

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: August 10th, 2021

TO: Council

FROM: PLANNING DEPARTMENT

SUBJECT: Proposed Zoning Change for Mississippi Mills Business Park (Almonte)

BACKGROUND:

The proposed Zoning By-Law Amendment seeks to permit both open storage areas as accessory uses, as well as parking in all required yards on the lands zoned Business Park Exception 4 (E1-4).

A significant portion of the Mississippi Mills Business Park (Almonte), as shown in **Figure 1** below, was recently rezoned from Business Park Special Exception 1 (E1-1) to Business Park Special Exception 4 (E1-4) to permit a broader range of light industrial and commercial uses subject to applicable source water protection policies.

By-law 21-030 was passed on April 20th, 2021, and the provisions of the E1-1 Zone still apply to the subject lands. The E1-1 Zone currently prohibits open storage areas as both principle and accessory use and parking for industrial uses is not currently permitted in the front yard.

At the time of the rezoning, Staff were only provided direction to add uses via THE rezoning of the lands, not to examine the uses prohibited by the E1-1 Zone, nor the zoning provisions that prohibit parking in front yard.

Since the rezoning of the subject lands to E1-4, the Planning Department has received various development applications for these lands which include accessory open storage areas and propose required parking in the front yard.

Given the size and configuration of the lots found within the Business Park, the requests to permit parking in the front yard and to permit open storage areas as accessory to a permitted principal use are considered reasonable provided that appropriate landscape buffers and screening are implemented.

All accessory open storage areas and parking will still be subject to the applicable provisions of Zoning By-Law #11-83.

Internally, the Chief Building Official raised concerns with types of accessory storage permitted and appropriate fencing, screening and buffering. There are no concerns from the Fire Department.

The proposed Amendment conforms to the Sustainable Communities Official Plan (SCOP) and the Community Official Plan (COP). A draft of the proposed By-Law is found in **Appendix B** to this report.

LOCATION:

The Mississippi Mills Business Park is located near the northeast corner of the Almonte settlement area and can be easily accessed from Ottawa Street (County Road 49) and Appleton Side Road via Industrial Drive.

The Business Park contains a range of municipally and privately-owned lands. **Figure 2** shows the approximate boundaries of the Mississippi Mills Business Park (Almonte).

