

## PLANNING REPORT

**TO:** PLANNING ADVISORY COMMITTEE

**FROM:** PLANNING AND DEVELOPMENT

**MEETING DATE:** TUESDAY, OCTOBER 24, 2023

**SUBJECT:** DP2023-17 – 670 CHARLES STREET NORTH  
CLASS III DEVELOPMENT PERMIT

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**Property:** 670 CHARLES STREET NORTH

**Legal Description:** CON 1 PT LOT 14 PT AND LOT 15 RP; 28R4194 PART 1  
GAN RIVER ES

**Official Plan:** EMPLOYMENT LANDS

**Development Permit:** EMPLOYMENT LANDS

**Lot Coverage:** 60%

### **Purpose and Effect:**

The applicant, Tony Del Guidice of VX Resources Canada Inc., is seeking to operate a manufacturing facility which will receive raw vermiculite to be processed internally and shipped out for the purpose of horticulture. All proposed work will be undertaken within the existing building and no outside work is proposed.

The existing building consists of 1114.8m<sup>2</sup> and is located on the property of 670 Charles Street North. The property is 0.4 ha (0.99 acres) in size.

Existing parking is located at the front and rear of the building. A temporary warehouse consisting of 54.8m<sup>2</sup> is located at the rear of the property. A steel loading dock with piers, located at the east side of the building will be used for deliveries for the facility. Existing storage containers, to the rear of the main building along the interior lot line, are proposed to be removed. No additions are proposed for the existing building with the proposed new use.

### **Background:**

The existing building at 670 Charles Street North is presently vacant. The use of a window supply and installation company, known as Ferguson Windows & Doors, operates from the temporary warehouse building consisting of 54.8 m<sup>2</sup> at the rear of the property.

The subject property was severed in 1988 from 650 Charles Street North and has been subject to two site plan agreements in June 1988 and August 1989. A site plan

amendment in 1989 was approved for a small addition to the main building. In 2001, a Zoning By-law Amendment was approved for the M-X4 special exception to permit an indoor archery range and archery pro shop. A number of uses have occupied the main building since that time including a rug/flooring business and fuel sales for home heating and propane.

A pre-consultation meeting was held on April 5, 2023 with the applicant, property owner and town staff to discuss the proposed use of the site. A number of studies were requested to be accompanied with the application including a Traffic Study, Noise, Odour and Supporting Land use Planning report. The required studies were submitted with the complete application and the peer reviews of the studies are attached.



The front of the vacant building where the proposed manufacturing facility will operate

The property will receive raw vermiculite which will be heated into a loose and light substance that is bagged and then delivered from the site. The processed vermiculite is then delivered to customers using cube vans/trucks.

The site will receive the raw vermiculite once a day by transport Monday to Friday from 8:00 am to 17:00 pm.

### ***PROVINCIAL POLICY STATEMENT:***

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest pertaining to land use matters and all development proposals must be consistent with the policies therein. The full PPS document can be found at <https://www.ontario.ca/page/provincial-policy-statement-2020>. Policies which repeat or are not relevant to the current proposal have been omitted from commentary below.

*The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.*

## **1.0 Building Strong Healthy Communities**

1.1.1 Healthy, livable 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;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- i) preparing for the regional and local impacts of a changing climate.

### 1.3 Employment

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; and
- e) ensuring the necessary *infrastructure* is provided to support current and projected needs.

#### 1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

1.3.2.6 Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

#### 1.6.6 Sewage, Water and Stormwater

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.

1.6.6.3 Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

#### 1.6.8 **Transportation and Infrastructure Corridors**

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

## 1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

### COMMENT:

The proposed processing use is consistent with policies pertaining to development on employment lands and will make use of an existing vacant building located within the employment land designation. The new use will provide an economic opportunity for the Town. The delivery of the raw vermiculate product will be processed within the existing building, bagged and shipped from this site. The processing will occur internally and does not require water for the operation as it is a dry process.

The property is not on municipal services and has private services. The operations for this use will not occur outdoors and is contained within the existing building. The proposed operation does not require the use of water for the processing of the product.

The applicant has submitted the required studies pertaining to Noise, Odour and Traffic in support of the application to avoid development and land use patterns which may cause environmental or public health and safety concerns. The Town undertook a peer review in all of these areas and the peer review comments for the Traffic Impact Assessment and Noise and Odour Reports are attached.

