

PLANNING REPORT

CHAPMAN'S ICE CREAM EXPANSION

**APPLICATIONS TO AMEND
COUNTY OF GREY OFFICIAL PLAN AND THE
MUNICIPALITY OF WEST GREY ZONING BY-LAW**

**PART LOTS 94 TO 97, CONCESSION 1 SWTSR
GEOGRAPHIC TOWNSHIP OF GLENELG
MUNICIPALITY OF WEST GREY
COUNTY OF GREY**

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1. BACKGROUND

1.1 History of Chapman's Ice Cream

Chapman's Ice Cream (formally known as "David Chapman's Ice Cream Limited") began operating in 1973 when David and Penny Chapman purchased an existing, small creamery in Markdale. They started with just four employees and two trucks.

Through the years, Chapman's Ice Cream has grown the business significantly into a large operation which includes a 15,500 square metre nut-free factory and another 9,000 square metre factory, among other buildings, on their 17 hectare property in Markdale.

Construction of the larger building was completed in 2010, one year after the original plant was destroyed in a fire. The new facility was made larger than the previous building and enabled Chapman's to hire an additional 100 employees. This building was expanded again in 2018 by adding another 8328 square metres of floor area. (Note: The expansion is not shown on the aerial photograph provided on the County GIS website.)

The location of the Chapman's property is shown on Figure 1 to this Planning Report.

Chapman's also operates a 13,000 square metre distribution centre approximately five kilometres from the Markdale site, which allows for their products to be transported across Canada. A second distribution centre has been constructed in Hampton, New Brunswick to serve the maritime provinces.

David and Penny continue to run the family business today, along with their son Ashley. They are the largest independent ice cream manufacturer in Canada. Their product lineup includes more than 280 treats including premium ice cream, frozen yogurt ice cream, sorbet, ice cream sandwiches and water ice products.

With approximately 800 people working at the Markdale facilities, Chapman's Ice Cream is one of the largest employers within the entire County of Grey.

1.2 The Proposal

Chapman's Ice Cream wishes to continue to expand its operations in Markdale by constructing an 8,328 square metre addition onto their largest building. The additional floor space will be used for production and freezer space. The expansion is shown on the attached Site Plans prepared by GM BluePlan Engineering.

The building expansion will occur on a different property, which (obviously) abuts the existing site. This new parcel was acquired in 2016 in anticipation of a possible plant expansion. These lands, however, are not currently zoned for the intended industrial use. This parcel is situated outside of the recognized urban boundaries of Markdale and not within the Municipality of Grey Highlands, but rather within the Municipality of West Grey.

The existing facility property and the expansion lands are illustrated on Figure 1 to this Planning Report.

1.3 Approvals Required

This recently-acquired parcel in West Grey comprises 44 hectares of land and is designated predominantly 'Rural' on Schedule A to the County of Grey Official Plan, with a small area shown as 'Hazard Lands', as illustrated on Figure 2 to this Planning Report.

According to the Municipality of West Grey Zoning By-law, this lot is zoned mostly 'A2' (Rural). Two small sections of the site are zoned 'NE' (Natural Environmental) and 'I' (Institutional) respectively. The 'I' zoning is a mapping error and was likely intended to stop at the boundary of the abutting property owned by the Municipality of Grey Highlands.

In order to expand the existing ice cream manufacturing operation across the municipal boundary onto these lands, amendments to the Official Plan and Comprehensive Zoning By-law are required. The expansion area will involve only 6.6 hectares, and therefore the remaining 37.4 hectares are not subject to these Planning Act applications.

The amendment to the County of Grey Official Plan would change the land use designation of the subject 6.6 hectares of land from 'Rural' to 'Primary Settlement Area'. The amendment would give these lands the same land use designation under the County Official Plan as all lands within the settlement area of Markdale (except for lands designated 'Hazard Lands').

It should be noted that West Grey Official Plan does not apply to lands outside of the settlement areas of Durham and Neustadt, and therefore an amendment to the local Official Plan is not required.

The amendment to the Municipality of West Grey Zoning By-law would change the zoning of the same 6.6 hectares of land from 'A2' (Rural) and 'I' (Institutional) to 'M1' (Industrial), as shown on Figure 3.

Following approval of the Official Plan Amendment and Zoning By-law Amendment, Chapman's Ice Cream will be required to enter into a Site Plan Agreement with the

Municipality of West Grey. Grey Highlands might also be involved in that Agreement since they are provided the municipal water and sanitary sewer services.

2. LAND USES

2.1 Subject Lands

The 6.6 hectares of land subject to these Planning Act applications are used mostly for cash-cropping purposes.

The balance of the 44.0 hectare property is also predominantly cash-cropped, but also contains a house and three accessory buildings.

Although it is not recognized yet in the County GIS mapping, this 44.0 hectare parcel of land has merged with the lot containing the existing production facility. Both parcels are registered in the same name.

2.2 Adjacent Lands

The lands immediately adjacent to the 6.6 hectare subject lands are used as follows:

- north: cash-cropped, owned by Chapman's;
- northwest: sewage treatment plant, owned and operated by Chapman's;
- south: Chapman's existing facility; and,
- east: residential lots.

