to specific land use policies elsewhere in this Plan, Council will undertake several measures to sustain, strengthen and diversify the economic base including:
 - 1. Providing a policy framework which facilitates the planning and delivery of municipal services necessary for the development or redevelopment of lands for commercial, industrial and other employment generating activities;
 - 2. Expediting planning and other approvals necessary at the Township level to permit the development of lands or construction of new buildings associated with economic development;
 - 4. Encouraging and facilitating employment in the construction industry, through efforts to expedite planning and building approvals;
 - 5. Encouraging an "Open for Business" philosophy towards economic opportunities in the design of municipal by-laws regulating and licensing businesses;
- 6.15.2.2 Archaeological Resources
 - It is a policy of this Plan that Council will require the preparation of an archaeological assessment for properties with known archaeological sites and/or potential for archaeological resources which may be affected by a potential development.
- 6.17.5 Significant Woodlands
 - 6.17.5.1 Development and site alteration such as filling, grading and excavating on lands within significant woodlands shall not be permitted unless it has been demonstrated that there will be no negative impacts on the woodlands or their ecological functions. An environmental impact assessment will be required in accordance with the requirements of the Environmental Impact Assessments section of this Plan.
 - 6.17.5.2 Development and site alteration such as filling, grading and excavating on lands adjacent to significant woodlands shall not be permitted unless the

ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the woodlands or on their ecological functions. An environmental impact assessment will be required in accordance with the requirements of the Environmental Impact Assessments section of this Plan.

- 6.17.5.3 For the purpose of this Plan, adjacent lands are those lands lying within 120 metres of any significant woodland identified on Schedule B.
- 6.17.5.5 Where development is proposed on lands identified as significant woodlands, and where ground verification is used to confirm that significant woodlands have been identified in error, development may proceed in accordance with the underlying designation.

○ 6.17.7 Fish Habitat

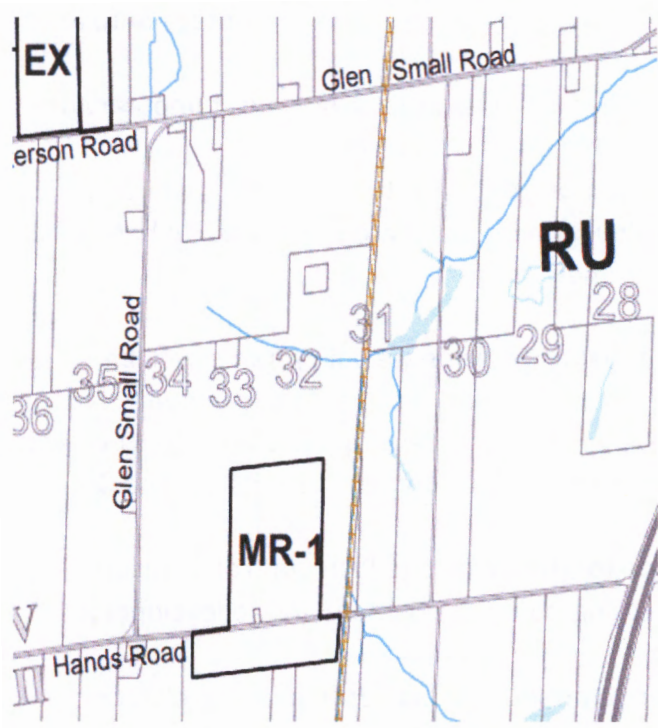
The following policies apply in relation to fish habitat:

- 6.17.7.1 All applications for development or site alteration such as filling, grading and excavating adjacent to a water body will be screened for the presence of fish habitat.
- 6.17.7.2 Where such fish habitat is identified, development and site alteration shall not be permitted in fish habitat except in accordance with Provincial and Federal requirements.
- 6.17.7.3 Development and site alteration such as filling, grading and excavating on lands adjacent to fish habitat shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the fish habitat or on their ecological functions. An Edwardsburgh Cardinal Official Plan - November 2019 73 environmental impact assessment will be required in accordance with the requirements of the Environmental Impact Assessments section of this Plan.
- 6.17.7.4 For the purpose of this Plan, adjacent lands are those lands lying within 120 metres of any fish habitat.
- 6.17.7.5 Where development or site alteration may potentially affect fish habitat, the Department of Fisheries and Oceans, or their delegate, as applicable, shall be consulted and the required approvals obtained.
- 6.17.7.6 Although stormwater management and drainage measures are often located some distance from a watercourse, these measures can impact the water quality and quantity of the watercourse and affect fish habitat. When evaluating stormwater management and drainage proposals, consideration should be given to impact upon fish habitat.

