

COUNCIL REPORT

Meeting Date: September 8, 2020
Department: Building, By-law, Planning and Waste Management
Report No.: BBP-2020-69
Submitted by: Tim Williams, Senior Planner
Approved by: Matthew Stephenson, Director of Building, Planning & Waste Services
Fred Tranquilli, Chief Administrative Officer/ Clerk
SUBJECT: 56 Canaan Street, Strathroy – Prowler Holdings Ltd. C/O Joshua Jones

RECOMMENDATION: THAT: the application for rezoning be approved.

SUMMARY HIGHLIGHTS

- The applicant is proposing to rezone the lands from the 'Light Industrial (M1) Zone' to a site specific 'Light Industrial (M1-3) Zone'.
- The application proposes an additional use – “Crematorium” to the list of permitted uses.
- The applicant is proposing an alkaline hydrolysis operation that will cremate animals (primarily domestic pets) also known as aquamation.

STRATEGIC PLAN ALIGNMENT

This matter is in accord with the following strategic priorities:

- 1) *Economic Development:* Strathroy-Caradoc will have a diverse tax base and be a place that offers a variety of economic opportunities to current and prospective residents and businesses.
- 2) *Growth Management:* Strathroy-Caradoc will be an inclusive community where growth is managed to accommodate a range of needs and optimize municipal resources.

PURPOSE AND BACKGROUND

The subject property is approximately 1.13 ha (2.783 ac) in size and zoned Light Industrial (M1). It is located on the south side of Canaan Street, east of Caradoc Street South, and more specifically between Dennis Street and Head Street South. The subject lands are irregular in shape with a lot frontage on Canaan Street of 33.8 m (110.93 ft.) and abuts the end of Tanton Street. The property contains five buildings with some open storage at the rear and east side of the property.

Surrounding the site is a mix of uses. To the north is residential, primarily single detached homes, west on Dennis Street are three dwellings. To the east is 70 Canaan, an industrial property and beyond this are residential uses primarily single and semi-detached dwellings. To the south of the subject lands is the rail line and beyond the rail line is residential properties with a commercial property to the southwest (fronting on Caradoc Street).

Proposal

The applicant/future tenant of the property is proposing to use a 216.05 m² (2,325.5 ft²) portion of the existing building #2 (southwest portion of the property) and is requesting a zoning amendment to permit, as an additional permitted use, a 'Crematorium'. The Crematorium would use Alkaline Hydrolysis to cremate, or aquamate, animal remains. The process uses a 95% water and 5% alkali solution to dissolve the remains. The process differs significantly from the traditional incineration process in that there would be no smoke emissions. The process results in liquid effluent which is discharged to the municipal sanitary system. The applicant is proposing that the loading space be located within the building to address matters of privacy.

The application proposes to re-zone the lands to a site-specific 'Light Industrial (M1-3) Zone'. No alterations to the exterior of the building are proposed though, if approved, a building permit will be necessary to commence the interior alterations contemplated for the proposed use. As a result, the standard permitting process will follow along with inspections to ensure Building Code compliance.

The subject lands are municipally serviced. Canaan Street and Tanton Street are local municipal roads under the jurisdiction of the Municipality of Strathroy-Caradoc.

POLICY AND REGULATION BACKGROUND

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Policy Statement, the County and Strathroy-Caradoc Official Plans. Locally, the lands are designated 'Industrial' in the Official Plan and within the 'Light Industrial (M1) zone' in the Zoning By-law.

Provincial Policy Statement 2020

Section 3 of the Planning Act requires that all decisions made under the Act "shall be consistent with" the Provincial Policy Statement (PPS). The PPS identifies settlement areas as the primary focus of growth on full-services and supports the development of lands for a full range of commercial and industrial uses. The PPS states that new development taking place in designated growth areas should occur adjacent to the existing built up areas and shall have compact form, a mix of land uses and densities that allow for the efficient use of land, infrastructure and public facilities. The PPS is supportive of the creation of employment uses within fully serviced settlement areas which demonstrate an efficient use of land and infrastructure as well as promote land use compatibility.

The following specific PPS policies are relevant to the proposed development and have been considered when evaluating the subject application.

The lands may be considered to be located within a *designated growth area* within a *settlement area* per the definitions of the PPS. The PPS provides direction for development within settlement areas and notes that the vitality of these areas is important to the long-term economic prosperity of Ontario's communities (Section 1.1.3). In addition, Policy 1.1.3.2 of the PPS encourages land use patterns within settlement areas that are based on densities and a mix of land uses to make efficient use of land and resources, and provide for a range of uses and opportunities for intensification and redevelopment. Existing building stock or areas and the availability of suitable existing or planned infrastructure must be taken into account.