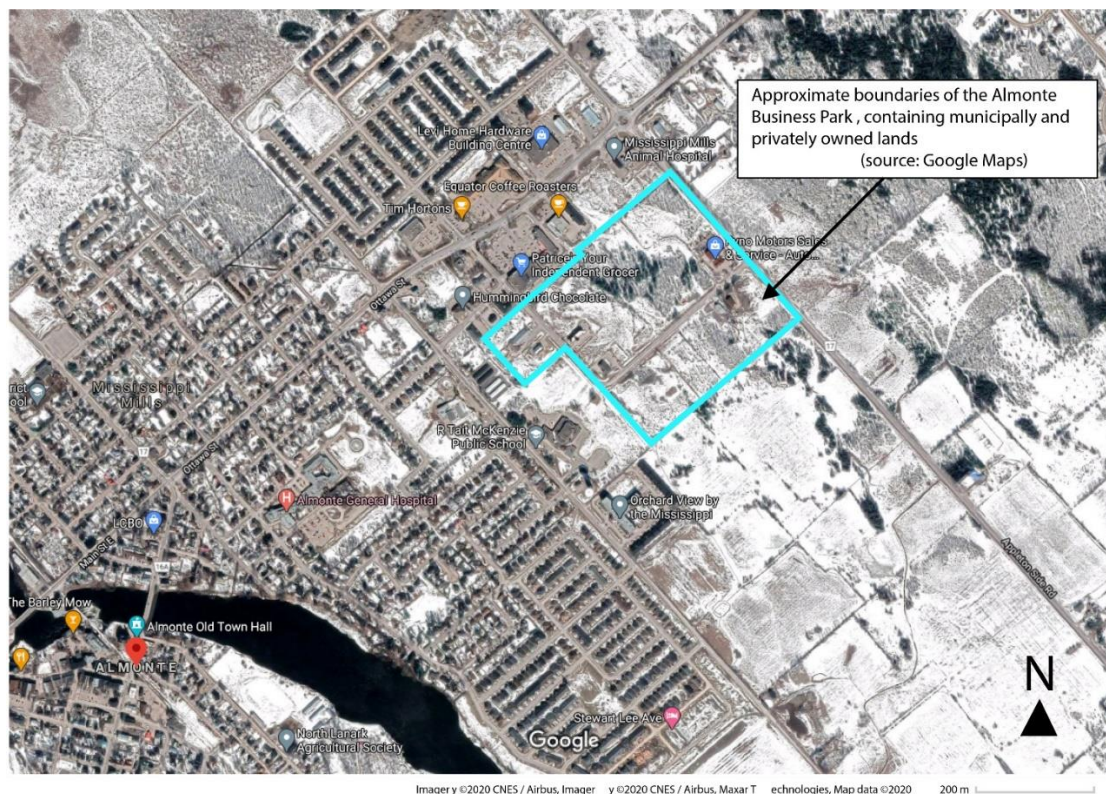


Figure 2: Business Park Location

CONTEXT:

The Mississippi Mills Business Park in Almonte is vital to the Municipality's existing economic and employment footprint. The Municipality of Mississippi Mills Business Park was created to allow a wide range of commercial and industrial uses for small to large businesses and encourage additional employment opportunities. Phase 1 and 2 have been sold and the municipality is currently focusing on the development of Phase 3.

The summary below provides further information on the players that need to be involved in any decision regarding the proposed land use changes in the Business Park:

Province of Ontario

Policies to protect the drinking water source under the Mississippi-Rideau Source Protection Plan were developed under the *Clean Water Act*, a provincial regulation.

The policies that stem from this and other provincial regulations and have been implemented in the Official Plans of the County of Lanark and the Municipality of Mississippi Mills, will need to be reviewed.

Mississippi Valley Conservation Authority (MVCA)

The subject lands are located within the regulation limits of the MCVA. In areas where there known Wellhead Protection Areas, the Risk Management Official (RMO) at the Mississippi Valley Conservation Authority (CA) should be consulted prior to the approval of development and land uses in these areas.

Municipal Governments:

County of Lanark:

The County of Lanark has the authority to approve consents (severances), plans of subdivision and condominium, condominium exemptions, part-lot control by-laws, local Official Plan Amendments and local Official Plan 5-Year Reviews.

If required, the Council would be the approval authority for any proposed Amendment to a local Official Plan.

Municipality of Mississippi Mills:

The Municipality is the principal land use planning authority responsible for setting policies to encourage and support employment and commercial lands. The Municipality of Mississippi Mills also owns some land in the Business Park, as previously mentioned.

The Planning Department plays an integral role in implementing the policies of the Municipality's Official Plan and the provisions of the Zoning By-Law.

The Economic & Cultural Coordinator plays an integral role in encouraging, incentivizing and advertising business activity throughout Mississippi Mills.

Private Sector:

Landowners, business owners and business employees would all be impacted by the proposed use changes to the business park. While the Municipality can regulate and encourage a wider range of uses in the business park, there needs to be a demand for the proposed uses. Economic development in the area will rely

upon cooperation and partnership-building between the Municipality and all private sector stakeholders.

POLICY FRAMEWORK:

LANARK COUNTY SUSTAINABLE COMMUNITY OFFICIAL PLAN (SCOP)

Almonte is considered a Settlement Area in the context of Lanark County's Sustainable Community Official Plan (SCOP), where a range of light industrial and commercial uses are encouraged. Section 2.3.1(6) provides:

Local land use policies shall provide for mixed use development including residential, commercial, employment lands, parks and open space and institutional uses in areas designated as a settlement area in local Official Plans.

Section 2.6.1(5) (Objectives) states the objective for land use distribution, which is to:
"...provide for mixed use communities with appropriate commercial, institutional and employment uses."

Also, Section 2.6.2.4 further states *"The implementation of this Official Plan through local Official Plans, zoning regulations, subdivision and condominium control and site plan control shall consider the following criteria:*

4. identify and zone an appropriate range of commercial, institutional and employment lands;"

Section 5.5.9 contains one policy for municipal source water protection and enhancement:

Areas in the County are identified as a Wellhead Protection Zone in the Source Protection Plan which is under development. Local Official plans should include mapping which identifies these areas and should refer to the Source protection Plan for information about applicable policy.

The proposed Amendment conforms to the policies of the SCOP.