### **OFFICIAL PLAN:**

#### **Goals and Objectives (3.4.1) Employment Lands**

The goal of the Employment Lands is to support the expansion of the Town's employment base through flexible land use policies which recognize the dynamic nature of a changing regional economy.

The objectives of this designation are to:

1. To provide for commercial and industrial uses which require larger land areas;
2. To ensure access to efficient transportation links;
3. To provide commercial and industrial development opportunities which will not result in land use conflicts in accordance with Ministry of Environment Guideline on Compatibility Between Industrial Facilities and Sensitive Land Uses;
4. To enhance economic development opportunities within the Town of Gananoque.

#### **Permitted Uses:**

Development within the Employment Lands shall generally take place in the form of an industrial, business or commercial park. The following uses shall generally be permitted in the Employment Lands:

1. Manufacturing and processing
2. Warehousing and wholesaling of bulk products
3. Transportation depots
4. Heavy equipment and recreational vehicle sales and service
5. Open storage
6. Automobile and commercial vehicle service centres

7. Service commercial uses ancillary to the above
8. Large scale retail
9. Other commercial uses appropriate or compatible with an industrial/commercial mixed-use area or business park.

### **Employment Lands Policies (3.4.2.)**

Council through zoning and site plan control shall endeavor to maintain the character and scale of the development in the Employment Lands area and to ensure appropriate regulatory control.

Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded trade and industry uses in order to regulate the physical character of development and to ensure compatibility with established land uses. Particular attention will be placed on appropriate buffering of the permitted uses from adjacent non-compatible uses as well as ensuring that there is sufficient and immediate access to transportation links.

#### **COMMENT:**

The proposed use is generally consistent with the Employment Lands policies of the Official Plan designation. The property is located within the Employment Land designation and is close to the Highway 401 corridor which will provide a transportation link. The appropriate studies have been submitted to ensure that the Ministry of Environment Guideline on Compatibility Between Industrial Facilities and Sensitive Land Uses have been met. The Development Permit application will address the character and compatibility of the site in relation to the adjacent uses.

#### Adjacent Uses

An existing residential dwelling is located at 680 Charles Street North to the northwest of the subject property and is also located within the Employment Land designation. Adjacent existing businesses on the designated Employment Lands include Eastern Marine Services to the rear of the property, a self-storage company “Gan-U-Lock” is located to the southeast side of the site. Gananoque Public Works is located across the street which includes a five bay truck garage, several small buildings and the water tower.



View of the existing adjacent residential dwelling at 680 Charles Street North



The subject property is adjacent lands identified to be Organic Soils on Schedule G and no new buildings are being proposed.

Charles Street North is defined as a Collector Road meaning it is a road network that is an artery for transportation. The property and building are existing, however, it is expected to see the loading and unloading of materials. A traffic study was requested in this regard and a peer review has been provided. The peer review noted that further information pertaining to whether modelling should be included for the intersection of Charles Street North and James A. Brennan Road and clarification on whether intersections are controlled by stop signs. The peer review also noted that additional information is required about the presence of sidewalks along Charles Street North, clarification on the when the busiest hours are for traffic volumes and a further review of the traffic flow diagrams are required.

#### Section 4.1.4 Water, Waste Water and Stormwater Services

Development overall shall be directed to areas where water and waste water services can either be extended. Section 4.1.4.1.7 considers private servicing, communal services or partial municipal services where full municipal services cannot be extended due to technical constraints.

#### COMMENT:

The property and existing building are located on private services. Staff recommend that the private services be inspected to ensure that the change of use and/or increased use is sufficient.

#### **Development Criteria (5.4.4)**

In addition to the policies established for the General Commercial policy area, general development criteria are provided under Section 5.4.4. The following development criteria relate to the current proposal:

- The provision of safe access onto or from a local or Town road or provincial highway.
- Adequate access to, and provision of, off-street parking.
- Barrier-free access to public and commercial buildings and the designation of parking spaces for physically challenged persons.
- Access and maneuvering of emergency vehicles.
- The availability of municipal services and the cost of upgrading services.
- Adequate grade drainage or stormwater management and erosion control.
- Screening, buffering or fencing
- Safety and Security (including lighting, site orientation, and lines of sight).
- Protection of the environment by avoiding air, soil or water pollution
- Preservation and protection of street trees, canopies and forest.

#### COMMENT:

The front of the property at 670 Charles Street North is located at an elevated portion of Charles Street North and is open along the street which provides easy access onto the property from the street. The applicant has indicated that they will be providing two barrier free parking spaces at the front entrance into the existing building and that 14 parking spaces, including the barrier free parking space, will be provided.