3. PRECONSULTATION / REPORTS

Chapman's Ice Cream has been discussing this facility expansion with Grey Highlands, West Grey and the County of Grey officials over the last year or so. During these discussions, Chapman's was advised that the proposed expansion requires amendments to the County Official Plan and the West Grey Zoning By-law, and that the submission of such applications must be accompanied by the following: Planning Report; Transportation Impact Study; Servicing Feasibility Study, Preliminary Stormwater Management Report, and a Site Plan.

These documents have been prepared and now form an integral part of the submissions to the County and Municipality respectively.

4. SERVICING

4.1 Water

The existing ice cream facility is supplied water from Markdale's municipal water system. According to the Servicing Feasibility Study prepared by GM BluePlan Engineering, the average total water consumption is approximately 200,954 m³/year, and the planning addition is expected to increase water demand by about 26,200 m³/year.

On a related note, the existing on-site fire protection system – which involves an onsite reservoir - is adequate to support the proposed addition.

4.2 Sewage Disposal

The existing facility is serviced by two wastewater conveyance systems: one for the production wastewater and the other for domestic wastewater. Production wastewater is directed to the on-site wastewater treatment building where pre-treatment occurs. From there, the effluent is divided into two streams: one to reverse osmosis system for disposal through evaporation via rooftop condensers, and the other to the municipal sanitary sewer system. The volume of wastewater to be discharged to the municipal system is governed by an agreement at an average of 131,400 m³/year, according to GM BluePlan Engineering's report. Chapman's Ice Cream estimates that an additional 27,375 m³/year of effluent would be directed to the municipal system. The increased flow would not exceed the volume allowed in the agreement but nevertheless Chapman's intends to expand the existing reverse osmosis system and evaporate the additional wastewater in order to maintain flows within the allotment provided in the sewer by-law agreement with the Municipality of Grey Highlands.

4.3 Storm Water Management

The existing stormwater management facility, designed as an infiltration basis, is expected to provide enough capacity to store and infiltrate runoff from the proposed development during storm events including the 1:100-year storm.

4.4 Transportation

Chapman's transport trucks currently utilizes a route involving Wellington Avenue, Main Street and Toronto Street (Provincial Highway 10). Given that the proposed addition will result in some additional truck traffic, Chapman's Ice Cream was asked to explore

alternatives. In this regard, Paradigm Transportation Solutions Limited conducted a Transportation Study and explored three options, as follows:

1. maintain the existing route;
2. extend the existing (privately-owned) Chapman Crescent to A Street, which connects to Toronto Street (Provincial Highway 10);
3. construct a new road to Provincial Highway 10, approximately 350 to 400 metres northwest of the existing A Street intersection.

The Study concluded by recommending that the expanded facility continue to operate using the Wellington Avenue / Main Street / Toronto Street route.

4. LAND USE POLICY ANALYSIS OF THE APPLICATION

The subject lands fall within the Planning jurisdiction of the County of Grey Official Plan. There is no local Official Plan for this particular area of the Municipality.

This Report will evaluate the proposed extraction operation within the context of the Grey County Official Plan as well as the Provincial Policy Statement.

5.1 Provincial Policy Statement

5.1.1 Settlement Areas and Expansions

Section 1.1.3 *Settlement Areas* of the Provincial Policy Statement (PPS) directs urban type development to the designated urban areas. It states:

1.1.3.1 Settlement areas shall be the focus of growth and development

Comment: Whereas the existing Chapman's facility is situated within the designated settlement area of Markdale, the site of the proposed expansion is located outside of this urban area. The requested Official Plan Amendment would expand the 'Primary Settlement Area' boundaries to include an additional 6.6 hectares of land. To be clear, these lands would remain within the Municipality of West Grey and would not be annexed in Grey Highlands.

The Provincial Policy Statement gives consideration to the expansion of settlement areas, as follows:

1.1.3.8 A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

- a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;*
- b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;*
- c) in prime agricultural areas:*

1. *the lands do not comprise specialty crop areas;*
2. *alternative locations have been evaluated, and*
 - i. *there are no reasonable alternatives which avoid prime agricultural areas; and*
 - ii. *there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;*
- d) *the new or expanding settlement area is in compliance with the minimum distance separation formulae; and*
- e) *impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.*

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.

Comment: The following serves as the required comprehensive review:

Chapman's Ice Cream wishes to expand its highly successful business, and there is only one way to make this happen: expand in a northwesterly direction beyond the current urban boundaries of Markdale.

A considerably smaller business may be able to relocate their entire operations onto a large parcel of land in a settlement area, thus avoiding expanding beyond the urban limits; however, relocating is not possible with Chapman's Ice Cream given the \$200 million (approximate) investment that has already been made on this particular site.

For sake of argument, even if Chapman's could relocate, there are no vacant lands designated or zoned for industrial use within Markdale, other than a few very small lots. This has been confirmed with Grey Highlands Planning staff. Relocating to nearby Flesherton would also not be an option since municipal water is not available within that community, and Chapman's Ice Cream requires full municipal services.

