

063076 COUNTY ROAD 3

TOWNSHIP OF EAST GARAFRAXA

APPLICATION FOR

COUNTY OFFICIAL PLAN AMENDMENT, TOWNSHIP OFFICIAL PLAN AMENDMENT &
ZONING BY-LAW AMENDMENT

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ON BEHALF OF
Marsville Estates Inc.

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1.0 BACKGROUND

1.1 Introduction

Innovative Planning Solutions (IPS) has been retained by Marsville Estates Inc., the 'Owner' of the lands municipally known as 063076 Dufferin County Rd 3 and legally known as "Part of Lot 5, Concession 14" (the 'Overall Lands') located within the Township of East Garafraxa, County of Dufferin. The Owner herewith has submitted to Dufferin County an Official Plan Amendment ('County OPA'), and to the Township of East Garafraxa an Official Plan Amendment ('Township OPA') applications along with a Zoning By-law Amendment ('Township ZBA') application to facilitate the removal of the Employment land use to expand the existing draft plan approved subdivision over the remaining portion of the Subject Property (the 'Proposed Development').

For the purposes of this Report, the term "Overall Lands" refers to the entirety of the landholding. The term "Subject Lands" refers specifically to the portion from the Overall Lands, which is subject to the following Planning Act applications (Please refer to Figure 1 below).

The Overall Lands comprise approximately 26.1 hectares (64.5 acres) and feature frontages of approximately 641 metres on County Road 3 and 328 metres on County Road 24. The Subject Lands, which are located within the eastern portion of the Overall Lands, have a total area of approximately 5.44 hectares (13.45 acres). These lands have a combined frontage of approximately 140 metres along County Road 3 and approximately 330 metres along County Road 24 (Trafalgar Road). Refer to Figure 1 in this Report for the Subject Lands' location and site boundaries.

The purpose of this Planning Justification Report ('PJR') is to review the Proposed Development in terms of consistency, compliance and conformity with the relevant Provincial, Regional and municipal policy, plans, guidelines and regulations.

This Report reviews the following planning instruments for applicable policies:

- The Planning Act, RSO 1990, as amended;
- Provincial Planning Statement, 2024;

- Dufferin County Official Plan (2025);
- Township of East Garafraxa Official Plan (2004); and
- Township of East Garafraxa Zoning By-law 60-2004.

The proposed Planning Act applications will facilitate the redesignation of the Subject lands from a site that would be inefficient and incompatible as employment, to add residential permissions that would create land use consistency with the remainder of the Overall Lands and respond to the deficiency in residential designated lands within the Township. Given the location of the Subject Lands within the Marsville Community Settlement Area, the proposed development of residential uses is consistent with the growth policies of the Province, the County and the Township.

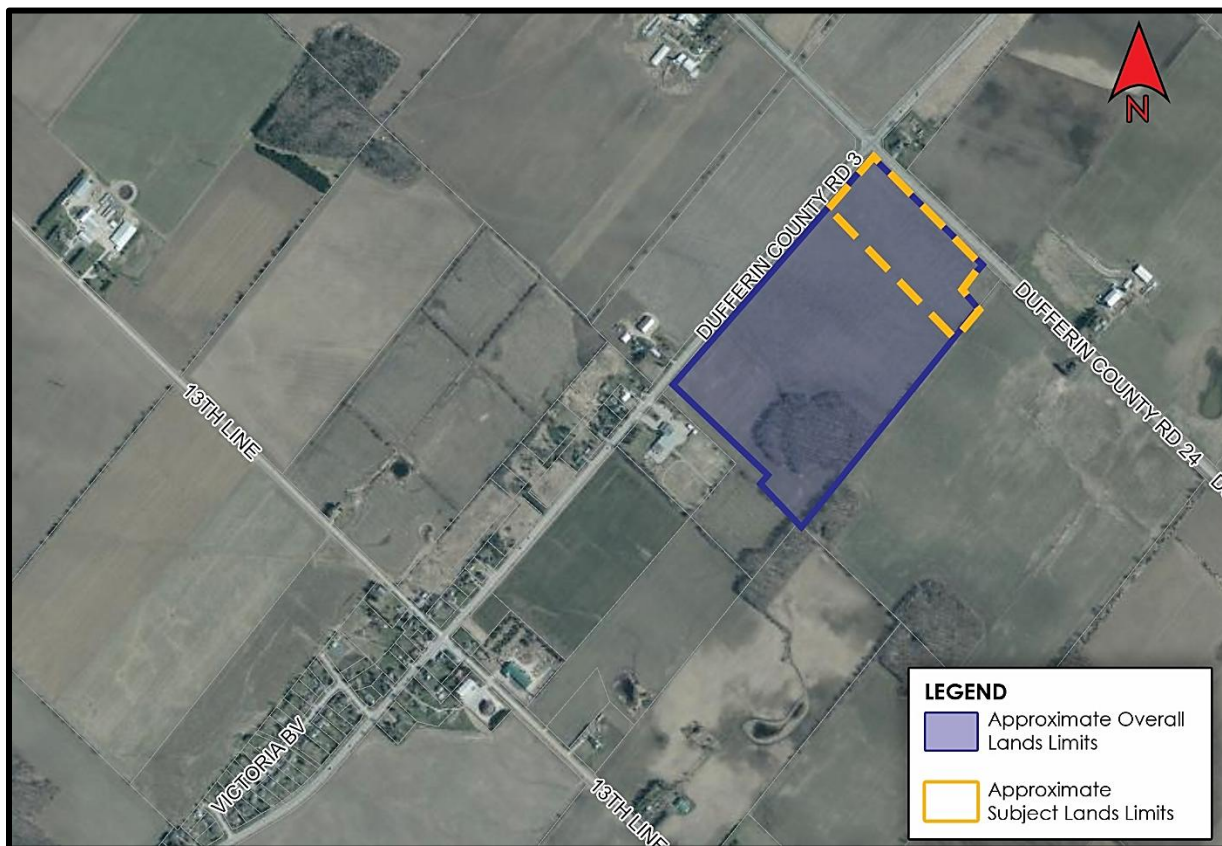


Figure 1: An aerial illustration of the subject property.

1.2 Site Description and Surrounding Context

The Subject Lands are located within the eastern portion of the Overall Lands, as illustrated on Figure 1. The Subject Lands have a combined area of approximately

5.44 hectares and approximately 140 metres of frontage on County Road 3 and approximately 330 metres of frontage on County Road 24. The topography of the Subject Lands is generally flat, and both blocks are rectangular in shape.

The land uses surrounding the Subject Lands are described below (see Figure 2):

North:

- County Road 3; and,
- Vacant Agricultural Lands (Future Employment) across County Road 3.

South:

- Vacant Agricultural Lands located outside Settlement Boundary.

West:

- The Draft Approved Plan of Subdivision, as approved by the Ontario Land Tribunal (OLT) under case # OLT-22-004307, which include 58 residential lots, a Stormwater Management Facility block, a bypass swale block, an internal road network and other minor blocks intended for the functionality of the subdivision; and,
- East Garafraxa Public School further to the west.

East:

- County Road 24; and
- A single detached dwelling and vacant agriculture lands across County Road 24 located outside Settlement Area boundary.

The following table provides a snapshot of community facilities in proximity of the Subject Lands:

Community Facility	Approximate location from Subject Lands
East Garafraxa Public School	Approximately 500 metres westerly
Marsville Town Hall/Community Centre	Approximately 1,250 metres westerly

It can be concluded that the Subject Lands are well located in proximity to various community facilities.



Figure 2 Surrounding Land Uses

1.3 Planning Approval History

The Draft Approved Plan of Subdivision, as approved by the Ontario Land Tribunal (OLT) under case # OLT-22-004307, includes 58 residential lots, a Stormwater Management Facility block, a bypass swale block, an internal road network and other minor blocks intended for the functionality of the subdivision. As a result of a revised set of plans submitted to the Township by Bennett Jones ("the Settlement Plans") on January 18, 2024, Council of the Township of East Garafraxa adopted the final settlement plans on February 13, 2024. A copy of the Draft Plan of Subdivision is found below under Figure 3. The OLT Decision is found under **Appendix A** of this Report. On April 25, 2024, the Ontario Land Tribunal (OLT) issued a decision accepting the terms of Settlement between the Owner and the Township. The Draft Plan of Subdivision included two blocks (Block 63 and 64), which contain the employment lands that is subject to the current Planning Act applications. At the time of the OLT approval, which still remains today, the permitted uses within the Employment Lands include commercial, retail, office and institutional uses.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The Owner is envisioning the expansion of the draft approved residential neighbourhood easterly over the Subject Lands. The proposed development includes the extension of "Street C" loop and the creation of 20 additional single detached residential lots (see Figure 4). This expansion area pertains to Blocks 63 and 64 of the OLT draft approved plan of subdivision (see Figure 3). The additional lots are similar in size and frontage and will be on services in the same manner as the approved draft plan of subdivision (i.e. municipal water and private septic system). There are no proposed changes to the approved access points, stormwater management of natural heritage limits to the subdivision.

The draft approved plan of subdivision included 58 estate residential lots, a stormwater management pond, a bypass channel, a municipal walkway and two employment blocks (i.e. Blocks 63 and 64 – subject to the *Planning Act* applications herewith). The draft approved subdivision also included an internal road network made up of 3 municipal rights-of-ways with two access points off County Road 3 and County Road 24 as well as a multi-use trail along the proposed east-west collector road (i.e. Street B).

The draft approved stormwater management facility and system along with the bypass channel will protect pre-development off-site stormwater flows through the Overall Lands. The Stormwater Management facility (i.e. pond) will provide quantity and quality control of the flows.(for more details, please refer to the Functional Servicing Report prepared by Valdor Engineering Inc. and dated April 2026).

A pre-consultation meeting was held with the County and Township Staff as well as the Township's Planning Consultant on August 27, 2025. Aside from this Planning Justification Report, the list of required reports and plans that are to be completed and submitted with the County OPA, Township OPA and Township ZBA applications are highlighted below in Section 6 of this report.

