

**THE CORPORATION OF THE TOWNSHIP OF CENTRE WELLINGTON**

BY-LAW 2007-051

A By-law to adopt Amendment No. 1  
to the Municipal Official Plan for the  
Township of Centre Wellington, in order to permit  
a Shopping Centre Development (Loblaws Properties Ltd.).

The Council of the Corporation of the Township of Centre Wellington, pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended, does hereby enact as follows:

1. THAT Amendment Number 1 to the Municipal Official Plan for the Township of Centre Wellington, consisting of the attached maps and explanatory text, is hereby adopted.
2. THAT this By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 16<sup>th</sup> DAY OF JULY 2007.

  
Head of Council – Joanne Ross-Zuj

  
Clerk – Marion Morris

READ A THIRD TIME AND FINALLY PASSED THIS 16<sup>th</sup> DAY OF JULY 2007.

  
Head of Council – Joanne Ross-Zuj

  
Clerk – Marion Morris

***AMENDMENT NO. 1 TO THE MUNICIPAL  
OFFICIAL PLAN FOR THE TOWNSHIP OF  
CENTRE WELLINGTON***

***JULY 16, 2007***

**AMENDMENT NUMBER 1  
TO THE  
TOWNSHIP OF CENTRE WELLINGTON MUNICIPAL OFFICIAL PLAN**

**INDEX**

**PART A - THE PREAMBLE**

The Preamble provides an explanation of the proposed amendment including the purpose, location, and background information, but does not form part of this amendment.

**PART B - THE AMENDMENT**

The Amendment describes the changes and/or modifications to the Township of Centre Wellington Municipal Official Plan which constitute Official Plan Amendment Number 1.

## **PART A - THE PREAMBLE**

### **PURPOSE**

The purpose of this amendment is to change the land use designation of the affected lands from “Highway Commercial” and “Secondary Plan Area” to “Highway Commercial “ and to identify the subject land as Policy Area PA-12”. The effect of the amendment is to permit a retail shopping centre consisting of a Loblaws food, drug and general merchandise store and gas bar.

### **LOCATION**

The subject lands are located along the west side of Tower Street (Highway 6), between Elora Street to the north and Second Line to the south, and are described legally as Part of Lots 11 and 12, Concession 1 and 2 (Former Township of Nichol) and Part of Lot 12, Concession 1 (Former Town of Fergus) in the Township of Centre Wellington, County of Wellington.

The subject lands are located entirely within the Urban Centre of Fergus within the Township of Centre Wellington. The Township of Centre Wellington has a population of approximately 26,000, according to the 2006 Census. The Township is comprised of the former communities of Fergus, Elora, and parts of Nichol, Pilkington, West Garafraxa and Eramosa Townships. In the Fergus Urban Centre, commercial development is generally located within the Central Business District (St. Andrew St.), Tower Street South, and St. David Street North.

More specifically, the subject lands are located in the south end of Fergus along the west side of Tower Street (Highway 6) between Elora Street to the north and Second Line to the south. A future extension of McQueen Boulevard from the east side of Tower Street will abut the northern boundary of the subject lands.

### **BASIS**

On behalf of the owners of the subject land, Zelinka Priamo Ltd. has submitted applications to the Township of Centre Wellington to amend the Township’s Official Plan and the Fergus and Nichol Zoning By-laws for the purpose of permitting commercial uses on lands located on the west side of Tower Street (Highway 6), across from McQueen Boulevard.

Loblaws Properties Limited (LPL) is in the process of acquiring or leasing the subject land to facilitate the construction of a new, large format supermarket on the subject land. The proposed supermarket will replace the existing Zehrs supermarket that is currently located at the northeast corner of Tower Street and McQueen Boulevard. The existing Zehrs site is unable to accommodate the new, larger store that is proposed for the Fergus community and will be redeveloped to accommodate other retail uses.