With regard to servicing, municipal infrastructure is already in place to accommodate the proposed expansion. As explained earlier in this Planning Report, the expanded facility will consume additional water but

presumably capacity exists in the system to provide this additional consumption. At the same time, the amount of effluent will also increase but the increase will still be within the limits that are specified in the existing agreement between Chapman's Ice Cream and Grey Highlands. Furthermore, the existing road system can accommodate the increase in truck traffic without causing safety concerns according to the traffic engineer.

The 6.6 hectare urban expansion area does not constitute prime agricultural land, as demonstrated by the fact that the County Official Plan designates the site as 'Rural' and not 'Agricultural'.

On a related note, there are no livestock facilities existing within this general area and therefore the urban expansion does not create a problem with regard to the Minimum Distance Separation formulae.

Furthermore, no impact on any agricultural operation on nearby lands is anticipated. The amount of agricultural activity occurring in this area is limited, and the cash-cropping operations that do exist are not very close to the proposed expansion area.

On a final note, the proposed urban expansion is not excessively large. Whereas Chapman's Ice Cream has acquired a 44.0 hectare parcel, the request is to expand the urban area by only 6.6 hectares.

Based on the foregoing, it is evident that the proposed settlement area expansion is consistent with the comprehensive review policies of the PPS.

5.1.2 Land Use Compatibility

Section 1.2.6 *Land Use Compatibility* of the PPS states:

- 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.*

- 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.*

Comment: The expansion of the existing facility is not expected to create any impact on the neighbourhood, although it is recognized that a small increase in truck traffic may occur.

In reviewing this policy of the PPS, consideration should also be given to the Provincial Government's D6 Guideline which is intended to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another.

The D6 Guideline places industrial uses into three different categories, and such classification depends on the potential for conflict with neighbouring land uses while taking into consideration such factors as: size of operation; operating hours; odour, noise and dust emissions; and, amount of outdoor storage. The Chapman's Ice Cream operation would likely constitute a Class II Industrial Facility which is described as:

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.

The D6 Guideline states that a Class II industrial facility could impact land uses within 300 metres of the facility and recommends a separation distance of at least 70 metres. On this note, the sensitive land uses nearby would be the detached dwellings situated on Argyle Street and Toronto Street (Provincial Highway 10). Of significant importance in this review is the fact that the factory expansion will be further away from

these nearby residences than the existing plant. A new parking lot for employee parking will be constructed as part of the expansion, and the parking area will be the closest feature to the neighbouring residences. It will be constructed about 75 metres from the rear lot lines of a few residential lots fronting onto Toronto Street. The expanded building itself will be situated about 127 metres from those adjacent residential lots. This setback is consistent with the D6 Guideline policy.

Also be advised that Chapman's Ice Cream wishes to be a good neighbour and does make every effort to not be a disruption to residents in the area. Recently, silencers were placed on the exhaust fans as a result of a noise assessment that Chapman's had initiated. No formal complaints regarding noise have ever been filed. Chapman's are required to maintain appropriate noise levels under an Environmental Compliance Approval with the Ministry of Environment, Conservation and Parks.

Regarding smell, the manufacturing operation does not create an odour. There were some problems in the past with regard to the onsite sewage treatment facility; however, Chapman's improved the system and there has not been any formal complaints in over eight years.

With regard to shipping hours, the trucks are travelling between the existing facility and the nearby distribution centre between 5 a.m. and 5:30 p.m., even though the facility is operating throughout the night. Since Chapman's starting using their current traffic route six years ago at the request of the Municipality, there have been no formal complaints.

Based on the location of the expansion area, the fact that the facility generates no odour, dust or noise emissions, and the limitations on the trucking hours, it is evident that the proposed expansion should be consistent with the D6 Guidleine and the PPS policy pertaining to land use compatibility.

5.1.3 Employment

Section 1.3 Employment of the PPS states:

- 1.3.1 *Planning authorities shall promote economic development and competitiveness by:*
- a) *providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
 - b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment*

uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

- c) *facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) *encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
- e) *ensuring the necessary infrastructure is provided to support current and projected needs.*

Comment: Chapman's Ice Cream is one of the larger employers in Grey County, with over 800 people currently on the payroll. The proposed expansion will result in an increase in employment. The economic spinoff effect in the community is substantial and will increase as Chapman's grows.

5.1.4 Servicing

Section 1.6.6 Sewage, Water and Stormwater of the PPS states:

1.6.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

Comment: The proposes expansion will be serviced with municipal water and sanitary sewers.

1.6.6.7 *Planning for stormwater management shall:*

- a) *be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) *minimize, or, where possible, prevent increases in contaminant loads;*
- c) *minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective*

management of stormwater, including the use of green infrastructure;

- d) *mitigate risks to human health, safety, property and the environment;*
- e) *maximize the extent and function of vegetative and pervious surfaces; and*
- f) *promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

Comment: As explained in the Preliminary Stormwater Management Report prepared by GM BluePlan Engineering, the existing stormwater management facility, designed as an infiltration basis, is expected to provide enough capacity to store and infiltrate runoff from the proposed development during storm events including the 1:100-year storm.