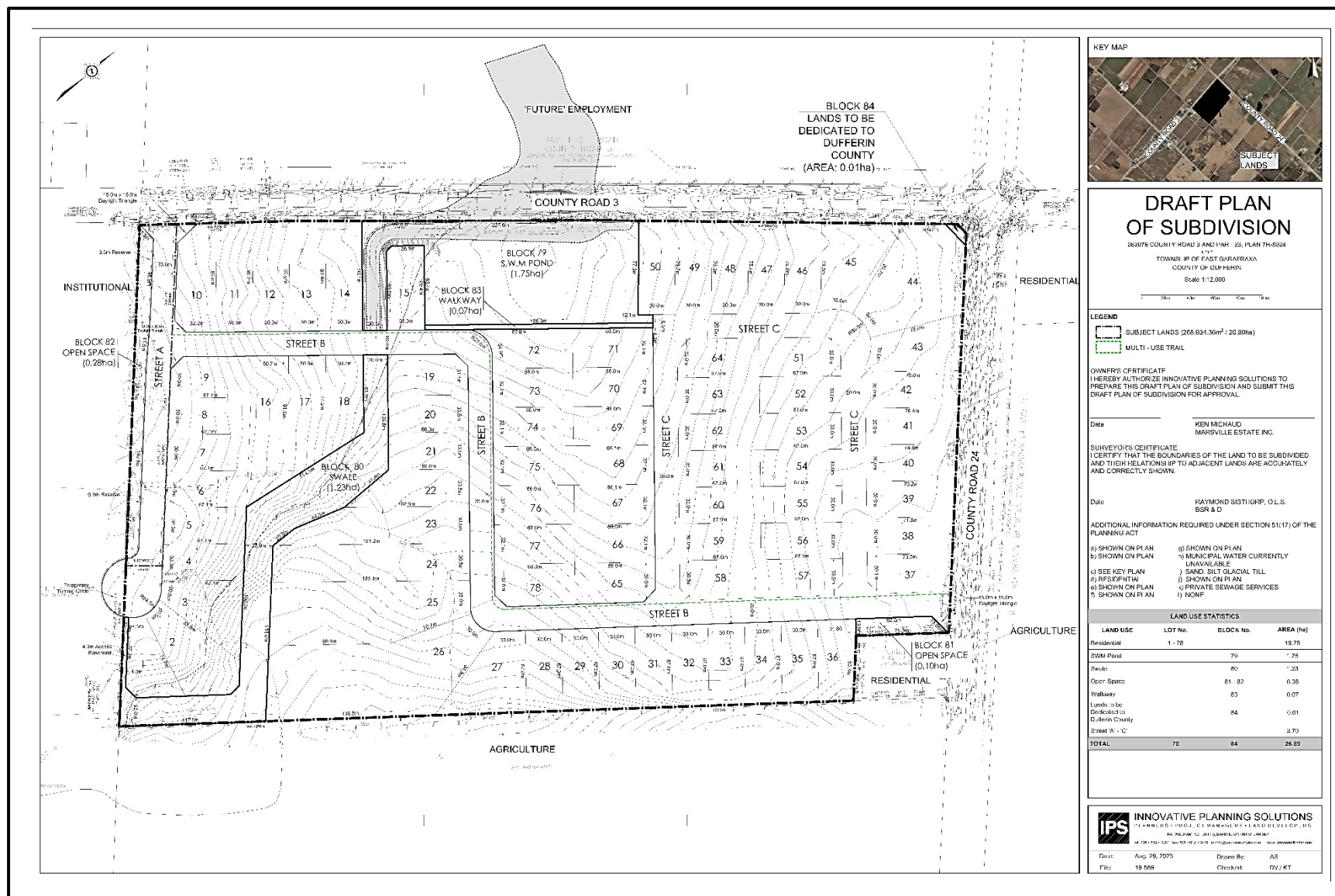


Figure 4 Proposed Redline Draft Plan of Subdivision

3.0 PROPOSED COUNTY OFFICIAL PLAN AMENDMENT

The Proposed Development requires an Official Plan Amendment to the County Official Plan ("OP"), as the Subject Lands are currently designated "Employment Land Use". The amendment proposes to remove the "Employment Land Use" designation and introduce 'Community Settlement Area'. As demonstrated below in Sections 7.1 and 7.2, the "Employment Land Use" designated lands are not in fact considered employment area in the eyes of the Provincial Planning Statement (PPS). This is due to the absence of the County undertaking a conformity exercise as per PPS policy 2.8.2.4 following the update to the employment area definition in the PPS 2024. As such, the proposed amendment is considered an employment area removal and not an employment land conversion.

A copy of the County OPA instrument text and schedule can be found under **Appendix B**.

4.0 PROPOSED TOWNSHIP OFFICIAL PLAN AMENDMENT

The Township of East Garafraxa's Official Plan (2004) designates the Subject Lands "Employment" as per Schedule A-1: Community of Marsville – Land Use and Transportation. As noted above, the "Employment" designated lands are not considered employment area as per PPS 2024, therefore the sought amendment herewith is considered an employment area removal and not an employment land conversion. To facilitate the removal of the employment area over the Subject Lands, a Township Official Plan Amendment (Township OPA) is required. The proposed Township OPA seeks to remove the "Employment" designation and expand the "Community Residential" designation easterly over the Subject Lands. A copy of the Township OPA instrument text and schedule can be found under **Appendix C**.

5.0 PROPOSED ZONING BY-LAW AMENDMENT

The Subject Lands are currently zoned Rural Exception X (RU-X) zone under Zoning By-law #60-2004. A Zoning By-law Amendment is required to expand the OLT approved Hamlet Residential Exception X (HR-X) over the Subject Lands to facilitate the proposed residential lots. A draft Zoning By-law Amendment has been prepared and is included in **Appendix D**.

The OLT approved HR-X zone contains site-specific exceptions that reflect modern and efficient development standards. These site-specific exceptions include changes to minimum lot area, minimum lot frontage, minimum exterior side yard setback, maximum lot coverage and the location of parking for home occupations.

The table below illustrates the proposed zoning provisions as compared to the requirements under the proposed zoning with exceptions. These exceptions will also be applied to the subject lands should the applications be approved.

Table 1 : Hamlet Residential Zoning Review

Provision	Private Services Standard	HR-X Provisions
Lot Area (Min.)	1.0 Ha (10,000 m ²)	0.18 Ha
Lot Frontage with Private Services (Min.)	60 m	17 m
Front Yard (Min.)	7.5 m	> 7.5 m
Interior Side Yard (Min.)	3 m	> 3 m
Exterior Side Yard (Min.)	7.5 m	3.0 m
Rear Yard (Min.)	7.5 m	> 7.5 m
Lot Coverage (Max.)	20%	30%
Building Height (Max.)	10.5	< 10.5 m
Dwelling Unit Floor Area (Min.)	140 m ²	>140 m
Parking (Home Occupations)	Max. 4 spaces located in the rear or side yard	Parking in the front yard.

6.0 TECHNICAL REPORTS AND STUDIES

A pre-consultation meeting was held with the County and Township Staff as well as the Township's Planning Consultant on August 27, 2025, where planning and other departmental comments were received. A list of required reports and plans that are to be completed and submitted with the County OPA, Township OPA and Township ZBA applications to aid in a thorough review of the proposed development were provided. In addition to this Planning Justification Report, the following reports and studies were completed in support of the applications.

6.1 Employment Land Market Commentary

An Employment Land Market Commentary Update Memorandum prepared by Tate Research (January 30, 2026) has been submitted in support of the proposed development to assess the current supply and demand of employment lands within the Township of East Garafraxa.

The analysis confirms that there have been no changes to the Township's employment land supply since the previous 2021 review, and that the findings of the 2022 analysis remain valid. The review reiterates that while population and employment growth are forecast, there is an insufficient supply of designated residential land and a surplus of employment lands within the Township.

Based on these findings, the report concludes that the Subject Lands are appropriate for residential development and would contribute to addressing the identified housing shortfall.

6.2 Environmental Impact Study

An Environmental Impact Study (EIS) prepared by Cotyledon Environmental Consulting (January 19, 2026) has been submitted in support of the proposed development to assess natural heritage features, ecological functions, and potential impacts associated with the site.

The EIS confirms that the Subject Lands are located within a designated settlement area planned for residential development and do not contain any provincially or regionally significant natural heritage features. The identified woodland, wetland, and intermittent drainage feature on the property are not considered significant, and no fish habitat is present. These features are not

located within the subject lands and have already been assessed in detail through the approval of the draft plan of subdivision.

Overall, the EIS concludes that the proposed development is appropriate from an environmental perspective and is consistent with applicable provincial, regional, and municipal environmental policies.

6.3 Stage 1 & 2 Archaeology Assessment

A Stage 1 Archaeological Assessment was prepared by Irvin Heritage Inc. in March 2020 and has been registered accordingly with the Ministry of Heritage, Sport, Tourism, Culture Industries on May 20, 2020. The Stage 1 Archaeological Assessment concluded with recommendation for a Stage 2 Assessment.

A Stage 2 Archaeological Assessment was prepared by Irvin Heritage Inc. in September 2020 and has been registered accordingly with the Ministry of Heritage, Sport, Tourism, Culture Industries on June 9, 2022. The Stage 2 Archaeological Assessment concluded that the Overall Lands, inclusive of the Subject Lands, have been sufficiently assessed and are free of further archaeological concern, with no additional archaeological work required.

6.4 Hydrogeology Study

A Hydrogeological Investigation Report prepared by SLR Consulting (Canada) Ltd. (March 26, 2026) has been submitted in support of the proposed development to assess groundwater conditions, servicing feasibility, and potential impacts associated with the subject lands.

The report confirms that the site can be appropriately serviced by individual on-site septic systems. Subsurface investigations identify typical till and moraine deposits overlying bedrock, with groundwater conditions and soil permeability suitable to support the proposed servicing approach.

The assessment also includes groundwater monitoring, water balance analysis, and septic system capacity evaluation, confirming that groundwater resources can sustain the proposed development without adverse impacts.

Overall, the findings demonstrate that the proposed development is feasible from a hydrogeological perspective and can be implemented with appropriate design and mitigation measures.

6.5 Functional Servicing Report

A Functional Servicing Report (FSR) prepared by Valdor Engineering Inc. (April 2026) has been submitted in support of the proposed development to assess the feasibility of servicing the proposed 78-lot estate residential subdivision inclusive of the 20 additional lots proposed herein.

The report confirms that the development can be adequately serviced through the proposed expansion of the existing municipal water system in the community of Marsville. Based on an equivalent population of 312 people, the estimated peak hour water demand is approximately 292.5 L/min, with a required fire flow of 7,000 L/min. The analysis demonstrates that sufficient capacity will be available to support both domestic demand and fire protection requirements.

As municipal sanitary services are not available, the development is proposed to be serviced by individual private on-site septic systems in accordance with the Ontario Building Code. The design wastewater flow for each dwelling is estimated at 2,800 L/day, and both conventional raised septic systems and tertiary treatment systems have been evaluated. The report confirms that each lot can accommodate the required septic system and reserve area.

Stormwater management for the site is addressed through a combination of minor and major drainage systems, including roadside ditches and overland flow routes, as well as a proposed stormwater management. The facility is designed to provide Level 2 (Normal) water quality control, erosion control through extended detention of runoff from a 25 mm storm event, and quantity control to ensure post-development flows do not exceed pre-development conditions for storm events up to the 100-year event.

The report also includes a floodplain analysis, which identifies that the regulatory flood elevation is influenced by backwater conditions at County Road 3. The development will be appropriately floodproofed by grading the site to provide a minimum 0.30 m freeboard above the identified flood level, and a bypass channel is proposed to safely convey external drainage flows through the site without impacting development areas.

A water balance assessment identifies a post-development infiltration deficit, which is addressed through the implementation of Low Impact Development (LID) measures, including roof downspout disconnection and an infiltration trench at the stormwater management facility outlet. These measures are expected to

restore and slightly exceed pre-development infiltration volumes, maintaining groundwater recharge functions.

Overall, the findings demonstrate that the proposed development can be effectively serviced and is appropriate from an engineering perspective.

6.6 Traffic Impact Study Addendum Letter

A Transportation Impact Study (TIS) Addendum Letter prepared by LEA Consulting Ltd. (March 26, 2026) has been submitted in support of the proposed development to assess the implications of the revised subdivision plan.

The report confirms that the proposed development of 78 residential units remains consistent with previous submissions, with no changes that would impact the original traffic analysis. Access to the site is proposed via County Road 3 and County Road 24.

A functional design review, including fire route assessment and swept path analysis, demonstrates that the site can be safely accessed and serviced by emergency and waste collection vehicles.

Overall, the findings confirm that the proposed development can be accommodated within the draft approved internal road network, and no further transportation analysis is required.

6.7 Noise Impact Study

A Noise Impact Study Update prepared by LEA Consulting Ltd. (April 13, 2026) has been submitted in support of the proposed development to assess the impact of transportation-related noise on future residential uses. The study evaluates road traffic noise from County Road 3 and County Road 24 and confirms that predicted noise levels are within the applicable Ministry of the Environment, Conservation and Parks (MECP) guidelines for both indoor and outdoor living areas.

The analysis concludes that no noise mitigation measures are required, and standard Ontario Building Code-compliant building construction is sufficient to achieve acceptable indoor sound levels.

Overall, the findings demonstrate that the proposed development is appropriate from a noise perspective.

7.0 PLANNING POLICY AND ANALYSIS

This section of the Planning Justification Report provides an analysis of the proposed development in the context of the following Provincial, County and Local planning instruments:

- The Planning Act, RSO 1990, as amended;
- Provincial Planning Statement (2024);
- Dufferin County Official Plan (2025);
- Township of East Garafraxa Official Plan (2004); and
- Township of East Garafraxa Zoning By-law 60-2004.

7.1 The Planning Act

The *Planning Act*, R.S.O. 1990 (the Act), is provincial legislation governing land use planning and development in Ontario. The approval of any development application must have regard to matters of provincial interest and be consistent with, or conform to, applicable legislation.

Subsection 1(1) of the *Planning Act* sets out standardized definitions that apply to different aspects of land use planning and its framework within the Province of Ontario. In this Report, we pay close attention to the definition of “Area of Employment”:

““area of employment” means an area of land designated in an official plan for clusters of business and economic uses, those being uses that meet the following criteria:

1. The uses consist of business and economic uses, other than uses referred to in paragraph 2, including any of the following:

i. Manufacturing uses.

ii. Uses related to research and development in connection with manufacturing anything.

iii. Warehousing uses, including uses related to the movement of goods.

iv. Retail uses and office uses that are associated with uses mentioned in subparagraphs i to iii.

v. Facilities that are ancillary to the uses mentioned in subparagraphs i to iv.

vi. Any other prescribed business and economic uses.