- 7.2.2 Holding Provisions
 - 7.2.2.2 The following have been established as objectives for using holding provisions in a Zoning By-law:
 - 1. To assist in the phasing of development and/or redevelopment;
 - 2. To co-ordinate development and/or redevelopment with the provision of water, sanitary sewage, storm sewer and other services;
 - 3. To control development and/or redevelopment which may necessitate special design considerations;
 - 4. To forestall development and/or redevelopment until such time that stated planning related criteria can be satisfied;
 - 5. To ensure that proper financial and other agreements are in place;
 - 6. To aid in the selection of sites or areas that may be subject to holding provisions, the following locational criteria are identified:
 - lands in a built-up area which are undeveloped;
 - lands which are un-serviced;
 - lands which do not have adequate access or frontage onto a public roadway;
 - lands which are adjacent to hazardous, noxious, temporary or otherwise undesirable uses or activities;
 - lands which are near or fronting onto public roads which are subject to hazardous conditions or are inadequate to handle current traffic volumes.
- 7.3 Site Plan Control
 - 7.3.1 It is the intent of this Plan that an appropriate policy framework be provided which will allow and encourage Council to use Site Plan Control to enhance the quality of new development or redevelopment in conjunction with other applicable controls such as zoning, development permits and the Ontario Building Code.
 - 7.3.2 The objective is to provide for the use of Site Plan Control to ensure functional and aesthetically pleasing, safe development and redevelopment throughout the Township.
 - 7.3.3 It is the intent of this Plan to provide for barrier-free design elements and universal design to support accessibility.
 - 7.3.4 In order to achieve the goal, Council may adopt a Site Plan Control By-law which provides for the following:
 - 1. The submission of site plans for review;

- 2. The application of appropriate engineering and site development standards;
- 3. Reducing or eliminating land use incompatibility between new and existing development;
- 4. Ensuring that approved developments are built and maintained as set out in the site plan agreement;
- 5. Ensuring that the development occurs in accordance with any required environmental impact assessment study recommendations or risk management measures, where required.

Existing Zoning - The lands to be rezoned are currently zoned Rural RU on the Schedule A to By-law 2022-37, the Comprehensive Zoning By-law of the Township of Edwardsburgh Cardinal. The existing facility is zoned MR-1 and the rezoning application does not affect the zoning of the current facility.



Schedule A, By-law 2022-37,
Township of Edwardsburgh
Cardinal; lands are zoned Rural
(RU).

9.3 Rural Industrial (MR) Zone

1. Permitted Uses

abattoir
accessory dwelling
accessory dwelling unit
agricultural products processing facility
automobile body shop
automobile service station
building supply centre
contractor's yard
custom workshop
equipment rental outlet
farm supply outlet
fuel storage facility
heavy equipment sales or rental establishment
livestock sales outlet
printing establishment
sawmill
self-storage facility
service outlet
tradesperson's establishment
transportation depot
veterinary clinic
warehouse

2. Zone Provisions

• Lot Area (minimum)	1 ha
• Lot Frontage (minimum)	60 m
• Yards (minimum)	
• Front	10 m
• Exterior Side	10 m
• Interior Side	10 m
• Rear	10 m
• Building Height (maximum)	15 m
• Lot Coverage (maximum)	35%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump

island or canopy shall be 4.5 m.

3. Increased Yard Requirements

Where an MR zone abuts a lot in a Residential zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

4. Special Exception Zones

1. MR-1 (3307 Hands Road)

Notwithstanding the provisions of Section 9.3.1 to the contrary, on lands zoned MR-1, a business engaged in the manufacture of pyrotechnic products and the on-site testing of these products shall be additional permitted uses.

All materials stored on the subject lands shall be approved and stored in accordance with the requirements of the appropriate public body having jurisdiction. All buildings and structures located on the subject lands shall be located in accordance with the Revised British Quantity-Distance Tables or other such tables of separation distances as may from time to time be approved by the appropriate public body having jurisdiction.

Proposed Rezoning - The proposed rezoning affects the lands within Lots 32, 33 and 34, Concession 4 that that are currently zoned Rural (RU) and are not utilized as part of HFI's manufacturing facility. The proposed rezoning would rezone the lands from RU to Rural Industrial – One – Holding (MR-1-H). In accordance with the provisions of the Planning Act, once the lands are placed in an h-holding zone, no development can occur on the lands until the conditions for removal of the h-holding symbol as specified by Council are satisfied and the h-holding symbol is then removed by Council via the passage of a by-law.