5.1.5 Natural Heritage

Section 2.1 *Natural Heritage* states:

2.1.1 *Natural features and areas shall be protected for the long term.*

2.1.2 *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

2.1.3 *Natural heritage systems shall be identified in Ecoregions 6E & 7E¹, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.*

2.1.4 *Development and site alteration shall not be permitted in:*

- a) *significant wetlands in Ecoregions 5E, 6E and 7E¹; and*
- b) *significant coastal wetlands.*

2.1.5 *Development and site alteration shall not be permitted in:*

- a) *significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;*

- b) *significant woodlands south and east of the Canadian Shield²;*
- c) *significant valleylands south and east of the Canadian Shield²;*
- d) *significant wildlife habitat;*
- e) *significant areas of natural and scientific interest; and,*
- f) *coastal wetlands in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 2.1.4(b)*

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 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 natural features or on their ecological functions.

2.1.9 Nothing in policy 2.1 is intended to limit the ability of existing agricultural uses to continue.

Comment: The 6.6 hectares of expansion lands are cash-cropped and do not appear to contain any natural heritage features. A 'Significant Woodland' is shown on Appendix B of the Grey County Official Plan as existing on lands about 100 metres to the south of the lands subject to the Official Plan Amendment and Zoning By-law Amendment and about 335 metres from the actual portion on the area where construction is occurring. No impact on this natural feature should occur.

5.1.6 Summary of Provincial Policy Statement Review

It is evident that the proposed amendments to the Official Plan and Zoning By-law are consistent with the various relevant policies of the Provincial Plan Policy Statement.

4.2 County of Grey Official Plan

4.2.1 Existing and Proposed Land Use Designations

The lands subject to the submitted Planning Act applications are designated 'Rural' on Schedule A of the Grey County Official Plan.

The 'Rural' land use designation permits agricultural, agriculturally-related uses, on-farm diversified uses, and resource-based recreational uses, among other activities. An industrial use of this magnitude is clearly not permitted.

The existing Chapman's Ice Cream facility is situated within the urban boundaries of Markdale, which is shown as a 'Primary Settlement Area' on Schedule A to the Grey County Official Plan. The proposed Official Plan Amendment will extend the boundaries of the 'Primary Settlement Area' to include an additional 6.6 hectares of land.

Under normal circumstances, a local Official Plan would apply a more specific land use designation, such as 'Industrial', to lands designated 'Primary Settlement Area' in the County Official Plan. In this instance, the West Grey Official Plan doesn't cover lands outside of Markdale and Neustadt and therefore the only designation that will apply to the subject lands will be the 'Primary Settlement Area' designation provided by the County Official Plan. Under this general designation, a variety of land uses could be given consideration. In this regard, the lands can be rezoned to 'M1' (Industrial).

5.2.2 Expanding The Urban Area

Section 3.4.2 *Settlement Area Expansions (Comprehensive Reviews)* stated the following:

- 1) *The County may identify a settlement area or allow the expansion of a settlement area designation only at the time of a comprehensive review or an updated comprehensive review and only where it has been demonstrated that:*
 - a) *It is based on a review of population and growth projections and which reflect projections and allocations by the County; and considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial, County, and local interests;*
 - b) *Sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate projected needs over the identified planning horizon;*
 - c) *The infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are*

financially viable over their life cycle, which may be demonstrated through asset management planning; and protect public health and safety and the natural environment;

- d) *Expansion will be considered primarily in the Rural land use type; and where it can be demonstrated that no alternative exists, expansion into other land use types may be permitted. No expansion will be permitted into Special Agricultural land use type areas. In the case of Agricultural land use type areas, it must be demonstrated that there are no reasonable alternatives which would avoid prime agricultural areas, and no alternatives exist on lower priority agricultural lands;*
 - e) *The area of the proposed development can be adequately serviced;*
 - f) *Impacts on agricultural operations adjacent or close to settlement area expansions are mitigated to the extent feasible and expansion of the new or expanding settlement area is in compliance with the provincial minimum distance separation formulae;*
 - g) *Impacts on licensed aggregate operations, and Aggregate Resource Areas are mitigated to the extent feasible;*
 - h) *Growth can be accommodated without unacceptable impacts on the natural environment as defined in Section 7 of this Plan, surrounding land uses, and within the constraints imposed by servicing;*
 - i) *Cross jurisdictional issues are considered, where cross jurisdictional is interpreted to mean neighbouring municipalities both within Grey County, as well as neighbouring counties; and*
 - j) *Sufficient water quality, quantity and assimilative capacity of receiving surface watercourse / water body and/or aquifer are available to accommodate the proposed development.*
- 2) *Where settlement area designation expansions are needed to meet projected development needs as outlined above, the decision on direction or location of settlement area expansions must be based on:*
- a) *An analysis of servicing and transportation facilities, ensuring the efficient use and expansion of servicing infrastructure including potable water, sanitary sewage collection and treatment, sidewalks, trails, and transit;*
 - b) *Assessing land availability, where Rural land use types are the preferred lands for expansion, and if there are no reasonable alternatives, Agricultural land use types can be considered. In determining the most appropriate directions for an expansion into an Agricultural land use type,*

an Agricultural Impact Assessment should be undertaken that evaluates the potential impacts on agriculture, including agricultural operations, agricultural uses, and prime agricultural areas and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts. Expansion into Special Agricultural land use types is not permitted;