The PPS gives direction to planning authorities to “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 livable and resilient communities, with consideration of housing policy 1.4; and e) ensuring the necessary infrastructure is provided to support current and projected needs.” (Section 1.3)

County of Middlesex Official Plan

The lands are located within a Settlement Area identified on Schedule 'A' of the County of Middlesex Official Plan (County Official Plan). The County Official Plan provides a regional policy framework within which development proposals are to be evaluated. This is detailed in Section 1.3 of the County Official Plan by outlining that the County Official Plan does not address in any great detail those planning matters, which can better be dealt with by the local municipalities. The Middlesex County OP has a number of policies supporting positive economic growth, within Section 2.3.4 it reviews the promotion of economic development opportunities and adding economic vitality and sense of place. This Section further outlines that economic development is an important component of the County's Growth Management policy framework and that many long-term goals and objectives depend on economic activity and the opportunity for residents to live and work in Middlesex County. The County consequently encourages diversity in its economic base.

Strathroy – Caradoc Official Plan

The subject lands are located within the Settlement boundaries of Strathroy on Schedule 'A' - Structure Plan to the Strathroy-Caradoc Official Plan. More specifically, Schedule 'B' – Land Use & Transportation Plan for the Settlement Area of Strathroy identifies the lands where the unit is located as being within the 'Industrial' designation of the Strathroy-Caradoc Official Plan (SCOP).

The list of primary uses permitted in the 'Industrial' designation include manufacturing, assembling and processing of goods or materials; repairing and recycling; warehousing and distribution of goods; truck terminals and building/construction contractors. As included in Section 3.3.3.2 of the Official Plan,

secondary uses shall also be permitted provided they would not undermine the viability of the area for industrial purposes or conflict with industrial uses. They include;

- a) commercial uses which are not generally suited to designated 'Commercial' areas;
- b) commercial uses which have characteristics or functional requirements similar to industrial uses or which are otherwise considered suited to 'Industrial' areas;
- c) commercial uses which serve the needs of industrial uses or those employed in the 'Industrial' area;
- d) uses accessory or incidental to industrial uses;
- e) *certain recreational and institutional uses.*

Such uses may include automobile-oriented uses, fitness clubs and other uses that make use of existing industrial space no longer suited or required for the purposes for that it was designed.

Section 3.3.3.3 contains the criteria for development within areas designated 'Industrial'. The guiding principles are as follows:

- a) connection to the municipal water supply and sanitary sewage systems;
- b) provision of adequate off-street parking for employees and visitors;
- c) provision of adequate loading and unloading facilities;
- d) provision of suitably located, designed and constructed entrances which minimize any adverse traffic or safety issues;
- e) provision of buffering and other measures to mitigate any adverse effects on neighbouring land uses resulting from the emission of noise, odour, smoke or similar nuisances;
- f) landscaping, lighting and tree planting to enhance the appearance of the development, particularly from main roads and thoroughfares;
- g) adequate grading and drainage measures, including stormwater management.

Strathroy-Caradoc Zoning By-law

The subject lands are within 'Light Industrial (M1) zone' which permits a range of industrial uses that are compatible with the surrounding uses and it expressly prohibits noxious uses as this zone is typically adjacent to residential uses. The intent of the zone is to allow for less intensive industrial uses. The following are permitted uses:

- | | |
|---|--|
| (1) Agricultural Industrial Establishment | (2) Agricultural Service Establishment |
| (3) Bulk Sales Establishment | (4) Contractor's Yard or Shop |
| (5) Custom Workshop | (6) Factory Outlet |
| (7) Farm Equipment Sales & service | (8) Industrial Mall |
| (9) Industrial Use, Light | (10) Office, Support |
| (11) Outside Display and Sales Area | (12) Outside Storage |
| (13) Public Garage | (14) Research & Development Facility |
| (15) Self-service Storage Warehouse | (16) Service Shop |
| (17) Warehouse | |

The 'M1' zone requires a minimum lot area of 2,500 m², minimum lot frontage of 15 m, minimum front yard depth of 6 m, minimum side yard width of 3 m or 7.5m (adjacent to Residential zone), minimum rear yard depth of 0 m adjacent to railway right-of-way, minimum lot depth of 40 m, a maximum lot coverage of 50% and minimum landscaped open space of 10%.

The Crematorium use is permitted within the Institutional (I) and Open Space (OS) zones. A crematorium has also been permitted in two (2) locations on a site specific zoning within the 'General Industrial (M2) zone'.