2. The uses are not any of the following uses:

i. Institutional uses.

ii. Commercial uses, including retail and office uses not referred to in subparagraph 1 iv; (“zone d’emploi”)

Response: Based on a review of the County Official Plan, there does not exist any policies or permitted uses governing the Employment Land Use designation. . Given this unusual circumstance, we have reviewed the lower-tier municipality’s (Township of East Garafraxa) Official Plan to assess what is permitted within an employment area. Contrary to the “Area of Employment” definition as per the *Planning Act*, the Township Official Plan contains policies permitting standalone commercial, retail, office and institutional uses (see Section 5.5 of the Township Official Plan). It is understand that the Township has also not completed a conformity review exercise to bring their Official Plan into alignment with the PPS 2024. IBased on this assessment, it is our opinion that the lands currently designated as “Employment” is not considered an “Area of Employment” as per the *Planning Act*.

Section 2 of the *Planning Act* requires that all land use planning activities shall have regard to matters of provincial interest. In this regard, the following interests are considered relevant to the proposed development:

(a) *the protection of ecological systems, including natural areas, features and functions;*

Response: an Environmental Impact Study (EIS) prepared by Cotylen Environmental Consulting, dated January 19, 2026, finds that the proposed development is compliant with provincial, regional and municipal environmental planning policies, does not threaten species at risk, or pose a risk of flooding, erosion or pollution. While the enclosed EIS identified woodland, wetland, and intermittent drainage feature on the Overall Lands, these features were found not to be considered significant, and no fish habitat was found present.

(d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*

Response: Stage 1 and 2 Archaeological Assessments were conducted by Irvin Heritage Inc. for the Overall Lands inclusive of the Subject Lands. The Stage 2 Assessment found no further archaeological concerns and therefore, did not

recommend any further assessment. Both Stage 1 and 2 Archaeological Assessments were registered with the Ministry of Heritage, Sport, Tourism, and Culture Industries.

- (e) *the supply, efficient use and conservation of energy and water;*
- (f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*

Response to provincial interests (e) and (f) above: The proposed development is to proceed on municipal water, which reflects efficient use of the water system. Furthermore, the proposed expansion of the compact residential urban form represents efficient use of land and public infrastructure. The proposed development represents a logical extension and refinement of the draft approved subdivision, maintaining continuity in the planned development pattern and built form. The supporting infrastructure, including the internal road network, servicing strategy, and stormwater management system, has been previously reviewed and approved through the draft plan of subdivision process. As such, the proposal does not introduce new or unanticipated infrastructure requirements but instead leverages existing and planned servicing (i.e. East Garafraxa Public School).

- (h) *the orderly development of safe and healthy communities;*
- (j) *the adequate provision of a full range of housing, including affordable housing;*

Response to provincial interests (h) and (j) above: the proposed development will facilitate the orderly development of a safe and healthy residential community through the expansion of a draft approved residential. The subject application will facilitate the creation of additional housing within a Community Settlement Area (i.e. Marsville), where housing development is encouraged and directed. The Employment Land Market Commentary by Tate Economic Research Inc. concludes that insufficient designated residential land in the Township of East Garafraxa remains true and valid. The proposed development will help the Township meet its population growth target by creating housing supply in a Settlement Area. The employment removal will also balance employment and housing needs in an appropriate location that will prevent future land use conflicts.

(k) The adequate provision of employment opportunities;

Response: As per the Draft Land Needs Analysis Report prepared by WSP Canada Inc., dated January 21, 2022 and in support of a municipal comprehensive review by the County of Dufferin, as well as per the Employment Land Market Commentary by Tate Economic Research Inc., the Township of East Garafraxa has 14.8 hectares (36.57 acres) of surplus employment lands beyond what is required to meet projected job to the year 2051. Even with the proposed removal of the employment lands on the Subject Lands (5.44 hectares), the Township would continue to have a surplus of employment land. As such, it can be concluded that the removal of subject employment lands will not jeopardize the Township's ability to adequately provide for employment opportunities as per the Provincial Interest (k).

(l) the protection of the financial and economic well-being of the Province and its municipalities;

Response: As mentioned above, the proposed development builds on the continuity in the planned development pattern and built form by expanding the draft approved residential community. The proposed development reflects a compact residential urban form that will efficiently utilize existing and planned public infrastructure and therefore reduce the financial burden towards the municipality in maintaining its infrastructure.

(p) the appropriate location of growth and development;

Response: With the Provincial interest (p), the intent for a development is to be compatible with the surrounding uses. In this matter, we address here how an employment area is not compatible; whereas a residential development is. During the absence of permitted uses and land use policies set out in the County Official Plan, we rely on the Township's Official Plan to understand the make up of employment areas in the eyes of the municipality. In this case, Section 5.5 of the Township Official Plan note employment areas as inclusive of commercial, retail, and office. Township's vision for employment areas as well as the associated permitted uses are in contradiction with the definition of "Area of Employment" under the Act and with the definition of "Employment Area" under the PPS. As such, we undertook a conformity exercise of eliminating the permitting uses under the "Employment" designation, which are no longer permitted in an employment area as per the

Act and the PPS (see Section 7.4 below for more details). The remaining uses are geared towards industrial, manufacturing and warehousing uses, which would require open storage, taller buildings, continuous lighting of outdoor space as well as frequent freight activities. The resulting impacts range from noise, odour, light pollution and traffic impacts. These impacts raise concerns about the compatibility of the employment area adjacent to the draft approved residential community as well as in proximity to other sensitive uses.

On the other hand, the proposed expansion of the draft approved residential community is appropriate given the proposed continuation of an already compatible built-form as established by the approved Zoning By-law Amendment and Draft Plan of Subdivision for the Overall lands. Furthermore, the location of the Overall Lands adjacent to a public school speaks the expanded residential permissions ability to efficiently utilize public infrastructure (i.e. East Garafraxa Public School).

- (r) *the promotion of built form that,*
 - (i) *is well-designed,*
 - (ii) *encourages a sense of place, and*
 - (iii) *provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;"*

Response: As mentioned above, the proposed development will facilitate the orderly development of a safe and healthy residential community through the expansion of a draft approved residential. The proposed Zoning By-law Amendment seeks to facilitate modern estate development that is compatible with the rural character of the Marsville community and the draft approved subdivision. Furthermore, the proposed development is designed to encourage active transportation through the provision of walkway and a multi-use trail along Street B (see Figure 4 above). The proposed trail and the walkway directly contributes the proposed development's ability to create public space that is high quality, safe, accessible, attractive and vibrant.

Accordingly, the associated County and Town Official Plan Amendments and Zoning By-law Amendment, has appropriate regard for the relevant matters of provincial interests as identified in Section 2 of the *Planning Act and conform with the Act*.

7.2 Provincial Planning Statement (2024)

The Provincial Planning Statement, 2024 (PPS 2024) came into effect on October 20, 2024, consolidating the former Provincial Policy Statement (2020) and Growth Plan for the Greater Golden Horseshoe (2020) into a single provincial land use planning policy framework. The PPS 2024 articulates provincial interests with regards to land use planning and development policy. It provides a policy-led planning system that: “sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.” (PPS. pg. 2).

The basis of the applications is the fact that the “Employment” designated lands over the Subject Lands are not employment areas nor areas of employment as per the PPS or the *Planning Act*. In the section above, we highlighted how the employment area consideration does not apply to the Subject Lands.

An area of employment under the *Planning Act* is referred to as ‘employment area’ under the Provincial Planning Statement and is defined as the following:

“means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An employment area also includes areas of land described by subsection 1(1.1) of the Planning Act. Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above.”

The employment area definition, which was updated with the introduction of the Provincial Planning Statement 2024, follows that of an area of employment definition in the *Planning Act*. As mentioned previously, the Township's Official Plan policies and permitted uses are in direct conflict with the new employment area definition following the October 2024 update to the PPS. Since the 2024 update to employment area definition, neither the County nor the Township has completed a conformity review exercise to address this policy direction. . The County of Dufferin has just initiated Official Plan Amendment #5, which will include a Land Needs Assessment and is expected to be adopted by Spring 2027. The Township is in the process of updating its Official Plan; however, there is no record nor mention of a Land Needs Assessment completed in support of the

proposed Official Plan update at the Township level. The absence of either a County or a Township conformity evaluation as mandated per PPS Policy 2.8.2.4 enables our site-specific assessment herewith under the consideration that the Subject Lands is not an employment area as per the Planning Act and the PPS.

2.1.4 *"To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and

b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans."

Response: The proposed development will contribute additional residential units through the redesignation of lands currently designated for employment uses, thereby supporting the Township's ability to accommodate current and future residents within the Marsville Community Settlement Area. As also mentioned above, the Township of East Garafraxa suffers from deficiency in designated residential lands, which can be addressed by allowing the expansion of the residential permission in lieu of the surplus and non-compatible employment land over the Subject Lands.

2.1.5 *"Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.4 shall be based on and reflect the allocation of population and units by the upper-tier municipality."*

Response: The Dufferin County Official Plan includes allocation of both population and jobs growth until the 2051 planning horizon. Under the 2022 Municipal Comprehensive Review (MCR) process by the County, a Land Needs Assessment (LNA) report was published on January 21, 2022 by WSP Canada Inc, the County's consultant for the MCR process. That LNA report found deficiency in the residential designated lands within the Township of East Garafraxa. This is further commented on via Tate Economic Research Inc. reports in their 2022 and 2026 Employment Land Market Commentary. Tate Economic Research Inc. found that

even with the proposed inclusion of the Subject Lands in the residential designated supply for the Township, the Township would still have other opportunities to redesignate additional lands. As such, the applications appropriately support the creation of additional residential designated lands within the Township of East Garafraxa to support the allocated population growth to 2051.

2.2.1 *“Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

a) permitting and facilitating:

- 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities;...*

c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation;”

Response: The proposal development supports the objective of permitting and facilitating residential housing that is compatible with both the larger Township and the surrounding community. The proposed estate detached dwellings, which extends the same permission granted for the draft approved residential neighbourhood. The proposed housing will assist the Township in meeting the needs of current and future residents. In particular, the development contributes to addressing the Township's housing needs by increasing the supply of residential units within the Marsville settlement area.

Section 2.3 – Settlement Areas and Settlement Area Boundary Expansions of the Provincial Planning Statement (2024) prescribes the policy direction of Settlement Areas within the Province.

2.3.1.1. *“Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.”*

2.3.1.2. "Land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation"

Response: The Subject Lands are located within the Marsville Community Settlement Area, which is intended to accommodate and focus growth and development for the Township. In this regard, the proposed development represents an appropriate form of residential growth within a designated settlement area, consistent with the PPS direction that settlement areas be the primary focus of development.

The proposed development contributes to an efficient land use pattern by facilitating residential development on lands that form part of a planned and coordinated subdivision framework. The supporting infrastructure, including the road network, pedestrian infrastructure, servicing strategy, and stormwater management system, has been previously reviewed and approved through the draft plan of subdivision process. As such, the proposal optimizes the use of existing and planned infrastructure and public service facilities.

2.8.1.3 *"In addition to policy 3.5, on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines."*

Response: Similar to Section 3.5 of the Township OP, Policy 2.8.1.3 of the PPS speaks to compatibility of employment area near sensitive uses. It is our assessment that the subject employment lands do not constitute an employment area as per the Planning Act and the PPS 2024. Compatibility is considered under this policy in an effort to collaborate and cooperate with preconsultation comments and meetings with township and county planners. Based on our assessment, it is our opinion that subject lands is not an employment area..

Given the a draft approved residential neighbourhood on the Overall Lands, it is our opinion that an employment land use will create long term land use conflicts. Impacts associated with employment areas may include noise or odour due to a manufacturing activity, noise generated from freight activity on-site, and

operation of heavy machinery both inside and outdoor areas. Other impacts may include transition concerns as warehousing and industrial uses tend to have taller buildings as well as light pollution concerns associated with outdoor lighting for open storage areas and parking lots. The noted impacts raise concerns over compatibility of this employment area adjacent to the draft approved residential community.