COMMUNITY OFFICIAL PLAN (COP)

The subject lands are designated Business Park – Employment Area, as per Schedule 'B' of the Official Plan.

Purpose of the Business Park – Employment Area (Section 3.7.4):

The "Business Park – Employment Area" land use designation applies to lands on the east side of Almonte, south of County Road 49. Lands designated Business Park – Employment Area are planned to function as a major

employment centre within the Town Municipality. The development policies are intended to promote high quality and consistent development standards for the Mississippi Mills Business Park – Employment Area.

Figure 3 shows the extent of the Official Plan's Business Park land use designation, as well as the approximate location of the lands owned by the Municipality of Mississippi Mills.

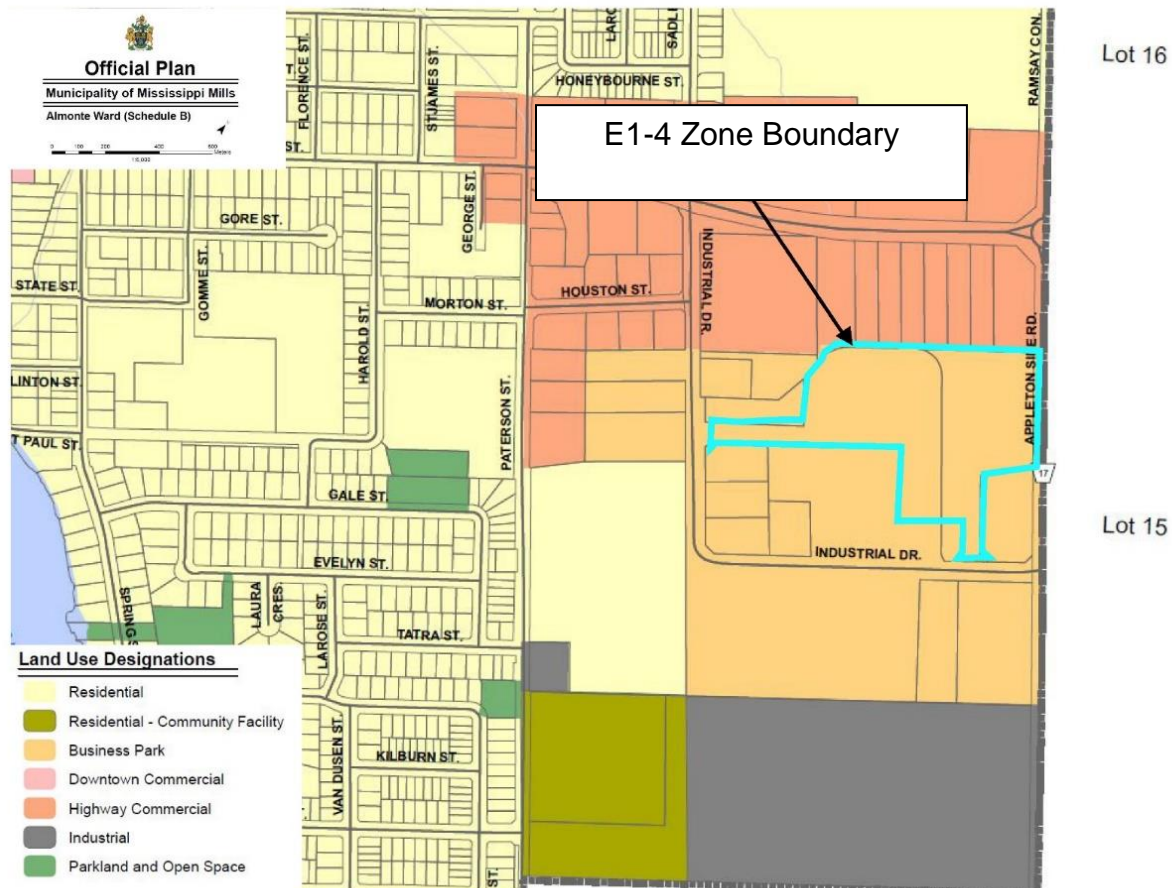


Figure 3: Official Plan Designation & Location of Municipally-owned lands

Section 3.7.4.1 of the Official Plan contains the permitted uses in the Business Park designation. *These include:*

i) Highway Commercial uses including those typically dependent upon high volumes of traffic or which is heavily transportation oriented. The scope of uses shall typically include, but are not limited to:

- *restaurants,*
- *recreational and automotive sales,*
- *repair and services establishments,*
- *building contractors,*

- *building supply and home furnishing retail and wholesale outlets,*
- *farm machinery,*
- *hotel/motel,*
- *lodging facilities,*
- *garden centres and nurseries,*
- *warehousing,*
- *wholesaling and distribution centres;*

ii) Retail stores, factory outlets and business offices that require large land areas and/or have large parking and/or outdoor storage or display requirements not consistent with the compact nature of downtown commercial cores

(iii) Medical clinics, rental outlets, garden centres, education and training facilities, industrial and business services, research and development facilities, computer, electronic or data processing establishments, scientific or technological establishments, communication and information establishments;

*(iv) **Light Industry (Class I)** and **Medium Industry (Class II)** as defined in the Industrial section of this Plan.*

Section 3.7.5.1(i) describes Light Industry (Class I) uses:

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.*

Section 3.7.5.1(ii) describes Medium Industry (Class II) uses:

“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 may 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."*

A portion of the Business Park designated lands is located within the one-kilometer buffer of Abandoned Mine, as per Appendix A2, which contains 'Constraints'. This should not have any impacts on the proposed uses listed in this memo.

There are also known Wellhead Protection Areas within range of the Business Park, as per Schedule D1 of the Official Plan (See **Figure 4**). Wellhead Protection Areas are areas where certain activities have the potential to adversely affect the groundwater that supplies a municipal well. Section 3.1.8 of the Municipality's COP provides the goals and policies that aim to protect vulnerable areas within the municipal boundaries.

During the rezoning of the Business Park, Staff had initially discussed the proposed list of uses with the Source Water Protection specialists at the conservation authorities. It was discussed that some of the proposed land uses may be prohibited if they store/handle quantities of more than 25l of dense non aqueous phase liquids (DNAPLs). Examples of this could include, dry cleaning facilities or some uses under technology industry. Retail facilities who store/handle quantities above 25L are not prohibited, there is a retail exemption in the DNAPL policy. Based upon policy and discussions with the MVCA, Staff included a provision in the E1-4 Zone that prohibits uses that exceed this threshold.

Staff do not anticipate any source water protection issues arising from permitting open storage areas as accessory uses and parking in all required yards