- c) *Protecting natural features and ecological functions within the natural heritage system;*
 - d) *Avoiding hazardous lands and hazardous sites;*
 - e) *Ensuring that aggregate and agricultural resource development potential is not compromised by the expansion;*
 - f) *Evaluating potential cultural heritage resources and conservation of significant built heritage resources, significant heritage landscapes and significant archaeological resources, all in keeping with the policies of this Plan.*
- 3) *In undertaking a comprehensive review or an updated comprehensive review, the level of detail of the assessment should correspond with the complexity and scale of the proposed settlement area boundary alteration. To re-establish previously designated settlement area lands, a scoped comprehensive review or scoped update to a comprehensive review will be considered.*
- 4) *Local municipalities will work with the County to manage the land inventory within settlements across the County to include sufficient land for residential, commercial, industrial, institutional, and recreational growth for a period of up to 20 years, including opportunities for intensification, redevelopment, and future growth areas. The timing and availability of municipal water services and sanitary sewage treatment capacity to service up to the 20 year growth projection must be considered and may require phasing of the development in accordance with service availability*

Comment: A comprehensive review has been provided in the Provincial Policy Statement section of this report. The County's requirements, however, for a comprehensive review, list above, are more elaborate. Please consider the following:

The need for this expansion is not based on population and growth projections but rather is based on the fact that Chapman's Ice Cream needs to expand its operations, and to do so, more land is required. Relocating the entire business is obviously not an option, and therefore the availability of land elsewhere – of lack thereof – is not relevant to this review. The only option is to expand in a northwest direction, which

means shifting the urban boundary.

As explained earlier, a full range of municipal services are available for this urban expansion.

The expansion area is designated 'Rural', and therefore 'Agricultural' and 'Special Agricultural' lands are not being affected.

No impact on existing livestock operations are anticipated. Farming in the area is limited, and does not involve livestock. There are no issues with regard to the Minimum Distance Separation formulae.

There are no aggregate operations nearby, and no lands in this area are shown on Schedule B as having a possible aggregate deposit.

Cross jurisdiction issues will need to be discussed between Grey Highlands and West Grey officials, along with Chapman's Ice Cream. In particular, arrangements must be made with regard to extending water and sanitary sewers belonging to Grey Highlands onto the expansion lands which are situated in West Grey. This should not be a complicated matter.

With regard to servicing, municipal water and sanitary sewer services from Markdale will be provided.

No impact on the natural environment should occur.

The expansion is not occurring on any hazard lands.

This proposal should have no impact on matters pertaining to cultural heritage or archaeological resources.

Lastly, this urban expansion is not a complex matter. The expansion involves only 6.6 hectares of land and is simply designed to allow for an enlargement of an existing industrial operation that has no other choice but to expand in this particular direction.

In view of the above, the proposal is clearly in keeping with the comprehensive review requirements of the County Official Plan.

5.2.3 Amendments to the Official Plan

Section 9.3 *Making Changes to the Plan* states the following (edited for relevancy):

- 2) *In considering a change to this Plan, the County will be guided by the basic intent of this Plan and by Provincial policies along with:*
- a) *The need for the proposed change; however this criterion does not apply to applications for the creation or expansion of a mineral aggregate operation;*
 - b) *The effect of the proposed change on the demand for services and facilities;*
 - c) *The implications the change may have on other policies of the Plan;*
 - d) *The impact of the proposed change on the County's and local municipalities' ability to achieve the principles and policies expressed in this Plan, the local official plan, or on other County or municipal policies, programs and interests;*
 - e) *The information and conclusions provided by the monitoring studies completed under Section 9.4 or the background studies to the Plan; and*
 - f) *The information requirements listed under the Complete Applications Section 9.17.*

Comment: Chapman's Ice Cream proposed expansion requires an amendment to the County Official Plan in order to allow for their business to grow. There is no alternative in terms of expanding in a different direction or relocating within an entirely new area.

The only change in demand for services and facilities will be the increase in water consumption.

This amendment should have no negative impact on other policies of the Official Plan and or on the County's and Grey Highland's ability to achieve the principles and policies expressed in the Official Plan or on other County or municipal policies, programs and interests.

All reports required by the County, Grey Highlands and West Grey during preconsultation discussion have been prepared.

5.2.4 Natural Heritage

Section 7 *Natural Grey* of the County Official Plan provides detailed policies aimed at protecting various natural heritages. Some of these features are mapped in the Official Plan, including Provincially Significant Wetlands, Locally Significant Wetlands, Significant Woodlands, Significant Valleylands and Areas of Natural and Scientific Interest.