2.8.2.4. *“Planning authorities shall assess and update employment areas identified in official plans to ensure that this designation is appropriate to the planned function of employment areas. In planning for employment areas, planning authorities shall maintain land use compatibility between sensitive land uses and employment areas in accordance with policy 3.5 to maintain the long-term operational and economic viability of the planned uses and function of these areas.”*

Response: To date, the County and Township have not updated their planning documents to bring the current employment land supply in conformity with the PPS 2024. It is typical that such conformity exercise be completed through an updated Land Needs Assessment (LNA) given the effect that the PPS has on significantly limiting the permitted uses within the new Employment Area definition. Si

Note: Policy 2.8.2.5 has been assessed based on preconsultation requirements and meetings with township and county planners. It is our opinion that policy 2.8.2.5 does not apply to the Subject Lands given that the subject lands are not within an employment area, given the township and county have not completed their conformity review exercise with this policy in the PPS 2024.

2.8.2.5. *“Planning authorities may remove lands from employment areas only where it has been demonstrated that:*

a) there is an identified need for the removal and the land is not required for employment area uses over the long term;

Response: In regard to sub-policy 2.8.2.5.a) and as per the Tate Research commentaries (May 2022 and January 2026), the Township of East Garafraxa holds a surplus of employment designated lands by 38.5 acres (15.58 hectares). The Subject Lands contain 13.45 acres (5.44 hectares) of employment lands, representing slightly above one third (1/3) of the surplus employment lands within

the Township. The subject employment lands are not required over the long term. The Subject Lands are not appropriate for long-term employment uses.

b) the proposed uses would not negatively impact the overall viability of the employment area by:

1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with policy 3.5;

Response: In regard to clause 2.8.2.5.b)1), the proposed removal of employment designation takes in consideration the adjacency to sensitive use and whether mitigation or minimization is possible. As per the surrounding context highlighted in Section 1.2 of this Report, the employment land is adjacent to and near sensitive uses. These sensitive uses include the residential neighbourhood part of the OLT draft approved Plan of Subdivision for the Overall Lands as well as East Garafraxa Public School

b) the proposed uses would not negatively impact the overall viability of the employment area by:

2. maintaining access to major goods movement facilities and corridors;

Response: In regard to clause 2.8.2.5.b)2), the proposed removal of employment area will not impact any major goods movement facilities and the proposed residential lots will utilize the draft approved road network and access points without triggering additional entry points.

c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and

Response: In regard to sub-policy 2.8.2.5.c), the proposed residential lots will utilize the same stormwater infrastructure part of the draft approved Plan of Subdivision and be on partial services as per prior approvals on the Overall Lands.

d) the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

Response: In regard to sub-policy 2.8.2.5.d) and as mentioned above, the Township of East Garafraxa has a surplus of employment lands. Post-removal of the subject employment land, the Township will still have a surplus of employment lands based on employment projections. The removal of the subject employment

land will not jeopardize the Township's projected employment growth to the year 2051.

In addition to the evaluation above, the proposed development is appropriate given Tate Research finding's that there is a demand for an additional 48.4 net acres (19.6 hectares) of residential designated lands in order for the Township to meet its projected growth by 2051. Tate Research also found that despite the proposed redesignation to permit residential uses, there would continue to be a demand to support other residential development in the Township of East Garafraxa.

Section 3.5 - Provides direction on land use compatibility between major facilities and sensitive land uses to minimize adverse effects and ensure the long-term viability of both uses.

3.5.1. *"Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures."*

3.5.2. *"Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse effects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures."*

Response: In response to Policies 3.5.1 and 3.5.2, avoidance of impacts due to industrial/employment uses is extremely challenging. In this regard, the employment uses under the PPS cannot be appropriately located on the Subject Lands without long term impacts to the adjacent approved residential subdivision.

Section 3.6 – Sewage, Water and Stormwater of the PPS (2024) efficient use and optimization of existing municipal sewage services and municipal water services.

3.6.4 *"Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3."*

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

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;

Response: The proposed development will be serviced by partial services (municipal water and individual on-site sewage system) similar to existing draft plan approved lands and other development within Marsville. It is also our understanding that The Township of East Garafraxa is currently undertaking a servicing study to assess the feasibility of extending municipal water services to the Subject Lands. Should municipal servicing not be feasible, the Owner will coordinate the required studies to advise on an alternate servicing strategy can be accommodated with no anticipated long-term impacts on environmental or public health.

Conclusion

It is our professional opinion that the proposed Official Plan and Zoning By-law Amendments are consistent with the Provincial Planning Statement (2024). As demonstrated throughout this assessment, the Subject Lands do not constitute an "employment area" as defined by both of the PPS and the Planning Act, given that the local policy framework remains in conflict with Provincial definitions and the mandated conformity exercise has not been completed by the County or the Township. The Subject Lands are fundamentally incompatible with the industrial and warehousing functions required by a true employment area, as such uses would introduce significant adverse impacts—including noise, odour, and heavy traffic—immediately adjacent to a draft-approved residential community and an active public school. By redesignating these lands for residential use, the proposal

directly addresses the Township's documented deficiency in housing supply while ensuring a compatible, orderly, and efficient extension of the Marsville settlement area that optimizes existing public infrastructure.

7.3 Dufferin County Official Plan (2025)

The Dufferin County Official Plan (County OP) was last amended in 2025 as per the Ministry approved Official Plan Amendment #4, which is part of a phased municipal comprehensive review framework launched in 2021 to comply with the former Growth Plan. The most recent County-initiated Official Plan Amendment #4 was approved on July 31st, 2025 aligning the Official Plan policies references with the Provincial Planning Statement. Despite the re-aligned references, the County Official Plan remains inconsistent with the PPS, specifically the employment area policies as noted above in section 7.2 of this Report.

As noted above, the employment designation is not consistent with the PPS following the update of the employment area definition. Due to the absence of an updated Land Needs Assessment, it was agreed with County Staff that the proposed development would be characterized as employment area removal (Appendix E) and the conversion criteria under Policy 3.6.2.b) and its equivalent policy under the PPS (PPS Policy 2.8.2.5) should be considered in the absence of employment area removal criteria.

The Subject Lands are designated 'Employment Land Use' on Schedule B – Land Use Designations of the County OP as shown on Figure 3. The Subject Lands are also located within the Marsville Community Settlement Area, as identified on Schedule A – Settlement Areas as identified on Schedule B.

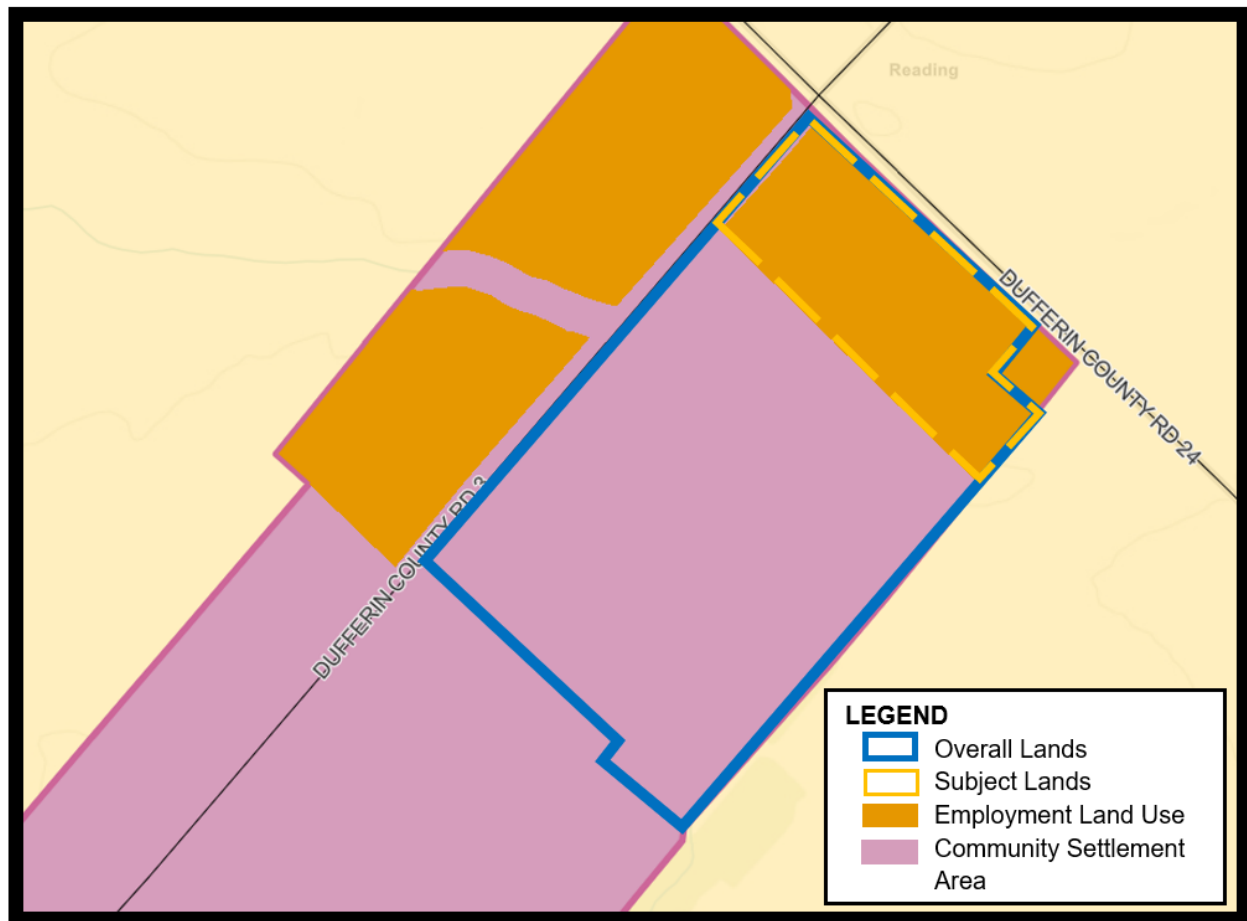


Figure 5: Subject Lands approximate limits overlay over Schedule B to the County Official Plan

Additional maps and schedules to the County OP outline the following with respect to the Subject Lands:

Schedules	Designation
Schedule A – Provincial Plan Areas	N/A
Schedule B – Community Structure and Land Use	Employment Land Use
Schedule B1 – Community Structure and Land Use	N/A
Schedule C – Prime Agricultural Areas and Rural Lands	N/A
Schedule D – Mineral Aggregate Resource Areas	N/A
Schedule E – Natural Heritage Features	N/A
Schedule E1 – Natural Heritage System	N/A
Schedule F – Human Made Hazards	N/A
Schedule G – Transportation	Along County Roads

Schedule H – Active Transportation	N/A
Schedule H1 – Active Transportation	N/A

Prior to examining the relevant policies below, we would like to note that the County's OP does not contain Employment Land Use policies nor list permitted uses their employment area designation.

The following policies are of particular relevance to the development of the Subject Lands:

1.1.3.2. *"This Plan implements the policies of the Provincial Planning Statement, 2024, and has been developed within the context of provincial policies to support the creation of strong communities, the wise use and management of resources and the protection of public health and safety. As required by the Provincial Planning Statement, 2024, this Plan is based on a planning horizon to the year 2051."*

Response: It is our opinion that the County OP is inconsistent with the provincial planning instruments and that the employment designated lands not considered employment areas as defined by the Act and the PPS.

1.2.1 *"The County Official Plan provides general County-level policy direction and a planning framework to guide the physical, social, economic, and environmental management of the County and address matters of County significance. The policies of this Plan are further implemented through more detailed land use and development policies in the local municipal official plans. All local municipal official plans and zoning by-laws are required to conform to the County Official Plan."*

Response: Given Policy 1.2.1, a concurrent Official Plan Amendment application is filled to the Township to also amend their Official Plan accordingly.

3.1 *"The County's growth management objectives include:*

c) Promote a settlement structure which directs the majority of urban development on full municipal services to the County's three urban settlement areas which include the: Town of Orangeville, Town of Shelburne and Town of Grand Valley urban area, and to a lesser extent to the community settlement areas, which are able to accommodate additional growth."

