

Staff Report to Council

Title: Holding Removal Bylaw - BEC
Business and Innovation Centre Inc -
Farrell Drive

Report Number: Development Services 2023-

Director: Infrastructure & Development

Manager: Development Services

Meeting Date:
Wednesday, November 22, 2023

Date to be considered by Council:
Wednesday, November 22, 2023

Recommendation:

That the Council of the Municipality of Kincardine pass a by-law for the removal of the Holding “H” provision from the following BEC lands:

22 Farrell Drive - PLAN 3M-113 LOT 12 3R-3861;PART 10, Kincardine

50 Farrell Drive - PLAN 3M-113 LOT 13 3R-3861;PART 9, Kincardine

64 Farrell Drive - PLAN 3M-113 LOT 14 3R-3861;PART 7, Kincardine

131 Farrell Drive - PLAN 3M-113 LOT 2, Kincardine

Executive Summary:

A request for removal of a Holding “H” provision from the listed BEC lands has been received. The subject properties in the recommendation are currently zoned to ECI2-a-h (Energy Centre Industrial Heavy Holding Special) which is subject to a Holding “H” provision. Under Bylaw 2022-164, conditions were attached through the re-zoning process which required the subject lands to obtain an Archaeological Assessment for development on lands that exhibit high archaeological potential, as well as a Justification Report that demonstrates compatibility with existing uses, and in accordance with the Official Plan to the satisfaction of the Municipality. An Archaeological Assessment and Planning Justification report has been received for the designated lands, satisfying the provisional holding conditions.

Strategic Priorities:

The BEC lands will assist in fostering a resilient economy, by potentially working with the nuclear sector to create future opportunities, as well as supporting business expansion and retention to support our diverse economy.

A.3-Support business expansion and retention to support a diversified economy

Financial Considerations:

All related fees as per the 2023 Rates and Fees Bylaw

Policy:

Municipality of Kincardine Zoning Bylaw 2003-025

Amendment to Comprehensive Zoning By-law 2003-25, Farrell Drive (Bruce Township) [BEC Business and Innovation Centre Inc.] By-law 2022-164

Context and Background Information:

A request for removal of a Holding “H” provision from the listed BEC lands has been received. The subject properties in the recommendation are currently zoned to ECI2-a-h (Energy Centre Industrial Heavy Holding) which is subject to a Holding “H” provision. Under By-law 2022-164, conditions were attached through the re-zoning process which required the subject lands to obtain an Archaeological Assessment for development on lands that exhibit high archaeological potential, as well as a Justification Report that demonstrates compatibility with existing uses, and in accordance with the Official Plan to the satisfaction of the Municipality.

The subject properties, CON 4 E PT LOT B RP 3R3851; PT PART 4, Kincardine, PLAN 3M113 BLK 20, Kincardine, PLAN 3M-113 LOT 2, Kincardine, PLAN 3M-113 LOT 12 3R-3861;PART 10, Kincardine, PLAN 3M-113 LOT 13 3R-3861;PART 9, Kincardine, PLAN 3M-113 LOT 14 3R-3861;PART 7, Kincardine, PLAN 3M113 PT LOT 6, Kincardine, PLAN 3M-113 LOT 7, Kincardine, PLAN 3M-113 LOT 8, Kincardine, PLAN 3M-113 LOT 9, Kincardine, PLAN 3M-113 LOT 10, Kincardine, 1547 BRUCE ROAD 23 - PLAN 3M113 PT BLK 19 and CON 3 PT LOTS C D and E; RP 3R3851 PARTS 2 AND 3 were included in the Archaeological Assessment and Justification Report. Of the subject lands reviewed, only the parcels identified in the recommendation are suggested to have the Holding provision removed as the remaining parcels exhibited high archaeological potential and will be subject to a Stage 2 assessment before consideration of lifting the holding provision on those parcels.

The Archaeological Assessment as completed on the lands subject to the Holding removal request has been filed with the Ministry of Heritage, Sport, Tourism and Culture. Through the Archaeological assessment, the sites identified in the recommendation exhibited “Low or No Archaeological Potential” and thus no further fieldworks or assessment were required as outlined in the Archaeological Study provided by ACC (Archaeological Consultants Canada).

Further, a Planning Justification report has been completed and submitted by the GSP Group. In this report, compatibility of the uses permitted within the ECI1 and ECI2 were evaluated and details compatibility of the permitted uses out to a policy context of 1000m while accounting for land use designations outlined in section D.3.4 of the Official Plan.

Development of the subject sites will be subject to Site Plan Control.

Consultation Overview:

The holding provision is utilized to ensure that certain development considerations are completed prior to any future proposal on the designated lands.

Origin:

Kincardine Zoning By-law 2003-25

Implementation Considerations:

Through the request of the Owners/ Agents, having the holding provisions satisfied will present an attractive marketing analysis for potential buyers and future development of the BEC lands. Through the removal of the holding provision, development will be directed to proceed through the Site Plan Control process, and thus providing an expedited review process allowing further alignment with provincial timeframes.

Risk Analysis:

Removal of the holding provisions on the recommended lands has been satisfied through completion of both an Archaeological Assessment and Planning Justification report. Any future proposals received for development on these lands will be subject to those reports including compliance with the permitted uses as prescribed in the Zoning Bylaw. In addition, any development upon these lands will be subject to Site Plan Control.

Attachments:

Holding Removal By-law

Schedule A – Subject lands to be rezoned EC12-a

Prepared by: Dwayne McNab – Development Services Manager/ CBO

Submitted by: Dwayne McNab – Development Services Manager/ CBO