CONSULTATION

Notice of the application has been circulated to agencies as well as property owners and a notice sign has been posted on the property as per the Planning Act.

At the time of writing the subject report, the following comments from agencies have been received:

The St. Clair Region Conservation Authority, and Strathroy Caradoc Fire Chief have advised of no concerns with the application.

The Director of Engineering and Public Works has reviewed the proposal and the proposed effluent will meet the discharge of waste into the public sewer works/system – By-law No. 64-14 ("Sewer System Use By-law") and the volumes of effluent discharge are relatively low. It is further noted that if the discharge from the proposed process is found to not meet the Sewer System Use By-law requirements, the applicant will be required to add the necessary treatment process to ensure that effluent meets the Sewer System Use By-law.

Director Planning and Building Comments: has advised no concerns with the application.

The Statutory Public Meeting Notice was circulated to residents living within 120 m of the subject application on August 11, 2020. At the time of writing, one letter/email from an adjacent neighbour has been received relating to the proposed crematorium (attached below) citing concerns about the proximity of the use to existing residential dwellings and the anticipated change in the community and impact on property values. The email provided also referenced varied Notice delivery time, however, staff have confirmed the Notice was mailed out on August 11, 2020 which is well in advance of the (August 19, 2020) requirement. Staff planned for Canada Post's delay during the Covid-19 pandemic.

ANALYSIS

It is the opinion of staff that the application is consistent with the PPS, County and local Official Plan. With respect to the PPS and County Official Plan, the crematorium use is located within the settlement area on full municipal services, represents efficient use of land, and will minimize land consumption and servicing costs in the area.

The proposed use is located in an existing building that is adjacent to an existing built up area with residential and other employment uses nearby. It is therefore well suited to serve the community and the location, central in Strathroy, which will increase accessibility and efficiency of travel.

The use represents a diversification of the uses for the property, thereby expanding the economic base and addressing a shift in demand for the existing unit/space. The use would be considered industrial in nature given the fundamentals of the operation is the processing of material, industrial activity. Further, the smokeless nature of the proposal is capable of being compatible with the other uses within and adjacent to the property. The unit for the proposed use is at the rear of the property increasing the distance between the proposed use and the residential use on the opposite side of Canann Street.

The SCOP outlined specific criteria for development within areas designated 'Industrial' and the proposal will address them as follows:

- a) The site is connected to the municipal water supply and sanitary sewage systems and the system has capacity for the proposed use;
- b) The parking requirements in the zoning by-law are met;
- c) The provisions for loading facilities within the zoning by-law are met;
- d) The proposed use is not anticipated to be intensive in terms of traffic. The applicant is proposing that deliveries be primarily handled by their staff attending local veterinary offices and returning to the subject property;
- e) The proposed use results in the only emission being effluent into the sanitary sewer. The Engineering and Public Works department has determined the use is within the operating parameters of the Sewer System Use By-law;
- f) The applicant is not proposing an increase to the intensity of the site beyond the existing permitted industrial uses. The previous tenant of the space was an insulating concrete form business. The proposed use anticipates no more than 3 employees and no exterior renovations to the building;
- g) No changes are proposed to the exterior of the building or property including the existing grading conditions.

SUMMARY

Staff are supportive of the proposed rezoning as it is considered to be consistent with the Provincial Policy Statement; conforms to the Official Plans of both the County of Middlesex and the Municipality of Strathroy-Caradoc; and, represents sound land use planning.

A by-law has been prepared and is included on the agenda for Council's consideration.