The property has private water and sewer services to the site and the existing drainage will be maintained. The existing building has a loading door midway at the east side of the building and a chain link fence with gate will be located to the rear of the loading dock. The site plan indicates that the storage containers along the south-east property line are to be removed. There are existing trees located to the rear of the building.



View of the existing storage containers, temporary warehouse and loading dock

***DEVELOPMENT PERMIT:***

The subject property is designated Employment District within the Development Permit By-law. The intent of the Employment District designation is to provide for employment opportunities within areas of the Town that provide a wide range of uses and also allow complimentary uses for employees and other residents of the Town. Development standards are intended to limit land use conflicts and provide for buffering and screening through increased landscape site design requirements.

The current proposal would not redesignate the property but would permit the proposed use of the manufacturing facility as proposed on the site plan.

**Section 9.1 Uses**

The principal use of the processing of raw vermiculite is determined to be a Manufacturing Plant which is a permitted use in the Employment District designation. A Manufacturing Plant is defined as the use of land, buildings or structures for the purpose of producing, assembling, making, preparing, inspecting, finishing, treating, altering, warehousing or storing or adopting for sale of any goods, substance, article or service.

**COMMENT**

The proposed vermiculite processing facility use is in keeping with the uses in Section 9.1 for the Employment District in the Development Permit By-law.

## Section 9.2 Site Provisions

Section 9.2 of the By-law establishes site requirements for the permitted and discretionary uses. The provisions for the proposed site plan and the provisions for the existing structure are as follows:

Provision	Required	Existing
Lot Area (min.)	743 m <sup>2</sup>	4006.4 m <sup>2</sup>
Lot Coverage (max.)	60%	29%
Lot Frontage (min.)	18 m	53.34 m
Front Yard Setback (min.)	7 m	7.63 m
Exterior Side Yard Setback (min.)	n/a	n/a
Interior Side Yard Setback (min.)	3 m	4.53 m & 18.529 m
Rear Yard Depth (min.)	6 m	6 m
Building Height (max)	15 m	7.0

### COMMENT:

According to MPAC data the most recent structure was constructed in 1989 and predates the Development Permit By-law and has legal non-complying status. The applicant has indicated that there are no additions proposed to the existing structures on the property. It has been indicated that the existing storage containers along the eastern interior lot line will be removed.

### Parking and Storage of Vehicles (3.32)

The By-law indicates that for a Manufacturing use that the required number of parking spaces for this use is 1 space per 95 m<sup>2</sup> (1,022.6 ft<sup>2</sup>) of gross floor area and 1 space per every 3 employees per shift. The applicant is providing 14 parking spaces including two barrier free parking spaces at the front entrance of the existing building.

### COMMENT:

Based on the floor area of 1170 m<sup>2</sup> a total of 13 parking spaces plus 1 parking space per 3 employees per shift for a total of 16 parking spaces are required. Existing parking is located at the front and rear of the property. As per Section 3.32 Parking and Storage of Vehicles one barrier-free parking space shall be provided for every 20 standard parking spaces. The applicant is providing the two barrier free parking spaces as a courtesy for patrons of the facility.

Submission of Noise and Odour Protection reports were provided by Hambly Group dated August 14, 2023 and further describes the process from receipt of the raw vermiculite to the light and loose material which is bagged and shipped out for horticulture uses.

The report indicates that there are no odours from the process itself and indicated that guidelines for Best Management Practices were followed for industrial sources of odour. Noise sources are from interior equipment being a burner and filter, one delivery truck per day, five deliveries per day and air conditioning units. The nearest point of reception is the residential neighbour to the south. The equipment in the building is electrical and will be installed within the limits of the building. In terms of vibration, it will be contained within the existing building. Concrete thickening and isolation may be required at the time of installation. The applicant is presently waiting for the vibration characteristics of the equipment from the supplier.



Comments provided in the peer review of the Noise and Odour reports indicated that the control of emissions to the natural environment other than water is regulated by the requirements of Section 9 of the Ontario Environmental Protection Act (EPA). An environmental compliance approval (ECA) is required for the discharge (noise and air emissions) from this facility. The applicant is required to apply for approvals and to provide the Town with a copy of the application package. The noise class for the facility is determined to be a “Class 2”. Additional information was requested for the noise level of the dust collector fan. A Section 9 Approval is required to address particulate materials and air borne emissions from the facility.