The schedules and appendices of the Grey County Official Plan recognize no natural heritage features on the site; however, Appendix B does identify a 'Significant Woodland', as shown on Appendix B of the Grey County Official Plan, as existing on lands about 100 metres to the south of the subject lands and approximately 335 metres from the actual portion on the area where construction is occurring. The Official Plan policies state that development and site alteration shall only be permitted in a 'Significant Woodland' or within 120 metres of such a feature if it can be demonstrated that the woodland would not be negatively impact. Given the location of the woodland in proximity to the building site, no impact on this feature should occur. The Saugeen Valley Conservation Authority will be commenting on this matter during its review of the submitted Planning Act applications.

5.2.5 Summary of Grey County Official Plan Review

It is evident that the proposed amendments to the Official Plan and Zoning By-law maintain the intent and purpose of the County Official Plan.

5.3 Summary of Policy Evaluation

The submitted Planning Act applications are consistent with the policies of the County and Provincial documents.

5. ZONING BY-LAW CONSIDERATIONS

The 44.0 hectare parcel recently acquired by Chapman's Ice Cream is zoned mostly 'A2' (Rural), with an area of 'NE' (Natural Environmental) and some 'I' (Institutional) zoned land along the southerly boundary, according to the West Grey Comprehensive Zoning By-law.

As noted earlier, the 'I' zoning is likely an error and was likely intended to stop at the boundary of the abutting property owned by the Municipality of Grey Highlands.)

The proposed amendment to the Municipality of West Grey Zoning By-law would apply only to the 6.6 hectares of land that are proposed to be brought into the urban boundary. These lands would be rezoned to 'M1' (Industrial).

6. CONCLUSIONS AND RECOMMENDATION

The expansion of Chapman's Ice Cream onto lands that are currently considered to be outside of the urban boundary of Markdale has substantial merit.

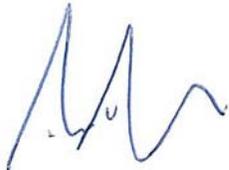
This Planning Report has demonstrated that this relatively small-scale, urban expansion can occur in accordance with the comprehensive review policies of the Provincial Policy Statement and the Grey County Official Plan.

A series of studies has been prepared to address traffic impact, servicing and stormwater management. This Planning Report has, among other things, considered land use compatibility between the expanding business and the nearby residences.

No negative impacts of any sort are anticipated. Conversely, there would be positive financial impacts for both Chapman's and the community.

Based on the foregoing, favourable consideration should be given to the requested Planning Act applications.

Respectfully submitted,



Ron Davidson, BES, MCIP, RPP

APPENDIX A: FIGURESA

Figure 1: Location Map

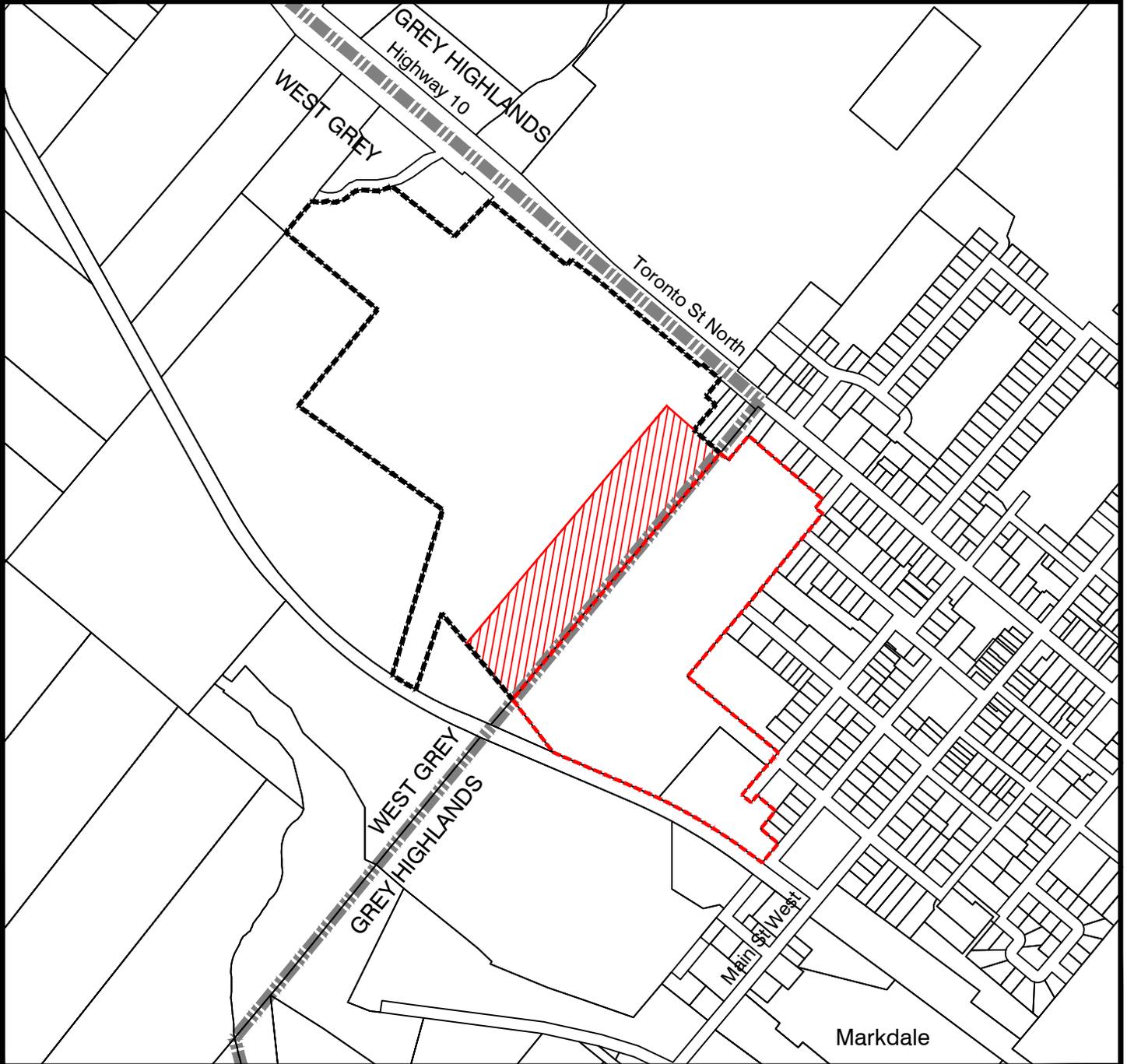
Figure 2: County of Grey Official Plan Schedule A