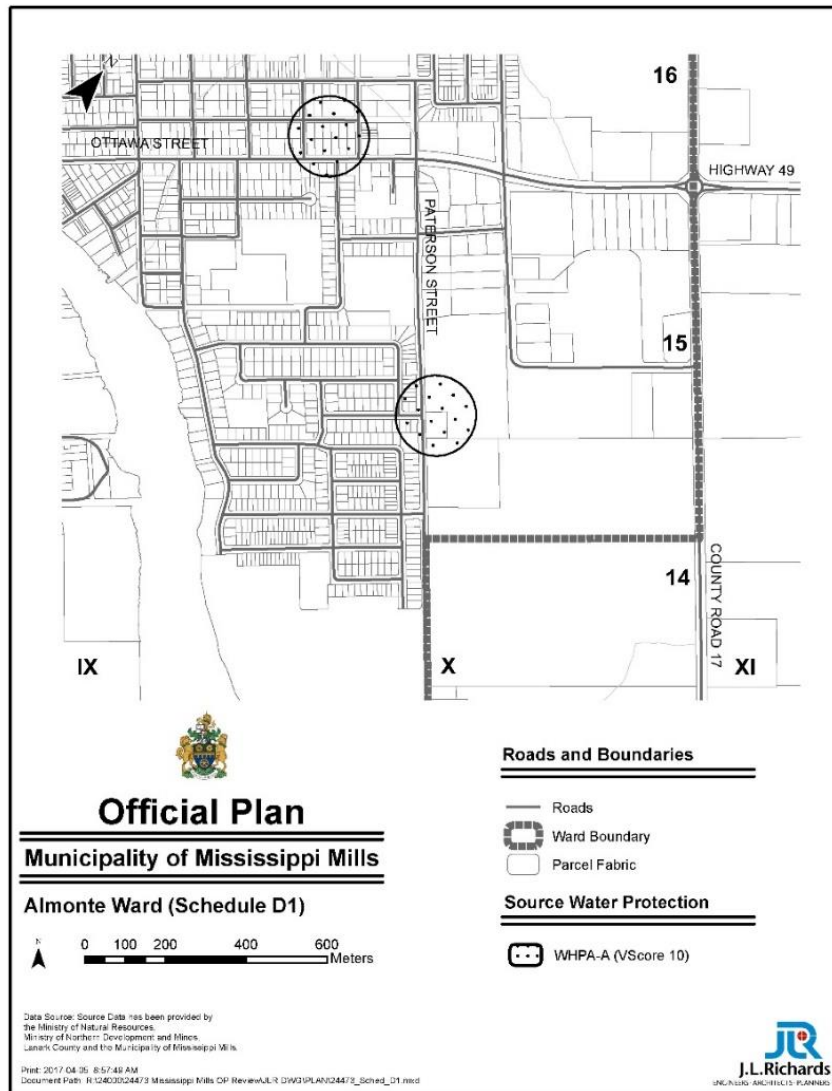


Figure 4: Schedule D1 – Wellhead Protection Areas

MISSISSIPPI MILLS BUSINESS PARK DESIGN GUIDELINES

The Mississippi Mills Business Park (Almonte) is also subject to the “Mississippi Mills Business Park Design Guidelines”. These guidelines were considered in the context of the proposed uses identified in the table above.

The Design Guidelines offer a preferred concept and phasing plan for the Business Park.

The Design Guidelines are intended to ensure high quality aesthetic standards for the Park and provide quality control assurances to protect the long-term investment of

property owners and / or their tenants. The guidelines provide direction for overall business park elements, as well as individual sites. The guidelines are further intended to be reviewed in conjunction with Site Plans, the Zoning By-Law and the Signage By-law.

In particular, the Design Guidelines provides “Site Planning and Landscape Development Guidelines”, including considerations for Site Screening and Parking Areas (Section 3.3.1):

Convenient, easily identifiable visitor and disabled parking shall be provided as close to main entrances as possible. Parking shall be located primarily in side and rear yards, but will be allowed in the front yard, subject to the provisions of the Zoning By-law and provided that a landscaped yard buffer is constructed between the public road and parking, screening the parking from view of the street. This might consist of a berm with planting, low wall, etc. (See 3.3.8, 3.3.11, 3.3.12).

Parking areas and internal roads shall be covered with a hard, dust free surface (e.g. asphalt, concrete, unit pavers, etc.).

Poured-in-place concrete curbs are to separate all parking areas and internal roadways from landscaped areas. The partial elimination or depressing of curbs may be considered in areas where stormwater storage or flows are to occur as part of an on-site management program.

To break up parking lots, provide shade and windbreaks for people and cars, landscape islands and medians 3 m minimum width will be required. One median for every 6 rows of parking is recommended. However, other configurations will be considered, provided they sufficiently break up larger expanses of parking.

Wherever possible, parking areas should be linked internally to minimize the number of entrance and exists to the public road, and to avoid “dead-ended” parking spaces.

Buildings should be surrounding by landscaped space, which separates them from roads and parking.

Along rear and side yard lines of abutting Business Park properties, a planting strip with a minimum width of 3.0 m shall be provided to ensure an effective site to site landscape buffer. Significant evergreen content is preferred as plant material for these buffers. The buffer strip shall increase to 6.0 m when a development site has a rear or side yard abutting a residential property.

If Snow is to be stored on site, areas shall be designated which do not disrupt vehicular or pedestrian movement, utilize disabled parking space or significantly

reduce the number of parking spaces, or interfere with or damage landscaped areas and plantings.

The Design Guidelines do not provide any guidance on the range of uses permitted, as this is accomplished in Zoning By-Law #11-83.

Future development of these lands should consider the guidelines in their entirety for land use compatibility. The proposed Amendment will not conflict with the objectives of the Business Park design guidelines, as parking can be permitted in the front yard subject to the applicable Zoning provisions and provided that a landscape buffer be established between the parking and the street. There is no guidance for open storage areas.

ZONING BY-LAW 11-83

The subject lands are zoned Business Park Exception 4 (E1-4). See **Figure 5** below.