Response: In regard to clause 3.1.c), the County establishes a growth hierarchy directing the majority of growth to urban settlement areas, while recognizing that community settlement areas, such as Marsville, are intended to accommodate additional growth where appropriate. The proposed development represents an appropriate form of growth within this settlement structure and is consistent with the role of the Marsville community.

Tables 3.2 a & b – Township of East Garafraxa is to accommodate projected growth of 1000 people and 300 jobs by 2051.

Response: The subject applications do not conflict with the projected growth within the Township of East Garafraxa. As noted by Tate Economic Research Inc. in their commentary, the proposed removal of employment land and expansion of the residential permissions over the Subject Land will not contravene with the Township's ability to meet its project jobs growth over the planning horizon, while assisting both the County and the Township in meeting its population growth target. Tate Economic Research's commentary is based on the January 21, 2022 Land Needs Assessment completed by WSP Canada inc. on behalf of the County in support of the MCR process at that time and which included the population projections as shown now in the County OP.

3.3.3 *“Community settlement areas include small villages and rural hamlets. Community settlement areas include settlement areas that have historically been identified and delineated in the local municipal official plans and are identified on Schedule B.*

Community settlement areas may continue to experience limited growth through appropriate infilling and development of vacant lands, in accordance with the County and local municipal official plan.

It is the policy of the County that:

b) Community settlement areas may continue to experience limited growth through infilling and development of vacant lands by way of consents or plans of subdivision as appropriate, in addition to limited residential intensification. It is recognized that certain community settlement areas may not accommodate additional growth and development, as established in the local municipal official plans.

c) The range of permitted uses and associated land use policies will be established in the local municipal official plans and in accordance with the policies of this Plan.

d) *Community settlement areas will maintain a rural settlement scale and evolve as service and residential centres for their surrounding Countryside Areas, where appropriate.*"

Response: Marsville is identified as a Community Settlement Area. Given that community settlement areas are designed to maintain a rural settlement scale and focus on being residential centres, the development of employment lands hinders the ability to achieve these objectives and provides support for the removal of employment lands. Rural settlement areas are not locations in which employment lands as defined under the PPS 2024 should be located.

3.6.2.b) *"Local municipalities, in consultation with Dufferin County, may remove lands from employment areas only where it has been demonstrated that:*

- i. *There is an identified need for the removal and the land is not required for employment area uses over the long term;*
- ii. *The proposed uses would not negatively impact the overall viability of the employment area by:*
 - 1. *Avoiding or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with policy 3.5 of the Provincial Planning Statement, 2024;*
 - 2. *Maintaining access to major goods movement facilities and corridors;*
- iii. *Existing planned infrastructure and public service facilities are available to accommodate the proposed uses; and,*
- iv. *The municipality has sufficient employment lands to accommodate the projected employment growth to the horizon of the approved official plan."*

Response: As confirmed through correspondence with County Planning Staff, the County will rely on both the employment removal policies of the PPS set out under Policy 2.8.2.5 and the criteria set out in Policy 3.6.2.b) in the review of this application (refer to Appendix E). That being said, these policies apply to employment areas and it is our assessment that the employment designated lands under both the County and Township Official Plans are not considered employment areas.

Therefore PPS Policy 2.8.2.5 and County OP Policy 3.6.2.b) are not applicable. The inclusion of the assessment under PPS Policy 2.8.2.5 and County OP Policy 3.6.2.b) is completed in the spirit of collaboration and cooperation and does not alter our opinion that the subject lands are not within an employment area

3.7.1.1 *"It is the policy of the County that:*

a) Local municipalities shall plan for an appropriate range of housing sizes, types, tenures and densities to meet projected requirements of current and future residents of Dufferin County as outlined below:

- I. Maintaining at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification, redevelopment and land which is designated and available for residential development."*

Response: The proposed development is appropriate given the need for an additional 48.4 net acres (19.6 hectares) of residential designated lands in order for the Township to meet its projected growth by 2051. The proposed residential development is also considered appropriate continuation of a draft approved residential community with similar lot pattern and character.

8.3.1.d) *"Where applications to amend both the County Official Plan and the local municipal official plan are required, the County will encourage the proponent to submit concurrent applications to amend both the County Official Plan and the local municipal official plan. For County Official Plan amendments that are determined to be primarily of a local significance, as determined in consultation with the County, the County may request endorsement of the local municipal official plan amendment by the Council of the respective local municipality prior to the consideration of a County Official Plan amendment"*

Response: A Township Official Plan Amendment and a Township Zoning By-law Amendment are herewith submitted concurrently along with a County Official Plan Amendment in line with Policy 8.3.1.d).

Conclusion

While the County OP serves as the growth management framework for the region, the current Official Plan framework does not provide specific land use policies for employment areas. Based on our assessment and review on ongoing planning initiatives for the County, it is understood that work has commenced to bring their Official Plan into conformity with the PPS 2024. Based on their previous growth management work, it is understood that the Township of East Garafraxa has a surplus of employment land and a deficit of residential lands. In applying the new PPS policies for Employment Areas, it is our opinion that the subject lands represent an incompatible location for future employment given the restrictive list of permitted uses established in the PPS 2024. The proposed amendments seek to align the Subject Lands with the County's own growth hierarchy, which identifies

Community Settlement Areas like Marsville as appropriate locations for residential growth. Consequently, the redesignation ensures that the local planning framework better aligns with growth management needs of the Township while addressing long term incompatibility issues with having residential and employment lands abutting one another.

7.4 Township of East Garafraxa Official Plan (2004)

The Township of East Garafraxa Official Plan ('Township OP') was adopted by Township Council in 2004. The plan provides policy direction for land use, growth and development within the Township in accordance with its long-term planning objectives.

The Subject Lands are located within the Community of Marsville and is designated 'Employment' as per Schedule A-1 – Community of Marsville Land Use and Transportation.

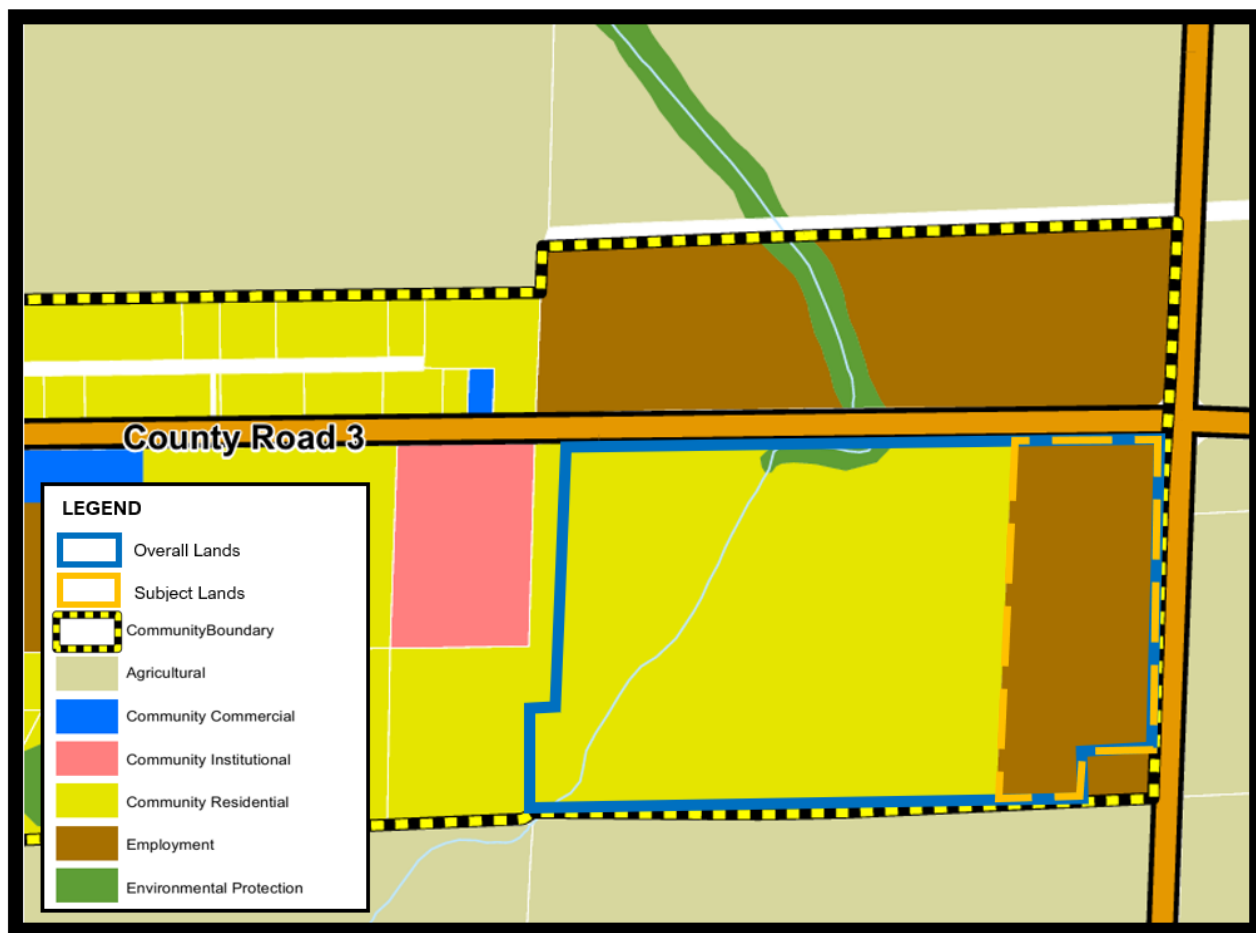


Figure 6: Subject Lands' approximate limits overlayed on Schedule A-1 of the Township of East Garafraxa Official Plan

Additional maps and schedules to the Township OP outline the following with respect to the Subject Lands:

Schedules	Designation
Schedule A – Land Use and Transportation Plan	N/A
Schedule A-1 – Community of Marsville Land Use Plan and Transportation	Employment
Schedule A-2 – Community of Orton Land Use Plan and Transportation	N/A
Schedule B – Environmental Features	N/A
Schedule D – Greenbelt	N/A
Schedule E – Greenbelt Natural Heritage Features	N/A
Schedule F – Source Water Protection Area	Wellhead Protection Area Pathogen Management Zone - Score 6 (0-2 Year Time of Travel)

The following policies are of particular relevance to the development of the Subject Lands:

2.2 *“Growth forecasts and allocations in the County of Dufferin Official Plan establish that the permanent population of the Township will continue to rise with a population forecast of 3,150 residents in 2031 and 3,180 residents in 2036 and an employment forecast of 570 jobs to the years 2031/2036.”*

Response: The above noted projections are noted as they reflect outdated projections that do not align with the allocated growth by the County of Dufferin.

3.2.1. *“Cost effective development and land use patterns that stimulate economic growth and protect the resources of the Township will be encouraged. Settlement areas will be the focus of residential growth. Residential development will generally be discouraged in the Agricultural area.”*

Response: The Subject Lands are located within the Marsville Community Settlement Area, where residential growth is intended to be directed. The goal of

the applications is to remove the employment designation and extend the residential permissions over the entire site.

4.2 *"To encourage economic and social development that is compatible with existing development and the environment and that will provide a viable and sustainable future for the Township."*

Response: The Subject Lands are located adjacent to existing and planned sensitive land uses, including residential development, and are not suitable or compatible. In consideration of Policy 2.8.2.3 of the PPS, employment uses will create land use compatibility constraints.

The proposed residential use is more compatible with the surrounding area and represents a more appropriate, viable, and sustainable long-term use of the lands. Accordingly, the proposed development supports economic and social development that is compatible with existing development and contributes to a sustainable future for the Township.

5.4.2.1.a) *"Land in the Community Residential designation may be used for the following:*

A) *Single-detached residential dwellings;...*

Lot size and density in Community Residential areas shall minimize land consumption and reduce servicing costs. In addition to the Development Criteria in Section 7.0 and Growth Management policies in Section 8.0, lot size, density and pattern shall be supported and determined by a detailed hydrogeological study and other studies as determined and completed to the satisfaction of Council to address planning considerations such as design, servicing of the site and stormwater management."