Figure 3: Municipality of West Grey Zoning By-law Schedule A

Figure 1: Location Map



-  Existing Chapman's Ice Cream Operation Lands
-  Proposed Expansion Area
-  Balance of property owned by Chapman's Ice Cream (not subject to development proposal)

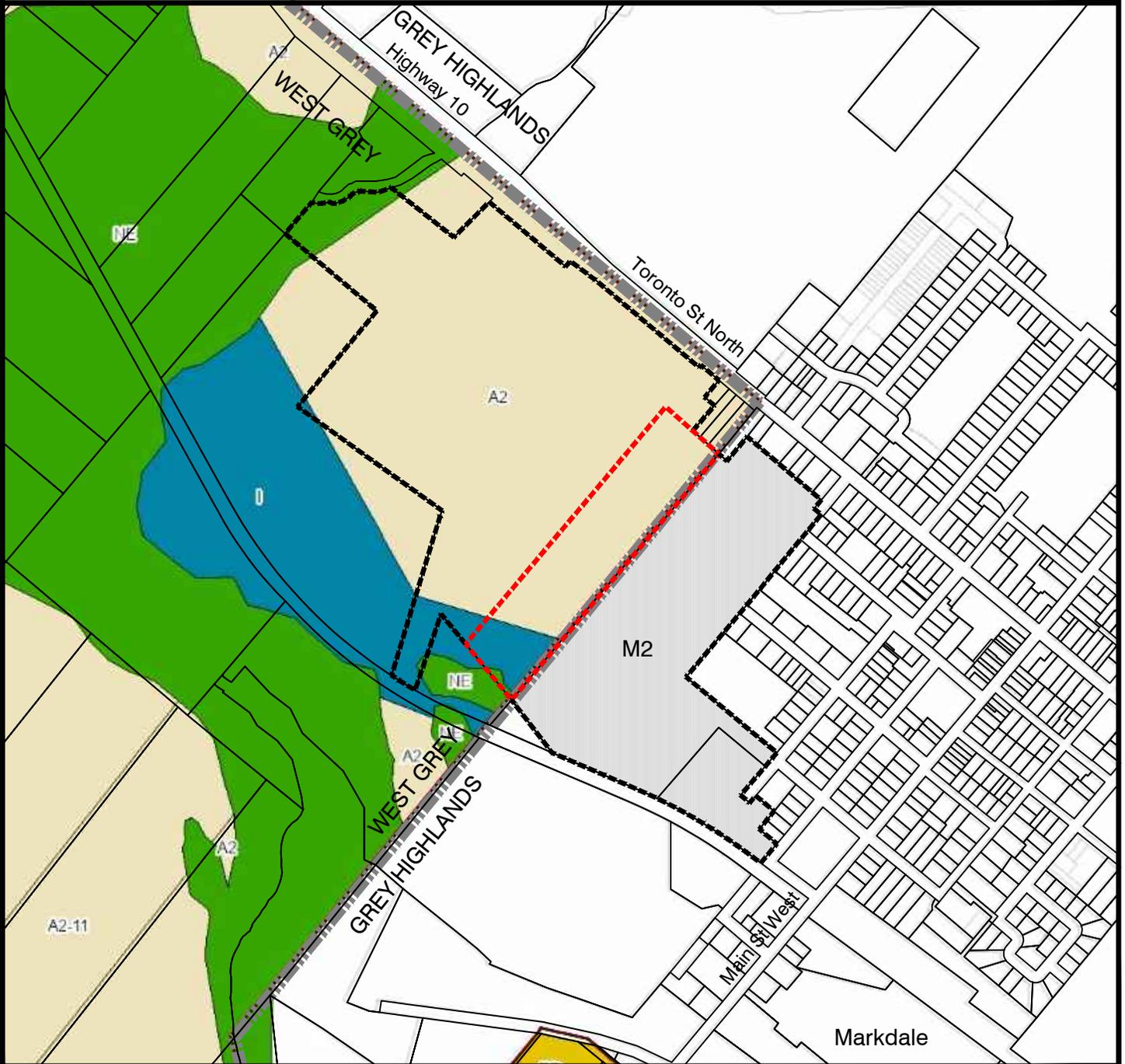


Chapman's Ice Cream
Proposed Expansion

Figure 3: Municipality of West Grey Zoning By-law Schedule A



-  Property owned by Chapman's Ice Cream