Submission of Traffic Impact Assessment Report was provided by Hambly Group dated August 15, 2023 and indicate that traffic will see the delivery of raw materials to the site along with employees or clients. Vehicular traffic growth was unavailable, therefore, the use of MTO traffic volume growth (1.5% annually) were used at the Stone Street N and Charles Street N areas.

**COMMENT:**

The noise levels are less than the required in the “Environmental Noise Guideline – Stationary and Transportation Sources”. The Odour and Noise Background reports indicates that the proposed operation complies with the Ministry Environmental Odour Guidelines and the Environmental Noise Guidelines.

The Traffic Flows were noted to not affect the Charles Street N flows with the change of use to the site.

These documents have been peer reviewed by the Town and are included as attachments to the report.

**CIRCULATION TO AGENCIES**

Circulation to all property owners within 120m of the site and the prescribed agencies (comments received to date):

<p>CAO</p>	<ul style="list-style-type: none"> <li>• Does change of use trigger the need to get onto municipal services. Firstly, this is much more of an industrial use and should be on our water system at least for fire suppression purposes.</li> <li>• Peer review on the noise, smell, and traffic study.</li> <li>• What sewer capacity is needed, if any?</li> </ul>
<p>Chief Building Official</p>	<p>No objection to the proposal. A detailed review will be provided during the building permit application review process.</p> <p>Review of private septic system required.</p>
<p>CRCA</p>	<p>Since it is a new use and the property is located within an area identified as a Highly Vulnerable Aquifer (the entire Town), recommend the applicant review the applicable drinking water source protection policies in the Cataraqui Source Protection Plan (<b>policy 5.5.1</b>) given the use of vermiculite. If considered a threat, the owner would need to incorporate appropriate best management practices into the development.</p>

	The property is outside the Intake Protection Zone (IPZ) for the Town.
School Boards: CDSBEO and UCDSB	
Utilities: Bell Canada/Canada Post/ Cogeco/Enbridge Gas/ Eastern Ontario Power/Hydro One (OPG)	
EMS: Fire/LG Paramedic/Police	Fire Department – Suppression system, if required, determined by building department and engineers.
Public Works, Water/Sewer Utilities	Utilities – Property is on well supply. Backflow By-law would still apply to protect ground water.
St. Lawrence Parks Commission/MTO/ Other Commenting Agencies	MTO – No comments
Neighbourhood: Posting and 120m Circulation	

Staff have no objection to DP2023-17 VX Resources Canada Inc. – 670 Charles Street North, to operate a manufacturing facility for the processing of raw vermiculite for the purpose of horticulture within the existing main building, provided:

- An environmental compliance approval (ECA) is required for the discharge (noise and air emissions) from this facility. The applicant is required to apply for approvals and to provide the Town with a copy of the application package as per the requirements indicated in the peer review. A Section 9 Approval is required to address particulate materials and air borne emissions from the facility.
- The Owner is required to obtain all necessary approvals from the Ministry of the Environment and Climate Change (MOECC) to ensure sources of emissions to the environment and noise are adequately controlled to prevent potential negative effects and provide to the Town
- The Owner demonstrate to the satisfaction of the Building Department that a fire suppression system is not required for the use of the property through building permit review.
- The Owner obtain compliance with the Town in regards to the water and sewer services (private and/or public) and municipal water and sewer by-laws.
- The Owner comply with the requirements and findings for the Traffic Study and completed peer review of the Traffic Study and provide to the Town.
- The Owner comply with the best management practices of the Cataraqui Region Conservation Authority.
- The Owner enter into a Development Permit Agreement within one year of the Notice of Decision or the approval may lapse; and
- All costs associated with fulfilling the conditions of this decision are borne by the Owner.

Attachments: Traffic Impact Assessment – Peer Review, October 11, 2023  
Noise & Odour Assessment – Peer Review, October 20, 2023

**APPROVAL**

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Trudy Gravel, Assistant Planner

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Brenda Guy, Manager of Planning and Development

Our ref: 12624817

11 October 2023

**Jamie Baker**  
Senior Municipal Engineer  
EVb Engineering  
800 Second St W.  
Cornwall, ON | K6J 1H6

## 670 Charles Street North – Traffic Impact Assessment – Peer Review

Dear Mr. Baker,

In response to your request, GHD has performed a peer review of the Traffic Impact Assessment for 670 Charles Street North in Gananoque, Ontario. The following letter will validate assumptions and calculations, as well as highlight any ambiguities or areas of confusion in the Traffic Impact Assessment.