Response: The proposed development consists of single-detached dwellings, which are permitted within the Community Residential designation and aligns with the draft approved subdivision. The policy also requires that lot size, density, and development pattern minimize land consumption and be supported by appropriate technical studies. In this regard, the proposed lot sizes and pattern matches that approved as part of the Draft Plan of Subdivision. As such, the Zoning By-law Amendment proposes an extension of previously approved site-specific provisions to ensure continuity in the proposed lot pattern.

5.4.6 *"The zoning in the implementing Zoning By-Law should reflect the direction provided by the applicable land use designations in this Plan. The Zoning By-law will be used to limit uses and floor space as well as providing specific regulations that will ensure that new development is compatible and in keeping with the general character of the Communities."*

Response: The proposed development is supported by a Draft ZBA, which has been prepared as part of the submission package. The draft ZBA will regulate permitted use, lotting and built form to ensure that the proposed development is compatible with the surrounding area and reflects the existing and evolving character of the Marsville Community.

5.5.1 *"Employment Areas are used for larger scale industrial and commercial development. They have high exposure to traffic and are easily accessible. The following policies shall apply to those lands having an Employment Area designation on Schedules A, A-1 and A-2:"*

Response: Policy 5.5.1 of the Township OP describes employment area to be used for industrial and commercial development. PPS 2024 removes permission for commercial, retail, office and institutional uses unless accessory to an industrial use. The policies contained within the Township OP for employment area are inconsistent with the PPS 2024. In our opinion, large scale industrial development is not compatible with surrounding development given that commercial uses are no longer supported. Impacts due to industrial activity are typically observed by odour, air quality, lighting and noise. Given the immediate adjacency of the industrial lands to the planned residential lots, impact avoidance is challenged, and impact minimization is not possible without raising questions about the viability of the subject lands for industrial/employment development.

5.5.3 *"Lands in the Employment Area designation may be used for the following.*
a. manufacturing, assembly, clean processing, recycling, warehousing and materials storage, including contractors yards, transportation terminals, and other similar facilities associated with buildings and structures;
b. accessory retail sales, offices, cafeterias and other accessory uses that are smaller in scale and that are located on the same lot as the primary industrial use to which they are incidental;
c. free-standing business oriented sales, service and office operations such as vehicle, machinery and equipment sales, service and leasing operations, printing,

telecommunication and electronic data processing facilities, and vehicle fuel retailing operations;

- d. business and professional offices;*
- e. specialized retail outlets;*
- f. restaurant facilities;*
- g. hotels and motels;*
- h. open space, recreation uses;*
- i. fire halls, police and ambulance stations, utilities and similar public facilities;*
- j. automotive commercial uses, such as service stations, automotive sales and service, including mechanical and body repair, recreational vehicle or trailer sales and service, car rental outlet;*
- k. building materials outlets, gardening supply, nursery centres, and other similar uses;*
- l. existing legal residential uses;*
- m. one accessory dwelling unit; and*
- n. The legal licensed production of marijuana shall only be permitted on lands in the Employment Area designation in lands in an Industrial or Business Park Zone in an enclosed building subject to a zoning by-law amendment and site plan control. Through the rezoning process the Township will be satisfied that compatibility with adjacent land uses can be achieved through approaches such as the installation and operation of odour and light mitigation systems, odour and light control, maintenance and monitoring plans, maintaining appropriate setbacks from sensitive receptors and a waste management plan."*

Response: With the employment area definition as per the PPS 2024, the permitted uses under the policy above are evaluated to determine what uses are no longer permitted and what is still permitted. The intent of this exercise is to demonstrate that the remaining industrial uses align with the raised concerns about compatibility with the adjacent sensitive uses.

- a. manufacturing, assembly, clean processing, recycling, warehousing and materials storage, including contractors yards, transportation terminals, and other similar facilities associated with buildings and structures;*
- b. accessory retail sales, offices, cafeterias and other accessory uses that are smaller in scale and that are located on the same lot as the primary industrial use to which they are incidental;*
- ~~*c. free standing business oriented sales, service and office operations such as vehicle, machinery and equipment sales, service and leasing operations, printing,*~~

~~telecommunication and electronic data processing facilities, and vehicle fuel retailing operations;~~

~~d. business and professional offices;~~

~~e. specialized retail outlets;~~

~~f. restaurant facilities;~~

~~g. hotels and motels;~~

~~h. open space, recreation uses;~~

i. fire halls, police and ambulance stations, utilities and similar public facilities;

~~j. automotive commercial uses, such as service stations, automotive sales and service, including mechanical and body repair, recreational vehicle or trailer sales and service, car rental outlet;~~

~~k. building materials outlets, gardening supply, nursery centres, and other similar uses;~~

l. existing legal residential uses;

~~m. one accessory dwelling unit; and~~

n. The legal licensed production of marijuana shall only be permitted on lands in the Employment Area designation in lands in an Industrial or Business Park Zone in an enclosed building subject to a zoning by-law amendment and site plan control. Through the rezoning process the Township will be satisfied that compatibility with adjacent land uses can be achieved through approaches such as the installation and operation of odour and light mitigation systems, odour and light control, maintenance and monitoring plans, maintaining appropriate setbacks from sensitive receptors and a waste management plan."

Given the restrictive industrial permissions once conformity with the PPS 2024 is taken into consideration, concerns are raised against the compatibility of retaining industrial use permissions adjacent to the draft approved residential subdivision. In Section 7.2 of the Report and particular in response to PPS Policy 2.8.2.5, compatibility of the employment area is evaluated, which highlighted that avoidance of impacts due to the permitted industrial uses is not possible. Therefore, the proposed Township Official Plan Amendment to remove the 'Employment' designation is considered appropriate, and consistent with the PPS.

5.5.6 b) *"Any application to re-designate lands in the Employment Area within Marsville to permit non-employment uses will only be considered through a municipal comprehensive review in accordance with the Growth Plan and the County Official Plan where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion."*

Response: PPS 2024 removed the previous requirement for municipal comprehensive reviews to consider either settlement area expansion or employment area conversion/removal, allowing market flexibility and empowering municipalities to consider such matters when requested.

5.5.7 *"All Employment Area uses shall minimize the noise, visual, traffic, pollution and other related nuisances and hazards arising there from. Industrial uses that are in proximity to non-industrial uses shall provide to the satisfaction of the Township, a combination of the mitigation measures to reduce any potential negative impacts that the development may have on these non-industrial uses. These measures may include landscaping, fencing or berming between potentially incompatible uses; and; appropriate building design and siting.*

Where residential land or other sensitive land uses are within the distances identified below from proposed Employment Area uses, an assessment of the potential impact of the industrial use and mitigation measures to prevent adverse effects that may be experienced shall be required in accordance with the Ministry of Environment, Conservation and Parks Guidelines"

Response: As discussed above, minimization of impacts due to industrial uses raises concerns about the subject lands viability to host industrial/employment uses. A potential outcome is the sterilization of the lands indefinitely.

Policies **5.10.4** and **5.10.5** establish that within Wellhead Protection Areas (WHPAs), land uses and activities that may pose a risk to municipal drinking water sources can be restricted, prohibited, or subject to risk management measures in accordance with the Clean Water Act and applicable Source Protection Plan.

Response: The Subject Lands are located within a WHPA-B area; however, as per the enclosed Hydrogeological Report, the proposed residential development with partial services is common in WHPA-B areas and is generally compatible with Source Water Protection objectives. In contrast, industrial-type uses have the potential to introduce activities that may be considered significant drinking water threats and could be subject to restriction or prohibition within a WHPA, which signifies additional reasoning that employment uses are not feasible on the Subject Lands. For more details about compatibility to the Source Water Protection Plan, please refer to the Hydrogeological Report prepared by SLR Consulting (Canada) Ltd. And dated March 26, 2026.

Conclusion

In summary, it is our professional opinion that the proposed Township Official Plan Amendment is necessary as the current Township Official Plan is an outdated document that does not conform to the Dufferin County Official Plan nor maintain consistency with the Planning Act and the PPS (2024). The "Employment" policies within the Township OP are fundamentally misaligned with the current provincial framework, as they continue to permit standalone commercial and institutional uses that are now explicitly excluded from the provincial definition of an employment area. Furthermore, the remaining "dry industrial" permissions are incompatible with the actual municipal water servicing available in Marsville and pose significant land-use conflicts—including noise, odour, and source water protection concerns—with the adjacent draft-approved residential community and public school. Consequently, the redesignation to Community Residential is the most appropriate planning outcome to ensure the Subject Lands provide a sustainable and compatible use that addresses the Township's documented housing deficiency while optimizing existing infrastructure.

7.5 Township of East Garafraxa Zoning by-Law 60-2004

As per the OLT Zoning By-law Amendment for the Overall Lands, the Subject Lands are zoned Rural exception X (RU-X), which permits:

- Uses existing as of the date of passing of this By-law;
- agricultural use;
- bed and breakfast establishment;
- farm produce sales outlet accessory to an agricultural use;
- greenhouse;
- home industry;
- home occupation;
- public open space;
- single detached dwelling;
- Veterinary hospital.

A Zoning By-law Amendment is required to apply similar permissions as those approved for the residential portion of the draft approved Plan of Subdivision. The intent of applying similar permissions is to produce similar and consistent lot pattern throughout the subdivision. A copy of the proposed Zoning By-law Amendment and associated provisions is provided in **Appendix D** of this Report.

8.0 CONCLUSION

Marsville Estates Inc. proposes to develop the Subject Lands at 063076 Dufferin County Road 3 within the Marsville Community Settlement Area as an extension to the draft plan approved residential subdivision. A County Official Plan Amendment, Township Official Plan Amendment, and Zoning By-law Amendment are required to remove the "Employment" land use designation and expand residential permissions to allow for 20 additional estate residential lots.

This report has reviewed the proposed development against policies set out in the Planning Act, the Provincial Planning Statement (2024), the Dufferin County Official Plan (2025), the Township of East Garafraxa Official Plan (2004), and the Township of East Garafraxa Zoning By-law 60-2004.

In summary, it is our professional opinion that the proposed Official Plan and Zoning By-law Amendments represent good land-use planning and are consistent with the policy direction of the Planning Act and the Provincial Planning Statement (2024). The current "Employment" designations at both the County and Township levels are fundamentally inconsistent with provincial definition for employment area and have not been validated through a mandated conformity exercise as per PPS policy 2.8.2.4. The removal of these lands from the employment inventory is justified by a documented surplus of employment land and a corresponding deficiency in residential supply required to meet 2051 growth targets. Furthermore, the redesignation resolves critical land-use compatibility concerns, as the industrial functions mandated by the PPS would introduce adverse impacts—such as noise, odour, and heavy traffic—immediately adjacent to a draft-approved residential community and an active public school. By extending the residential permissions, the proposal ensures a compatible and orderly development pattern that efficiently utilizes existing municipal water and planned infrastructure within the Marsville Community Settlement Area.

It is our further opinion that the Subject Applications herewith represent good planning.

Respectfully submitted,
Innovative Planning Solutions



Darren Vella, MCIP, RPP
President & Director of Planning



Bishoi Shinoda, MCIP, RPP
Senior Planner

APPENDICIES:

- **Appendix A** – OLT Case # OLT-22-004307 Decision;
- **Appendix B** – Draft County Official Plan Amending Instrument text and Schedule;
- **Appendix C** – Draft Township Official Plan Amending Instrument text and Schedule;
- **Appendix D** – Draft Township Zoning By-law Amending Instrument text and Schedule; and,
- **Appendix E** – Correspondence with County Acting Planning Manager dated March 23 and 24, 2026.

APPENDIX A

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: April 25, 2024

CASE NO(S).:

OLT-22-004307

PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant:	Marsville Estates Inc.
Subject:	Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description:	To permit the development of a 59-unit residential subdivision
Reference Number:	Z5-20
Property Address:	63076 County Road 3
Municipality/UT:	East Garafraxa/Dufferin
OLT Case No.:	OLT-22-004307
OLT Lead Case No.:	OLT-22-004307
OLT Case Name:	Marsville Estates Inc. v. East Garafraxa (Township)

PROCEEDING COMMENCED UNDER section 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant:	Marsville Estates Inc.
Subject:	Proposed Plan of Subdivision – Failure of Approval Authority to make a decision
Description:	To permit the development of a 59-unit residential subdivision
Reference Number:	S1-20
Property Address:	63076 County Road 3
Municipality/UT:	East Garafraxa/Dufferin
OLT Case No.:	OLT-22-004308
OLT Lead Case No.:	OLT-22-004307

Heard: April 18, 2024, in writing

APPEARANCES:**Parties**

Marsville Estates Inc.