-  Lands to be rezoned to 'M1'
-  Lands currently zoned 'M2' in the Grey Highlands Zoning By-law

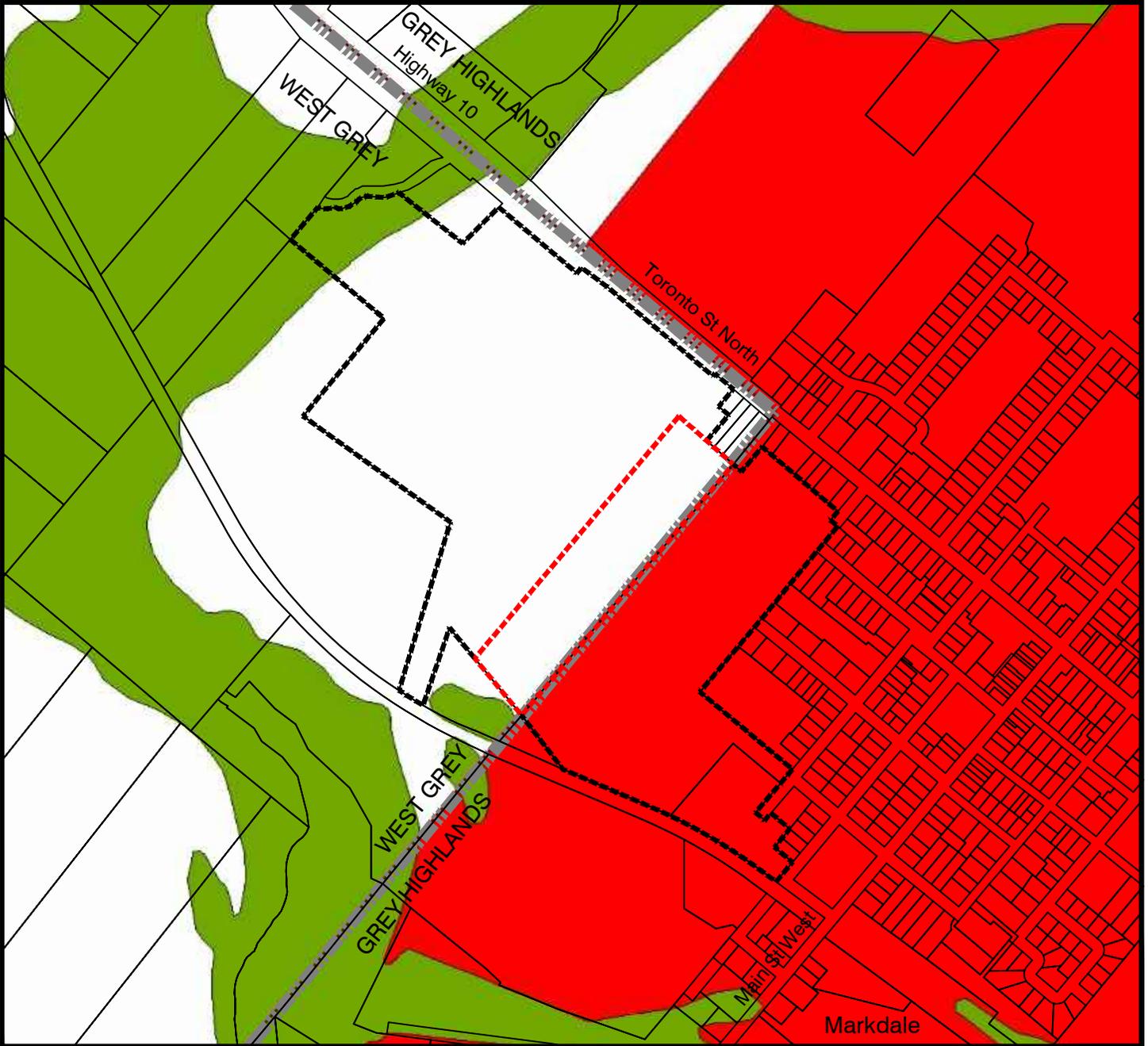


Chapman's Ice Cream
Proposed Expansion



Figure 2: County of Grey Official Plan Schedule A

-  Property owned by Chapman's Ice Cream
-  Lands to be designated Primary Settlement Area
-  Rural
-  Hazard Lands
-  Primary Settlement Area



Chapman's Ice Cream
Proposed Expansion