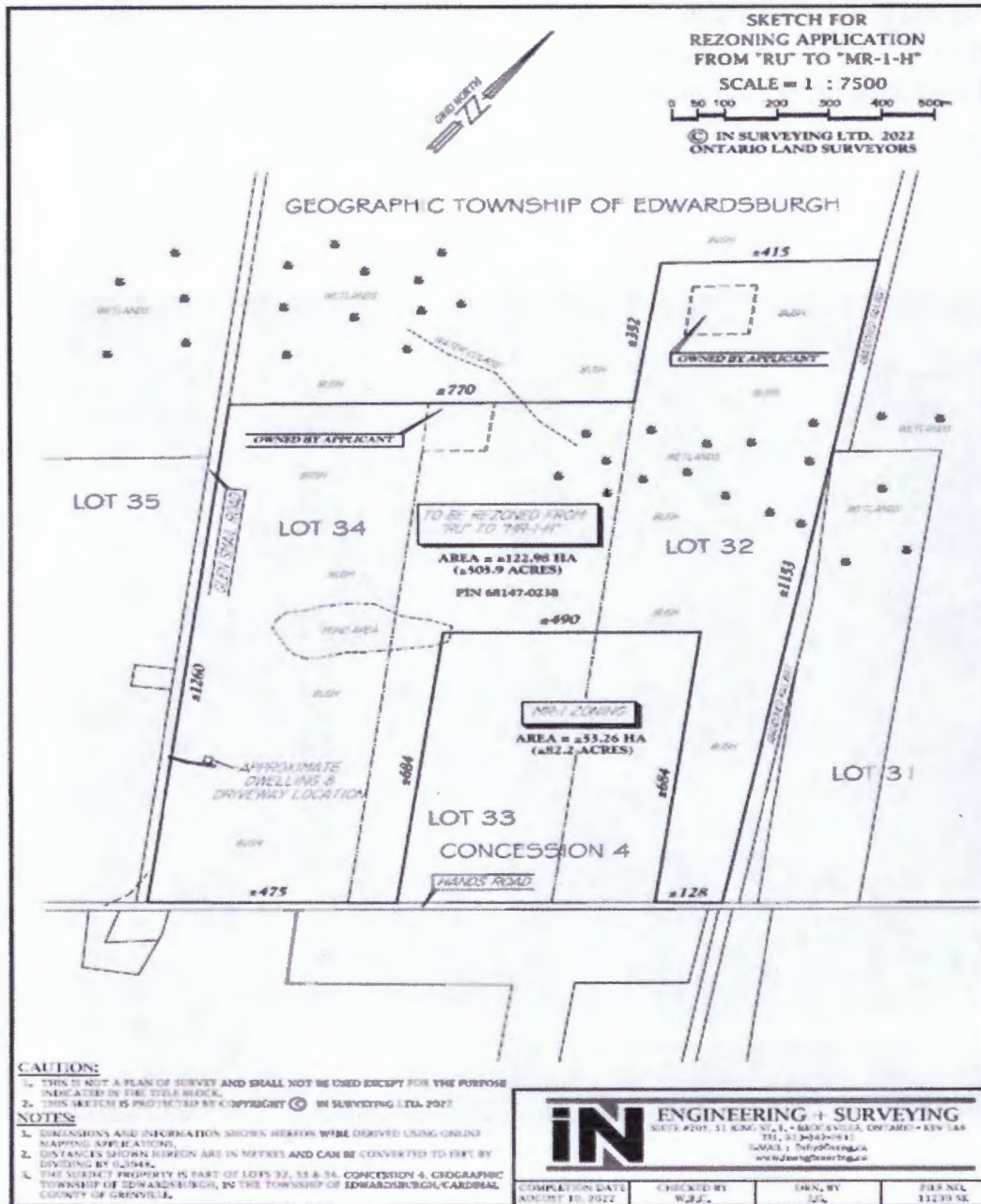
The intent of the rezoning is two-fold. Firstly, a new office building is proposed for a parcel of land with frontage on Hands Road. It is anticipated that the construction of the new office building will occur over the next year.

The second goal of the rezoning to MR-1-holding is to rezone the remainder of the lands owned by HFI north of Hands Road (304 acres or 123 ha) to allow the future expansion of their current facilities and operation. This expansion will occur over an extended period of time and in stages. Each stage or phase of future expansion would require the removal of the h-holding symbol by Council, subsequent to the owner's satisfaction of the conditions specified by Council for the removal of the h-holding symbol.

The new office building will be constructed in an area of approximately 3.6 acres (1.5 ha) with frontage along Hands Road, near the intersection of Hands Road and Glen Smail Road as shown below. The proposed area to be rezoned from Rural (RU) to Rural Industrial -1- Holding (MR-1-H) is also shown below.