Township of East Garafraxa

CounselA. Jeanrie
S. BrazzellJ. Wilker
S. Floras**DECISION DELIVERED BY P. TOMILIN AND ORDER OF THE TRIBUNAL**

[Link to Order](#)

[1] This was a Hearing in the matter of the appeal by Marsville Estates Inc. (“Applicant” / “Appellant”) from the failure of the Township of East Garafraxa (“Township”) to make a decision within the statutory timeframes on applications for a Zoning By-Law Amendment and a Plan of Subdivision (“Applications”), pursuant to s. 34(11) and 51(34) of the *Planning Act* (“Act”), for the property municipally known as 63076 County Road 3 (“subject property” / “site”).

[2] Planning evidence was provided to the Tribunal by means of the written Affidavit of Darren Vella. Mr. Vella has over 24 years of experience in planning matters, including extensive experience in rural planning. After reviewing the qualifications and the signed Acknowledgement of Expert Duty, the Tribunal is satisfied that Mr. Vella is a qualified professional land use planner.

LOCATION AND SITE CONTEXT

[3] The subject property, is located at the southwest corner of County Road (“CR”) 3 and CR 24. It has a frontage of 641 metres (“m”) on CR 3 and 328 m of frontage on CR 24, and is approximately 26.1 hectares (“ha”) in size. The site has a vehicular access from both roads.

[4] The subject property is designated Community Settlement Area in the County of

Dufferin (“County”) Official Plan (“OP”). It is designated Employment, Community Residential and Environmental Protection in the Township OP. The site is zoned Rural (RU) and Environmental Protection (EP) by the Township's Zoning By-law and is located within the Settlement Area of Marsville, which is a small rural hamlet containing a school, has a small residential population, and commercial/employment uses.

[5] Mr. Vella explained that the majority of the property (23.2 ha or 87.8%) was previously used for agricultural purposes and is currently vacant. A woodlot area is located in the southwest portion of the lot, covering 3.12 ha, or 11.9%, of the subject property. The County identifies a watercourse and woodlands as part of the County's Preliminary Natural Heritage System in the County OP. Ganarska Region Conservation Authority (“GRCA”) identifies a small area in the north of the subject property as regulated area, and it is associated with the Butler Creek floodplain.

[6] Mr. Vella provided that the subject property is not located within the Greenbelt, the Oak Ridges Moraine, or the Niagara Escarpment Planning Areas. The site is located within the Greater Golden Horseshoe and is subject to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“GP”) and the Provincial Policy Statement, 2020 (“PPS”).

HISTORY OF THE APPLICATIONS

[7] Mr. Vella provided an overview of the history of the Applications. He stated that the original proposal contemplated a larger development proposal in which the entirety of the lands were proposed for residential development. The application for Official Plan Amendment (“OPA”) proposed to redesignate the Employment Land to Community Residential through an Employment Land Conversion and aimed to create an 80-unit residential subdivision with a stormwater management pond, a stormwater bypass channel for surface water drainage, and a public park. Two access points were proposed, one from CR 3 with another from CR 24 on five internal streets with right-of-way widths of 20 m.

[8] After receiving comments from the Township and external agencies, the Applicant revised the original proposal and resubmitted the application in February of 2021. The proposal was reduced to a 78-unit residential subdivision and maintained the stormwater management pond and bypass channel. The public park was relocated to a central location and the municipal road access point from CR 24 was replaced with an emergency exit only. The five municipal roads proposed under the original proposal were reduced to three municipal roads, with one main access from CR 3.

[9] The revised proposal was circulated for agency comments. Mr. Vella submitted that he met with Township staff, their consultants, and external agencies to discuss the proposal in order to resolve outstanding issues, following which the final submission was made in May, 2022, accompanied by the updated technical reports.

[10] Following the discussions, Mr. Vella submits that the proposed development was reduced to a 58-unit residential subdivision by deferring the OPA application based on the County undertaking a Municipal Comprehensive Review. The final submission requested the Township to review the modified Zoning By-law Amendment and Draft Plan of Subdivision applications, consisting of a stormwater management pond, bypass channel, public park and three municipal roads.

[11] Mr. Vella proffered that the final submission was circulated for municipal and agency comments. Based on comments received, the Applicant decided to file an Appeal, due to the Township Council's failure to make a decision within the required timeline under the Act. In the mean time, the Appellant has continued to work with the Township to resolve any remaining issues. As a result of discussions, a revised set of plans were agreed to and submitted to the Township on January 18, 2024. The Township Council and the Appellant reached an agreement on February 13, 2024.

LEGISLATIVE FRAMEWORK

[12] Under the applicable planning instruments, the Tribunal must be satisfied that the proposed development represents good planning, have regard for matters of provincial

interest under s. 2 of the Act, is consistent with the PPS, and conforms to the GP, the OPs and the applicable Zoning By-laws.

EVIDENCE

[13] In Mr. Vella's view, the proposed development has regard for the matters of provincial interest, as outlined in s. 2 of the Act.

[14] Mr. Vella is of the opinion that the proposed development will increase the supply of housing in the area while preserving the area's rural character by offering generously sized estate lots. He explained that the Applications propose single-detached residential development under the Hamlet Residential (HR) zone, with reduced lot areas and frontages in order to optimize site efficiency.

[15] Mr. Vella proffered that the proposed subdivision is not premature, as the lands have remained vacant for a number of years, and would introduce much needed housing into the market.

[16] It is Mr. Vella's opinion that the development proposal has regard for matters of provincial interest, including the orderly development of safe and healthy communities; the adequate provision of increasing housing stock; the appropriate location of growth and development; and the promotion of development that is designed to be sustainable, to support pedestrians and community building.

[17] Mr. Vella reviewed the applicable policies of the PPS, the GP, the County OP and Township OP, and s. 51(24) of the Act.

[18] In summary, in Mr. Vella's opinion, the development proposal has regard to matters of provincial interest in the Act, is consistent with the PPS and conforms with the GP; the County OP, and the Township OP.

[19] Mr. Vella provided that the proposed development will increase the housing supply, and would allow the community of Marsville to develop into a more complete community. He further provided that the proposed development would lead to the existing municipal water system upgrade that will benefit the entire community.

[20] Mr. Vella concluded that it is his opinion that the proposed development represents good planning, is in the public interest, and should be approved.

ANALYSIS AND FINDINGS

[21] The Tribunal accepts the uncontroverted professional opinion of Mr. Vella and finds that the proposed Zoning By-law Amendment and Draft Plan of Subdivision represent good planning, are consistent and/or conform with the higher-level policy documents, such as the PPS, the GP, the County OP, Township OP, and s. 51(24) of the Act.

ORDER

[22] **THE TRIBUNAL ORDERS** that the appeal is allowed in part and directs the municipality to amend By-law No. 60-2004. The Tribunal authorizes the municipal clerk of the Township of East Garafraxa to assign a number to this by-law for record keeping purposes;

[23] **THE TRIBUNAL ORDERS** that the appeal is allowed in part and the draft plan shown on the plan prepared by Innovative Planning Solutions dated December 20, 2023 comprising 63076 County Road 3, in the Township Of East Garafraxa, County of Dufferin is approved subject to the fulfillment of the conditions set out in Attachment 1 to this Order;

[24] **AND THE TRIBUNAL ORDERS** that pursuant to subsection 51(56.1) of the *Planning Act*, the Township of East Garafraxa shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of

subdivision for the purposes of subsection 51(58) of the *Act*. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.

"P. Tomilin"

P. TOMILIN
MEMBER

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

APPENDIX B

AMENDMENT NUMBER XXX

**TO THE OFFICIAL PLAN
FOR THE
COUNTY OF DUFFERIN**

INDEX

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- 1.0 LOCATION
- 2.0 PURPOSE OF THE AMENDMENT
- 3.0 BASIS OF THE AMENDMENT

PART B – THE AMENDMENT

- 4.0 INTRODUCTION TO THE AMENDMENT
- 5.0 DETAILS OF THE AMENDMENT
- 6.0 IMPLEMENTATION
- 7.0 INTERPRETATION

PART C – THE APPENDICIES

- 8.0 APPENDICIES

THE CONSTITUTIONAL STATEMENT

PART A – THE PREAMBLE: The Preamble provides an explanation of Amendment No. XXX to the Official Plan for the County of Dufferin, including purpose, location and background information, but does not form part of this amendment.

PART B – THE AMENDMENT: The Amendment, consisting of text, designates the proposed changes to the Official Plan for the County of Dufferin and constitutes Amendment No. XXX.

PART C – THE APPENDICIES: The Appendices, if included herein, provide related information to the amendment but do not constitute part of this amendment.

DRAFT

AMENDMENT NUMBER XXX

TO THE OFFICIAL PLAN FOR THE COUNTY OF DUFFERIN

PART A – THE PREAMBLE

1.0 LOCATION

This Amendment applies to a part of the lands known as 063076 Dufferin County Rd 3 and legally known as 'Part of Lot 5, Concession 14' in the Township of East Garafraxa and specifically to the part of the lands containing 'Employment Land Use' as per Schedule B to the County of Dufferin Official Plan (the 'Subject Lands'). The land is located at the southwest corner to the intersection of County Road 3 and County Road 24.

2.0 PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to remove the 'Employment Land Use'.

3.0 BASIS OF THE AMENDMENT

The basis for this Amendment is founded on the policy direction of both the Provincial Planning Statement, 2024 (PPS) and the Dufferin County Official Plan (2025), which emphasize the need to appropriately plan for employment areas, ensure land use compatibility, and direct residential growth to designated settlement areas. The removal of the 'Employment Land Use' designation is necessary to resolve inconsistencies between the current County Official Plan, the local Township Official Plan, and the PPS, as the Subject Lands do not currently meet the definition of an 'employment area' under the *Planning Act* or the PPS.

Specifically, this Amendment is supported by the following policy assessments:

The Planning Act

- **Definition of Area of Employment:** Subsection 1(1) of the *Planning Act* defines an 'area of employment' as an area designated for clusters of business and economic uses (such as manufacturing, warehousing, and associated retail/office) and strictly excludes institutional and commercial uses that are not associated with the primary employment uses. However, the Township of East Garafraxa Official Plan continues to contain policies permitting standalone commercial, retail, office, and institutional uses within its Employment areas. Because these permitted uses directly contradict the *Planning Act* definition, the lands currently designated as 'Employment' are not considered a valid 'Area of Employment' under the Act.

- **Matters of Provincial Interest (Section 2):** The proposed redesignation directly supports multiple provincial interests under Section 2 of the Act:
 - **Appropriate Location of Growth (p):** If the Subject Lands were restricted strictly to the industrial uses mandated by the Act, it would result in incompatible development (generating noise, odour, and heavy traffic) immediately adjacent to sensitive uses, including an existing draft-approved residential community and a public school. Expanding the compatible residential built-form is the appropriate location for growth.
 - **Adequate Employment Opportunities (k):** Market analysis demonstrates the Township holds a surplus of 14.8 hectares of employment lands; therefore, the removal of this 5.44-hectare parcel will not jeopardize the adequate provision of employment opportunities.
 - **Housing and Orderly Development (h, j):** The development facilitates the orderly expansion of a safe, healthy residential community and provides a full range of housing by addressing a documented deficiency in designated residential lands within the Township.
 - **Infrastructure and Economic Well-Being (e, f, l):** The compact residential expansion efficiently utilizes existing and planned infrastructure, such as the municipal water system, representing an efficient use of resources that protects the financial well-being of the municipality without creating unanticipated infrastructure burdens.
 - **Protection of Ecology and Heritage (a, d):** Supported by Environmental and Archaeological assessments, the development poses no threat to significant natural features, species at risk, or archaeological resources.