A portion of the subject land is already designated Highway Commercial. Commercial uses requiring large sites, such as supermarkets, are contemplated within the “Highway Commercial” designation of the Official Plan. The Official Plan Amendment proposes to add additional lands to the existing Highway Commercial land by redesignating abutting lands from Secondary Plan Area to Highway Commercial. The effect is to extend the “Highway Commercial” designation over the entire consolidated site and to designate the site as Policy Area PA1-12.

The proposed development of the subject lands initially includes a large format supermarket with a total gross floor area of approximately 13,445 m<sup>2</sup> (144,720 ft<sup>2</sup>), and a gas bar that would operate in association with the supermarket (see Figure 3). The supermarket will contain approximately 6,317 m<sup>2</sup> (68,000 ft<sup>2</sup>) of traditional “food-related” floor space, with the remaining floor area dedicated to several complementary merchandise, service departments, and non-retail areas such as community rooms and administrative offices. A pharmacy “drive-through” will also be incorporated as part of the supermarket development. Proposed future expansion phases of the supermarket would increase the total floor area to 16,960 m<sup>2</sup> (182,540 ft<sup>2</sup>).

The gas bar will function as an accessory use to the supermarket and will be located at the southwest corner of the property. A total of six (6) fuel pumps and an accessory kiosk of approximately 30 m<sup>2</sup> (325 ft<sup>2</sup>) will be included as part of the gas bar development.

The ultimate design of the development will be compatible with existing and future development in the area and will ensure efficient movement of pedestrian and vehicular traffic within and near the subject lands.

Automobile access is proposed via existing signalized intersections along Tower Street and new entrances to be constructed along the future McQueen Boulevard extension. A restricted right-in /right-out entrance is also proposed along Tower Street to service primarily the accessory gas bar use.

The entire subject lands have access to full municipal services (sanitary, water) that are located along Tower Street. Loblaws has also made arrangements with Mazta, who is currently in the process of acquiring the necessary approvals for the development of a residential subdivision on the abutting lands to the north, to provide a connection to a Regional Storm Water facility that will be located on the Mazta lands as part of the residential subdivision development.

Notwithstanding the above, the proposed development will be required to go through the Site Plan Approval process, where design issues and other site plan related matters will be dealt with in more detail through discussions with municipal staff.

According to the Applicant, the proposed development of the subject lands for a large format supermarket and associated retail and service commercial uses is appropriate and suitable for the area for the following reasons:

1. The proposed large format supermarket development on the subject lands will provide a much needed and unique shopping experience for residents in the community of Fergus and surrounding areas within the Township of Centre Wellington.
2. A portion of the subject lands are already designated "Highway Commercial" in the Official Plan, which permits large retail uses, such as supermarkets, that require large sites to accommodate their associated buildings, storage and parking requirements.
3. The location of the subject lands is appropriate for the type of development proposed due to its ample land area, as well as good access and visibility from Tower Street/Highway 6.
4. The proposed uses are compatible with existing commercial developments on the east side of Tower Street/Highway 6 and are appropriate for the south end of the Fergus community. A supermarket already exists at the northeast corner of Tower Street and McQueen Boulevard. The existing supermarket, also operated by Loblaws, will be closed upon construction of the new supermarket and will be reformatted to accommodate other retail uses.
5. A larger supermarket at the south end of Fergus will not only be required to meet the needs of the current population, but also the needs of planned future residential development in the community.
6. The proposed developments can readily take advantage of existing and/or approved municipal infrastructure.

## **IMPLEMENTATION AND INTERPRETATION**

The implementation and interpretation of this Amendment shall be in accordance with the relevant policies of the Township of Centre Wellington Municipal Official Plan.

## **PART B - THE AMENDMENT**

All of this part of the document entitled Part B - The Amendment, consisting of the following text constitutes Amendment No. 1 to the Township of Centre Wellington Municipal Official Plan.