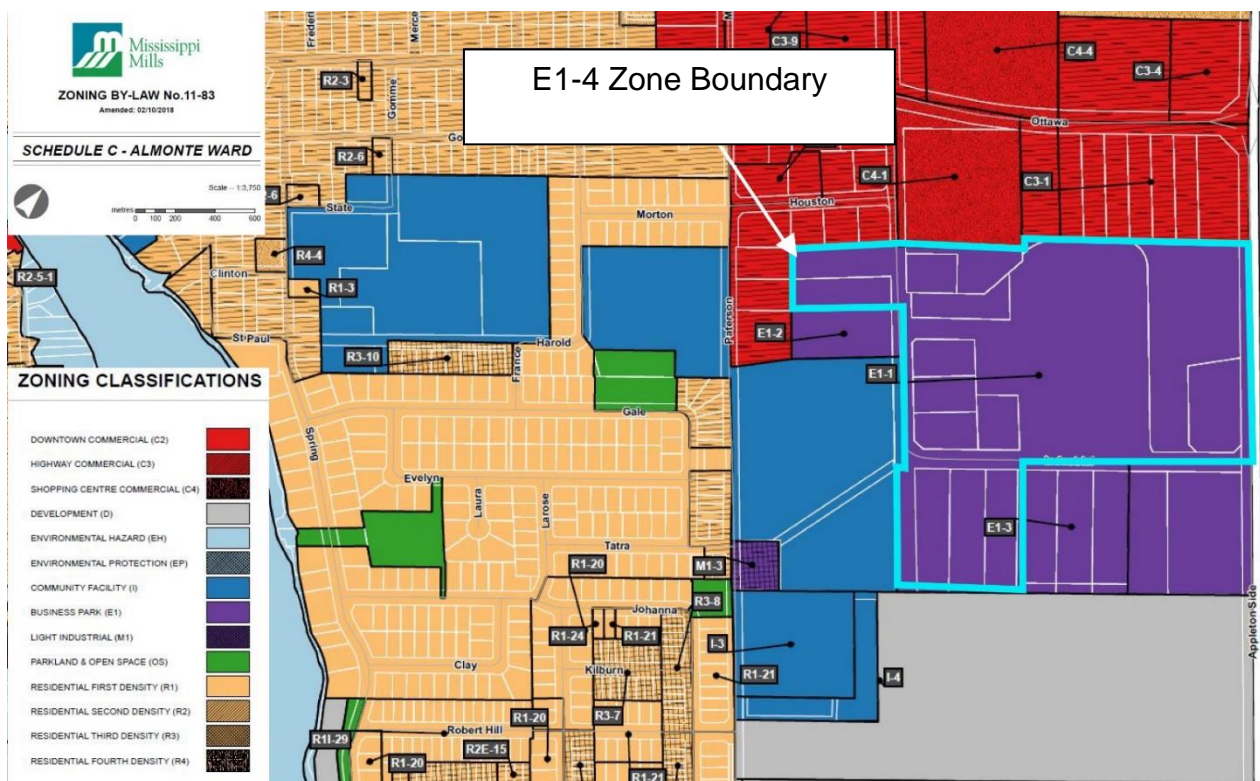


Figure 5: Zoning Schedule C – Business Park Zones

All lands within the Business Park share the parent zoning of the Business Park (E1) Zone but are currently differentiated by various Site-Specific Zoning Exceptions, which include:

- E1-2 Zone

- E1-3 Zone
- E1-4 Zone – which replaced the E1-1 Zone but kept its provisions.

According to Section 27 of the Zoning By-Law, the purpose of the Employment Park (E1) Zone is to:

(1) permit a wide range of commercial and industrial uses in accordance with the Business Park designation of the Community Official Plan;

(2) promote high quality and consistent development standards for the Mississippi Mills Business Park;

(3) develop in accordance with business park design guidelines which set out a unified master plan approach.