Site for New Office Building – Building will front on Hands Road to the South and Glen Smail Road is on the left or West (approximately 3.6 acres).



Sketch for Rezoning Application – Entire site north of Hands Road is to be rezoned from Rural (RU) to Rural Industrial – One – Holding (MR -1- H).

Discussion of Land Use Planning Policies:

PPS – The lands to be rezoned are considered to be within a rural area of the municipality as defined by the PPS. Section 1.1.4 recognizes that rural areas are important to the economic success of the Province and Section 1.1.4.1 f) states that rural areas should be supported by “promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management and use of resources.” HFI has provided very valuable commercial assessment and employment within the Township of Edwardsburg Cardinal for many years and the proposed rezoning will allow the company to continue to be a significant contributor to the economic well being of the community for the foreseeable future.

Section 1.1.5 Rural Lands in Municipalities outlines several policies related to the development of rural lands in a municipality. The following policies are directly applicable to the proposed rezoning and further development of HFI:

- 1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.
- 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.
- 1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.
- 1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.
- 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

The lands owned by HFI provide an excellent location for the expansion of the existing facility. The land holding north of Hands Road is very large (304 acres or 123 ha), providing ample space for separation from neighbouring uses, ensuring safety and land use compatibility. The isolated nature of the site and limited use of Hands Road also provides natural screening and buffering of the facilities. The existing and new development of the site is appropriate for the infrastructure available to the property and will not place any burden on the provision of municipal services. Water supply, sewage disposal and services are and will be provided via private systems owned by HFI and electrical services will be provided by Hydro One.

Counties Official Plan – The lands are designated Rural Lands and the expansion of an existing industrial facility is permitted within this designation. A number of issues will need to be considered prior to development occurring on the lands. These issues include mineral aggregate resources,

significant wildlife habitat and unstable soils. The holding zone process and the site plan control process will allow these issues to be addressed to the satisfaction of Council prior to the issuance of a building permit(s) for the lands.

Official Plan of the Township of Edwardsburg Cardinal – The lands are designated Rural Policy Area on the Schedule A to the Township’s Official Plan. Section 3.4 Rural Policy Area permits commercial and industrial uses, including new uses or expanding uses that require separation from other uses (Section 3.4.1). The existing use has been a long-term industrial use in the Township and given the nature of the use (manufacturing of pyrotechnics) the site has proven to be an ideal site. The property north of Hands Road is very large (386 ac or 155 ha) and is entirely encompassed by Crown lands. There are very few non-industrial uses abutting the property. Two residential uses at the southern intersection of Glen Smail and Hands Road are the only non-industrial uses in the area and an appropriate separation distance will need to be maintained from these existing uses. Although Hands Road is an open municipal road, as there are no residential uses located beyond the intersection with Glen Smail Road and it is not a through road (the road ends at Highway 416), there is very little traffic along the road, other than traffic to HFI Pyrotechnics.

Section 6.11 Economic Development indicates that Council recognizes that the economic Base of the Township is dependent on a mixture of commercial uses, including manufacturing uses and that it is Council’s desire to broaden and strengthen the Township’s employment opportunities. HFI Pyrotechnics has been a significant contributor to the economy of the Township for many years and the proposed development represents a further long-term commitment by the company to the Township and an opportunity to increase manufacturing employment opportunities in the Township.

Section 6.11.3 outlines that Council will undertake several measures to strengthen and diversify the economic base of the Township, including the following measures:

- Expediting planning and other approvals to permit the development of the lands or the construction of new buildings associated with economic development;
- Encouraging and facilitating employment in the construction industry through efforts to expedite planning and building approvals; and
- Encouraging an “Open for Business” philosophy toward economic opportunities in the design of municipal by-laws regulating and licensing businesses.

The Township’s Official Plan outlines a number of development criteria and natural heritage features and areas that must be considered during the development process, including the following:

- Adequate access, off-street parking and emergency vehicle access;
- Adequate storm drainage management and erosion control;
- Adequate screen, buffering, landscaping and separation distances;

- The protection of the environment by avoiding air, soil and water pollution; and
- The protection of natural heritage resources and the conservation of cultural heritage resources, including significant woodlands, fish habitat and archaeological resources.

A number of studies will be required to ensure that due consideration is given to the natural heritage features and development criteria discussed above. A number of studies for the area of land where the new office building is to be erected are underway, including an Environmental Impact Study and a site plan that includes drainage and storm water management.