There are no suggestions, ambiguities, or proposed modifications in the following sections:

- 1.0 Introduction
- 4.0 Sight Distance
- 6.0 Sight Calculations
- 7.0 Conclusions/Recommendations.

The following suggestions are made to increase the clarity of the remaining sections of the report.

- Throughout the report, there are allusions to and mentions of James A. Brennan Road, though there are inconsistencies in the presentation of information regarding this road. It is included when assigning generated trips (5.0 Trips to/from Site) and present in the peak hour traffic flow diagrams (Appendix). However, based on the Synchro screenshots presented in the Appendix, the intersection of James A. Brennan Road with Charles Street North does not seem to be modelled. It is thus unclear whether James A. Brennan Road is included in the scope of work. It should be clarified throughout the report whether it is included in the scope of work. If included, information regarding the intersection of Charles Street North and James A. Brennan Road should be presented with similar detail to the information regarding Stone Street North. If it is not included, irrelevant information should be removed, or the necessity of the roads inclusion and analysis should be explained.
- In the section 2.0 Roadways, it is written that “The intersection is controlled by traffic control signals, other intersections by stop signs”. It is unclear which intersections are controlled by stop signs.
- On the north side of Charles Street North, for a small portion of the road, there is a concrete sidewalk. To improve the clarity of the available pedestrian infrastructure and to highlight pedestrian safety, additional information about the presence of concrete sidewalks could be added.
- In the section 5.0 Trips to/from Site, it is stated that “The two ‘busiest’ hours are typically the AM and PM peak hours [...]” but it does not state which hours were the busiest for this study area. Clarification should be provided regarding which hours were analysed.

- In the PM Peak Traffic Flows Diagram found Appendix A, the numbers of vehicles exiting and entering James A. Brennan Road do not sum. The traffic flow diagram should be reviewed.

This concludes the Peer Review of the Traffic Impact Assessment for 670 Charles Street North in Gananoque, Ontario.

Regards,



**Vanessa Skelton P. Eng**  
Project Manager, Transportation  
1 613 288-1727  
vanessa.skelton@ghd.com





David Armstrong  
Manager of Public Works  
Town of Gananoque  
30 King Street East,  
Gananoque, ON K7G 1E9

October 20, 2023

Subject: 670 Charles St. North, Gananoque, Ontario  
Peer Review

Dear Mr. Armstrong,

We have received the following documents pertaining to the abovementioned project:

1. Pre-Consultation Submission Requirements of 5 April 2023 - Noise
2. Pre-Consultation Submission Requirements of 5 April 2023 - Odour

At your request, we have completed a peer review on your behalf of environmental engineering items based on requirements of the Ministry of Environment, Conservation & Parks (MECP) and engineering best practices. Our comments are as follows:

#### **General Comments**

1. The control of emissions to the natural environment other than water is regulated by the requirements of Section 9 of the Ontario Environmental Protection Act (EPA).
2. Section 9 of the EPA requires a person to obtain an environmental compliance approval (ECA) for the discharges (noise and air emissions) from this facility.
3. There is no mention in either document that the facility is in the process of applying for an ECA. The proponent should initiate the application process for approvals and provide the Town with a copy of the application package.

#### **Pre-Consultation Submission Requirements of 5 April 2023 - Noise**

4. Although the facility is located in an industrial park, the noise class for the facility is "Class 2" with a noise limit of 50 dBA from 7:00-19:00 and 45 dBA from 19:00-23:00. This should not impact the operation of the facility based on the hours of operation listed in the submission.
5. Supporting information for the noise level for the burner was provided, but it was not provided for the dust collector fan. Please provide supporting information for the fan's noise level.



**Pre-Consultation Submission Requirements of 5 April 2023 - Odour**

6. The odour analysis is comparable to the information presented in USEPA AP-42 Section 11.28 Vermiculite Processing (USEPA AP-42 is an air emissions document that is recognized by the Ministry of the Environment, Conservation and Parks (MECP) when assessing the parameters for air emissions from certain processes).
7. Facility should seek a Section 9 Approval to address particulate materials, and other air borne emissions from the facility.

Thanks, and please do not hesitate to contact the undersigned should you have any questions.

A handwritten signature in blue ink, appearing to read 'Marco Vincelli', is written over a light blue horizontal line.

Marco Vincelli, P.Eng.  
Sr. Environmental Engineer

cc. Jamie Baker, EVB Engineering