The E1-4 Zones establishes the following:

“Notwithstanding the ‘E1’ zoning designation, on those lands delineated as ‘E1-4’:

- 1) *The provisions of the ‘E1-1’ Zone shall apply*
- 2) *The following uses shall also be permitted provided that they do not store/ handle quantities of more than the threshold of 25 Litres (L) of dense non aqueous phase liquids (DNAPLs), or are exempted by the applicable sour water protection policies:*

- a. *automobile body shop*
- b. *automobile car wash*
- c. *automobile care*
- d. *automobile dealership*
- e. *automobile rental establishment*
- f. *building supply outlet*
- g. *bulk sales establishment*
- h. *Commercial storage*
- i. *contractor’s or trade establishment*
- j. *custom workshop*
- k. *dry cleaning establishment*
- l. *office*
- m. *post office*
- n. *printing establishment*
- o. *recreational vehicle sales*
- p. *service and repair shop*
- q. *taxi station*
- r. *technology industry.*

The E1-4 is therefore subject to the provisions of the E1-1 zone, which establishes the following:

The following uses are permitted in the E1 Zone (Section 27.1):

- *business offices*
- *communication and information establishments*
- *computer, electronic or data processing establishments*
- *drive-through facility*
- *education and training facilities*
- *factory outlets*
- *home furnishing retail*
- *hotel*
- *light industrial uses*
- *lodging facilities*
- *medical facility*
- *motel*
- *equipment rental outlet*
- *repair and service establishment*
- *research and development centre*
- *restaurants*
- *retail stores*
- *training centre*
- *warehousing*
- *wholesale outlets*
- *wholesaling and distribution centre*

In addition to the uses of Section 27.1, the following uses are permitted on the lands zoned E1-1 [Section 27.3.1(2)]:

- *medical facility*
- *showroom*
- *equipment rental outlet*
- *garden centre*
- *education or training facilities*
- *research and development facilities*
- *computer, electronic or data processing establishments*
- *scientific or technological establishment*
- *communication and information establishment*
- *business and government services*

- *public use*
- *parking lot*

As per Section 27.3.1(1) of the Zoning By-Law, the following uses shall not be permitted on the lands zoned E1-1:

- *an open storage area*
- *residential uses, and*
- *commercial storage*

By way of the E1-1 Zone provisions, the E1-4 Zone does not permit open storage areas as accessory to a permitted principal use.

Typically, open storage areas would be permitted as accessory to a permitted principal use in the E1 Zone, provided that the zoning requirements below are sufficient met:

*Section 27.2 Zone Provisions
(2) Open Storage*

The rear storage of goods or materials shall be permitted only to the rear of the main building provided that:

- *such open storage is accessory to the use of the main building;*
- *such open storage complies with the yard and setback requirements of this By-law;*
- *any portion of the area used for open storage is concealed from view of abutting residents or directly abutting streets by a fence or landscaping;*
and
- *no open storage shall be located within 20 m of a Residential Zone.*

For the purpose of this Amendment, parking provisions need to be considered:

9.3.7 Provisions and Location of Spaces

(d) Unless otherwise provided for herein, uncovered parking spaces shall be permitted in yards in accordance with the following:

- iv) **For industrial and institutional uses interior side and rear yards only**, except for visitor parking covering not more than 15% of the front yard area, provided that no part of any parking area, other than a driveway, is located closer than 1.5 m to any street line.*

As per the above, industrial uses are not currently permitted parking in front yards.

PROPOSED ZONING BY-LAW AMENDMENT

The proposed Amendment (Appendix B) is to change the Business Park Exception 4 (E1-4) Zone, to permit an open storage area as an accessory to a permitted use and parking in all yards.

Accessory open storage areas and parking will still be subject to all relevant provisions of Zoning By-Law #11-83. The proposed Amendment will conform to the general intent of Zoning By-Law #11-83.

PUBLIC COMMENTS

Since the Notice of Public Meeting was circulated to the public, we received only two (2) comments, which are found in **Appendix A** to this Report:

- One (1) public comment from a landowner wondering why their lot was excluded from the proposed zoning change.
- One (1) public comment from an individual inquiring whether self-storage was permitted by the existing zoning.

We also received responses from the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNRF) and the Mississippi Mills Valley Conservation Authority (MVCA). These agencies did not identify any concerns with the proposed Zoning By-Law Amendment (See **Appendix A**).

Internally, the Chief Building Official raised concerns with types of accessory storage permitted and appropriate fencing, screening and buffering. There are no concerns from the Fire Department.

As per the above, Staff have received comments regarding the inclusion of all business park lands via Zoning By-Law Amendment. This option would amalgamate all zones into one exception that permits all uses, including open storage areas as accessory and parking in all yards.

SUMMARY:

The role of the Municipality in the Business Park is that of part landowner and part strategic partner. In coordination with the County of Lanark, the Risk Management Official, the MVCA, as well as our community partners, the Municipality evaluates and establishes policies to ensure that there are a variety of employment and light industrial

opportunities made available to landowners, business owners and future employees of those businesses.