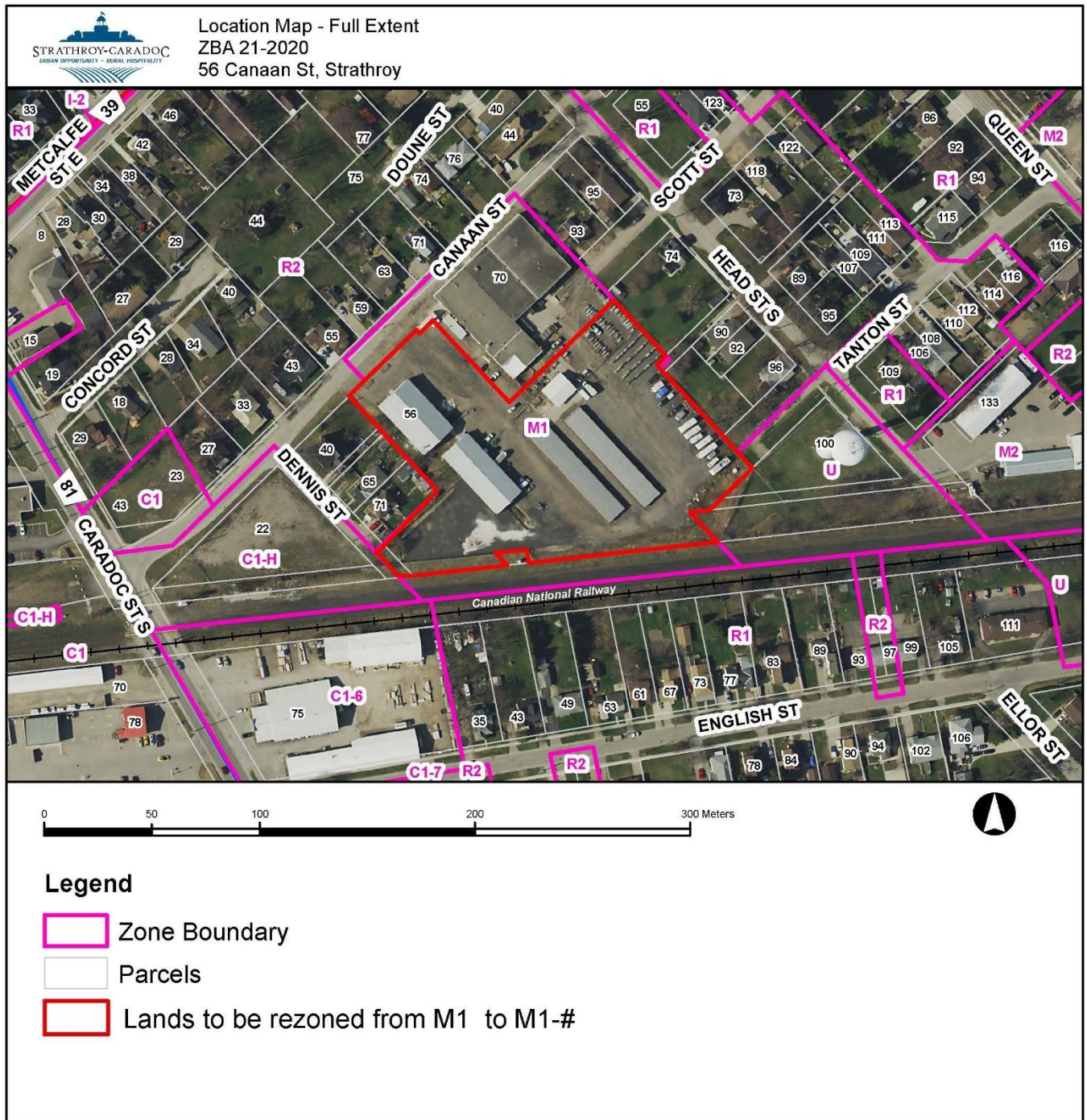
FINANCIAL IMPLICATIONS

None

ATTACHMENTS

- Location Map
- Site Plan
- Letter/Email from Frances DeBoer August 23, 2020

Location Map



Letter/Email from Frances DeBoer August 23, 2020

From: Frances DeBoer [REDACTED]
Sent: August 23, 2020 6:21 PM
To: Fred Tranquilli <ftranquilli@strathroy-caradoc.ca>
Subject: Attention: Fred W. Tranquilli, Chief Administrative Officer/Clerk (Application File No: ZBA21-2020)

Mr. Tranquilli,

A notice in my mailbox has informed me that a crematorium is being considered, to be built just a little past my house and a row of residential homes. Talking to my neighbours, I have come to understand, we received these notices days apart and some had not even received them and were unaware of what was transpiring. A zoning application has been completed with no knowledge to residents, per "...section 34 (10.4) of the planning act, information and material required under sub section 10.1 and 10.2 of the act has been provided and zoning application is by here complete." None of the residents on Canaan Street were aware of the rezoning. I strongly oppose living in such a close proximity to a crematorium and wonder how many Strathroy residents (homeowners) would appreciate this in Strathroy. The value of our homes will decrease and the entire atmosphere of our community will become different. This type of crematorium is also called the 'tissue digester' as it uses an alkaline hydrolysis and the end liquid will be flushed down drains. I have paid taxes in this town for over fifty years and believe there are more appropriate sites away from residential areas for a crematorium. I believe residents on Canaan Street deserve much more consideration than this.

Regards,

Frances DeBoer
27 Canaan Street
519-[REDACTED]