### **DETAILS OF THE AMENDMENT**

The Municipal Official Plan of the Township of Centre Wellington is hereby amended as follows:

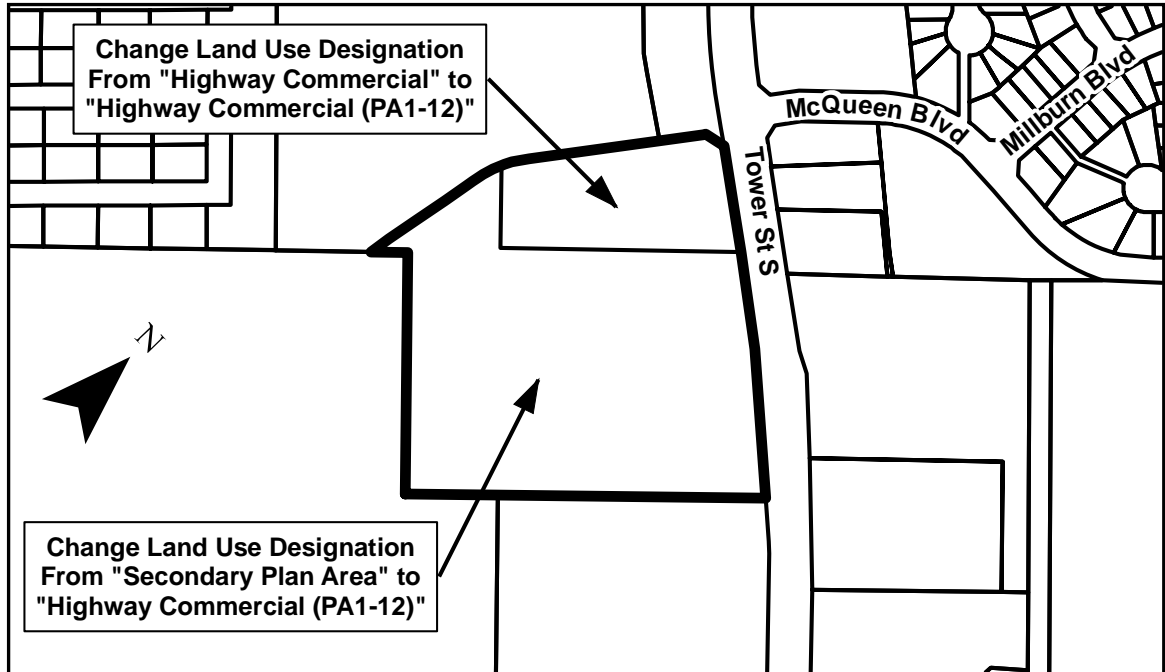
1. THAT Schedule A1 be amended by changing the land use designations of the affected land from "Highway Commercial" and "Secondary Plan Area" to "Highway Commercial (PA1-12)" in accordance with the attached Schedule "A" which forms part of this Amendment.
2. That Section *D.10.2 Policy Area Descriptions* be amended by adding the following new Policy Area Description PA1-12:

**PA1-12            *Loblaw Properties Ltd. Shopping Centre (Fergus)***

*Notwithstanding anything else in this Plan to the contrary, on land designated PA1-12 by this Plan, a Shopping Centre including a retail food store is permitted. The site shall generally be developed in accordance with the provisions of Section D.5.8. Zoning regulations shall be used to limit the gross floor area of commercial use to be permitted on the lands. The zoning regulations will also contain a minimum landscaped open space requirement and a maximum parking space requirement. Holding zone provisions may be applied in the zoning by-law. Without limiting the generality of the foregoing, the holding zone provisions may address infrastructure improvements including storm drainage, road access, sanitary sewage collection and water supply; site design guidelines and development standards; and a requirement for public notification prior to removal of the holding zone symbol.*

THE CORPORATION OF THE TOWNSHIP OF CENTRE WELLINGTON

SCHEDULE "A"  
OF  
OFFICIAL PLAN AMENDMENT NO. 1



THIS IS SCHEDULE "A" OF AMENDMENT NO. 1 TO THE TOWNSHIP OF CENTRE WELLINGTON MUNICIPAL OFFICIAL PLAN DATED THIS 16<sup>TH</sup> DAY OF JULY, 2007