The Municipality of Mississippi Mills is committed to establishing a diverse and adaptive business park that meets the intent of Official Plan policies.

Through the proposed Zoning By-Law Amendment, Municipal staff believe that allowing open storage areas and parking in all yards in the Business Park will support the long-term economic vitality of the Municipality and the County more broadly speaking.

All of which is respectfully submitted,



Marc Rivet, MCIP, RPP
Planning Consultant



Ken Kelly
Chief Administrative Officer

APPENDIX A:
Public Comments

From: Paul Dick [REDACTED]
Sent: August 3, 2021 11:41 AM
To: Mills Planner <mplanner@mississippimills.ca>
Subject: Zoning bylaw amendment Z-03-21

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Tyler,

Can you please send a copy of proposed zoning by-law Amendment for us to review?
Are they planning self-storage on these lots?

Thanks,

Paul Dick
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Omid McDonald [REDACTED]
Sent: Thursday, July 15, 2021 5:50 PM
To: Mills Planner <mplanner@mississippimills.ca>
Subject: Z-03-21 / Amendment to By-Law #11-83

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Omid McDonald and I'm the owner of 34 Industrial Drive (Dairy Distillery). I received the notice about the proposed amendment to by-law #11-83 to "permit parking in the front yard for all permitted uses and permit Open Storage Area" as an accessory use".

Why is my lot excluded from the proposed zoning change?

I look forward to hearing from you.

Omid
[REDACTED]

APPENDIX B:
Zoning By-Law Amendment for the Business Park

ZONING BY-LAW AMENDMENT
No. Z-03-21
Almonte Business Park

Prepared for:

MUNICIPALITY OF MISSISSIPPI MILLS

July 29, 2021

J.L. RICHARDS & ASSOCIATES LIMITED
Engineers • Architects • Planners
1565 Carling Avenue, Suite 700
Ottawa, Ontario
K1Z 8R1

JLR 24473

EXPLANATORY NOTE

The purpose of the proposed Zoning By-law Amendment is to change the zoning for the “Business Park Special Exception (E1-4)” to permit an open storage area as accessory to a permitted use and to permit parking in all yards.

This Amendment affects lands within the Almonte Business Park as shown on Schedule A.

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 21-xxx

Being a By-law to Amend Zoning By-law No.11-83

WHEREAS By-law No.11-83 regulates the use of land and the use and erection of buildings and structures within the Municipality of Mississippi Mills;

AND WHEREAS the Council of the Municipality of Mississippi Mills deems it advisable to amend By-law No. 11-83 as hereinafter set forth;

NOW THEREFORE the Council of the Municipality of Mississippi Mills enacts as follows:

1. The properties affected by this By-law includes all lands within the Almonte Business Park (shaded tone), as shown on "Schedule A" attached hereto.
2. Section 27.3.4 of By-law No. 11-83 is hereby deleted in its entirety and replaced with the following:

"Notwithstanding the 'E1' zoning designation, on those lands delineated as 'E1-4':

- 1) The provisions of the 'E1-1' Zone shall apply.
- 2) The following uses shall also be permitted provided that they do not store/handle quantities of more than threshold of 25 Litres (L) of dense non aqueous phase liquids (DNAPLs), or are exempted by the applicable source water protection policies:
 - automobile body shop
 - automobile car wash
 - automobile care
 - automobile dealership
 - automobile rental establishment
 - building supply outlet
 - bulk sales establishment
 - Commercial storage
 - contractor's or trade establishment
 - custom workshop
 - dry cleaning establishment
 - office
 - post office
 - printing establishment
 - recreational vehicle sales
 - service and repair shop
 - taxi station
 - technology industry.

- 3) Parking shall be permitted in all yards for all permitted uses subject to all other provisions of this By-law.
- 4) An Open Storage Area is permitted as an accessory use to all permitted uses subject to all other provisions of this By-law.”

BY-LAW read, passed, signed and sealed in open Council this **20th day of** **2021.**

Christa Lowry, Mayor

Cynthia Moyle, Acting Clerk

File Location: P:\24000\24473-005 - Mississippi Mills OPA 22\6-Production\2-Plan\OPA\24473_Zoning_E1.mxd