The Planning Act offers two land use planning tools that are widely used to address the development criteria outlined above, site plan control and h-holding zones. These tools will be discussed below.

H – Holding Symbol – Section 36 of the Planning Act

Section 36 of the Planning Act allows the Council of a local municipality to pass a by-law under Section 34 (zoning section) that adds an “H” as a holding symbol in conjunction with any land use zone. The H-holding symbol specifies the uses that may occur once the H-holding symbol is removed at some point in the future and may also specify conditions that must be met prior to the removal by by-law of the H-holding symbol.

In this situation it is proposed that the lands north of Hands Road owned by HFI Pyrotechnics be rezoned from Rural (RU) to MR-1-holding (MR-1-holding). Until the holding symbol is removed at a future time, only existing uses would be permitted on the lands presently zoned RU. Once the H-holding symbol is removed the lands could be used in conjunction with the provisions of the Rural Industrial-1 (MR-1) zone. These provisions would match the zoning provisions of the present HFI Pyrotechnics facility and operation north of Hands Road.

A by-law passed under section 36 can also include conditions that must be met prior to the removal of the H-holding symbol and are usually intended to address issues identified by applicable Official Plans. These conditions often include the submission of lot grading and drainage plans, site plans and environmental impact studies.

HFI Pyrotechnics is in the process of developing a long-term expansion plan that will be implemented in stages. The H-holding symbol zoning will allow HFI to implement their expansion plans in a phased approach, ensuring that the appropriate issues are identified and addressed prior to development occurring. Once HFI finalizes expansion plans for an area of the site the H-holding symbol will also allow development to occur in an expedient fashion, a stated goal of Council as expressed in the Official Plan. The use of the H-holding symbol in this situation is clearly anticipated by Section 7.2.2 Holding Provisions of the Official Plan.

Site Plan Control – Section 41 of the Planning Act

Section 41 of the Planning Act allows a local municipality to establish a site plan control area and site plan control policies in an Official Plan. The site plan control policies of the Official Plan are then implemented through the passage of a site plan control by-law with references to zones where site plan control applies within the municipality. Section 7.3 of the Township's Official plan outlines the policies that allow the Township to utilize site plan control and the Township has passed a site plan control by-law.

The intent of site plan control is to review the details of development and ensure all issues are addressed prior to the issuance of a building permit. No permit can be issued until Council has approved a detailed site plan and Council can also require detailed drawings related to lot grading and drainage, landscaping, parking and other site facilities. Council also has the authority to require the owner to enter into a site plan agreement that is registered on title to ensure that development occurs as outlined on the approved site plan(s).

Lands zoned Rural Industrial (MR) are identified in the Township's site plan control by-law as being subject to site plan control. Therefore, once the HFI lands are rezoned to MR-1-holding they will be subject to site plan control. As the company implements its long-term plan Council may require and approve a detailed site plan and a site plan agreement. Given the large parcel of land, similar to the removal of the H-holding symbol it is anticipated that site plans will be submitted and approved in phases and in conjunction with an application for the removal of the H-holding symbol for the area encompassed by a specific site plan.


Conclusions:

- The proposed rezoning to Rural Industrial – One – Holding (MR-1-H) is consistent with the Provincial Policy Statement and will lead to further diversification of the rural economy of the Township of Edwardsburgh Cardinal and the creation of future employment opportunities. Section 1.1.5.6 indicates that opportunities should be provided to locate new or expanding land uses that require separation from other uses.
- The proposed rezoning conforms with the Official Plans of the United Counties of Leeds and the Township of Edwardsburgh Cardinal. Both Official Plans permit the development of rural industrial uses and provide for the development of lands that lead to employment opportunities. The Official Plans flag several issues that will need to be addressed prior to development, however, the h-holding zone process and the site plan control process are proven land use planning tools that are designed to mitigate issues prior to development occurring.

- The large site, surrounded mostly by Crown lands, is an excellent site for the existing pyrotechnics manufacturing facility and will continue to be an excellent site for future expansion. There are very few incompatible uses in the vicinity and there is ample separation from the few uses that are located in the area. Hands Road provides excellent access to the facility and is a public road that is used to access only a limited number of properties other than the HFI Pyrotechnics facility.

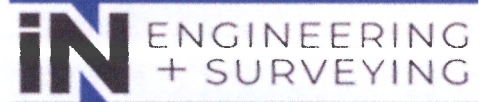
Please do not hesitate to contact me if you have any questions.

Sincerely,



Jim Hutton, RPP, Dipl. M.M.
Senior Planning Professional

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51 King St E Suite 205, Brockville, ON K6V 1A8
www.inengineering.ca 613-342-2611 (office)