Provincial Planning Statement (PPS) Consistency

- **Employment Area Assessment and Removal (PPS Policies 2.8.2.4 and 2.8.2.5):** Neither the County nor the Township has completed the mandated conformity exercise to assess existing employment lands against the updated 2024 PPS definition of employment area. While employment area conversion criteria are inapplicable due to basis of the Subject Lands not considered employment area as per the PPS, consideration is given to the conversion criteria under PPS Policy 2.8.2.5 in the absence of an alternative. Similar criteria are found under the County Official Plan Policy 3.6.2.b). One of the conversion criteria set out in PPS Policy 2.8.2.5 is ensuring that the municipality has sufficient supply of employment lands that supports the long-term employment growth. Tate Economic Research Inc. confirms that the Township holds a surplus of 15.58 hectares of employment lands and a deficit of residential lands. The removal of this 5.44-hectare employment block is justified as it is not needed for long-term employment and will not negatively impact the municipality's overall economic viability.

- **Land Use Compatibility and Transition (PPS Policies 2.8.2.3 and 3.5):** Policies 2.8.2.3 and 3.5 require planning authorities to protect employment areas by prohibiting sensitive land uses and to avoid, minimize, or mitigate adverse effects from odour, noise, and other contaminants. The Subject Lands are immediately surrounded by sensitive land uses, including an Ontario Land Tribunal (OLT) draft-approved residential community and the East Garafraxa Public School. The introduction of industrial functions would result in unavoidable land use conflicts where impact mitigation is not feasible without raising viability concerns with the employment lands.
- **Settlement Area Growth and Housing (PPS Policies 2.1.4 and 2.3.1):** The PPS directs that settlement areas shall be the primary focus of growth and mandates that municipalities maintain sufficient land to accommodate residential expansion. Removing the employment designation will facilitate the logical, orderly expansion of the adjacent 58-lot residential subdivision. This optimizes the use of existing and planned infrastructure, such as the Marsville municipal water system, while actively addressing the Township's housing shortfall.

County Official Plan Policy Assessment

- **Employment Area Removal Criteria (Policy 3.6.2.b):** In the absence of an updated County Land Needs Assessment and land use policies that conforms to the 2024 PPS employment definition, the employment lands on the Subject Lands are considered not employment area. While employment area conversion criteria are inapplicable due to basis of the Subject Lands not considered employment area, consideration is given to the conversion criteria under County Official Plan Policy 3.6.2.b) in the absence of an alternative. The Subject Lands satisfy these criteria because they are not required over the long term, avoidance of impacts to adjacent sensitive uses is impossible, existing planned infrastructure (municipal water) is available, and the municipality has a documented surplus of employment lands to accommodate projected job growth.
- **Community Settlement Areas (Policy 3.3.3):** The Subject Lands are located within the Marsville Community Settlement Area on Schedule B of the County OP. Under Policy 3.3.3, Community Settlement Areas are intended to experience growth through appropriate infilling and plans of subdivision, with the specific goal of evolving as residential and service centres that maintain a rural settlement scale. Developing employment lands—which strictly require industrial functions under the updated PPS—hinders the ability to achieve these residential objectives, as rural settlement areas are not appropriate locations for heavy industrial uses.
- **Growth Projections and Policy Gaps:** The County OP tasks the Township of East Garafraxa with accommodating a projected growth of 1,000 people and 300 jobs by 2051. Updated market commentary confirms the Township has a deficit in residential land and a surplus of employment land; therefore, redesignating this parcel supports the County's population growth targets without jeopardizing job allocations. Furthermore, the County OP lacks specific land use policies or permitted uses for employment areas. This policy gap necessitates alignment with Provincial definitions.

Township Official Plan Policy Assessment

- **Inconsistent Employment Policies (Policies 5.5.1, 5.5.2, 5.5.3):** The Township's 2004 Official Plan policies for employment areas permit standalone commercial, retail, and institutional uses, which directly conflict with the updated 2024 PPS definition of an employment area. If restricted strictly to PPS-compliant industrial uses, the permitted functions would introduce heavy industrial impacts that are incompatible with the planned residential context. Additionally, the OP encourages 'dry industrial' uses, which is misaligned with the reality of the Marsville Community, which operates on municipal water services.
- **Settlement Area Growth (Policy 3.2.1):** The Subject Lands are located within the Marsville Community Settlement Area, which the Township Official Plan identifies as the focus for residential growth. Removing the employment designation to extend residential permissions facilitates cost-effective development that utilizes existing and planned infrastructure, supporting an efficient use of land.
- **Land Use Compatibility (Policies 4.2 and 5.5.7):** Policy 4.2 encourages economic and social development that is compatible with existing development. Industrial and employment uses on the Subject Lands would create significant land use conflicts with the immediately adjacent draft-approved residential neighborhood and East Garafraxa Public School. Furthermore, Policy 5.5.7 requires that employment uses mitigate and minimize noise, visual, traffic, and pollution impacts on adjacent sensitive uses. The required mitigation would be nearly impossible without raising severe viability concerns for the site, potentially sterilizing the land indefinitely.
- **Source Water Protection (Policies 5.10.4 and 5.10.5):** The Subject Lands fall within a Wellhead Protection Area (WHPA-B). While residential development on partial services is compatible with Source Water Protection objectives, industrial uses could introduce activities that qualify as significant drinking water threats, making employment uses unfeasible on the site.

Accordingly, the proposed removal of the 'Employment Land Use' represents an appropriate modification. The Amendment facilitates development that is compatible with the surrounding context over the long term.

Overall, the proposed Amendment is consistent with the Provincial Planning Statement, as it promotes compatibility, supports appropriate land use planning, and directs growth to settlement areas in a manner that reflects the existing and planned context.

AMENDMENT NUMBER XXX

TO THE OFFICIAL PLAN FOR THE COUNTY OF DUFFERIN

PART B – THE AMENDMENT

4.0 INTRODUCTION TO THE AMENDMENT

The Amendment is to permit a modification from employment to community settlement area. Consisting of the attached Schedule A-1 being an excerpt from Schedule B –Community Structure and Land Use, constitutes Amendment X to the Dufferin County Official Plan.

5.0 DETAILS OF THE AMENDMENT

The Official Plan for the County of Dufferin is hereby amended as follows:

1. That Schedule B – Community Structure and Land Use, is amended:

- a. By removing the ‘Employment Land Use’ and modifying the designation to Community Settlement Area.

6.0 IMPLEMENTATION

Section 8 ‘Implementation and Interpretation’ of the Official Plan, as amended from time to time, shall apply to the implementation of this Amendment. Given Policy 8.3.1.d) of the Official Plan, a concurrent Official Plan Amendment application is also filed at the Township to implement the above-noted modification in the Township Official Plan. In addition, a concurrent Zoning By-law Amendment application is submitted to the Township for approval.

7.0 INTERPRETATION

The provisions of the Official Plan, as amended from time to time, regarding the interpretation of the Official Plan, shall apply with respect to this Amendment.

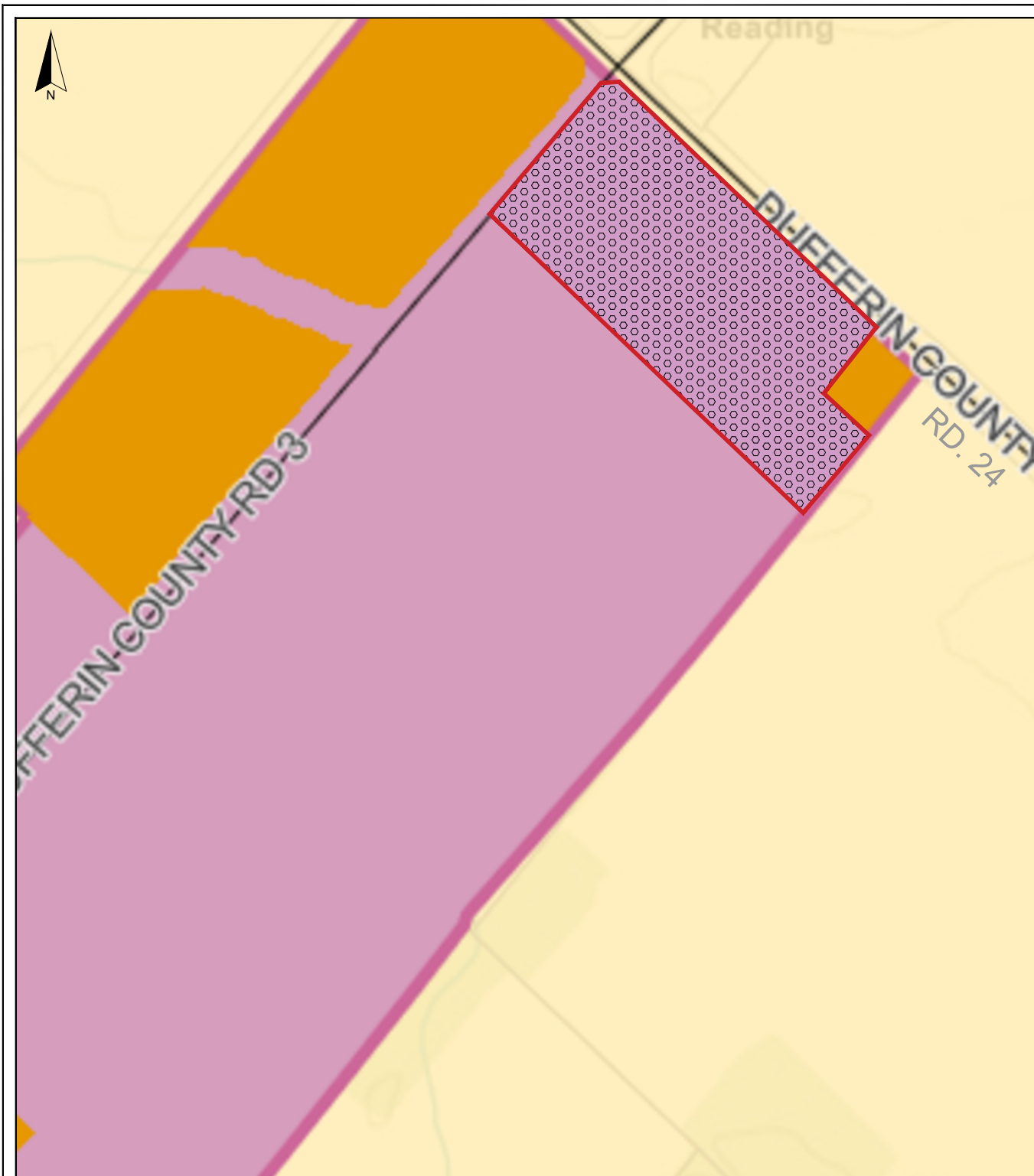
AMENDMENT NUMBER XXX

TO THE OFFICIAL PLAN FOR THE COUNTY OF DUFFERIN

PART C – THE APPENDICIES

8.0 APPENDICIES

- Planning Justification Report, prepared by IPS Consulting and dated April 14, 2026;
- Proposed redline draft plan of subdivision, prepared by IPS Consulting Inc. and dated August 29, 2023;
- Employment Land Conversion Market Commentary, prepared by Tate Research and dated May 4, 2022;
- Employment Land Market Commentary Update, prepared by Tate Research and dated January 30, 2026;
- Hydrogeological Study, prepared by SLR Consulting (Canada) Ltd. and dated March 26, 2026;
- Functional Servicing Report, prepared by Valdor Engineering inc. and dated April 2026.
- Environmental Impact Study, prepared by Cotyledon Environmental Consulting and dated January 19, 2026;
- Traffic Impact Study Addendum Letter, prepared by LEA Consulting Inc and dated March 26, 2026;
- Noise Impact Study Update, prepared by LEA Consulting Inc and dated April 13, 2026; and,
- Stage 1 Archaeology Assessment, prepared by Irvin Heritage and dated March 20, 2020;
- Proof of Stage 1 Archaeology Assessment registration with the Ministry, prepared by Irvin Heritage and dated May 20, 2020;
- Stage 2 Archaeology Assessment, prepared by Irvin Heritage and dated September 12, 2020; and,
- Proof of Stage 2 Archaeology Assessment registration with the Ministry, prepared by Irvin Heritage and dated June 9, 2022.

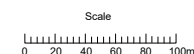


SCHEDULE "A-1" DUFFERIN COUNTY OFFICIAL PLAN AMENDMENT

063076 COUNTY ROAD 3,
IN THE
TOWNSHIP OF EAST GARAFRAXA,
COUNTY OF DUFFERIN

LEGEND

- Subject Site (Area: 5.58 ha)
- Lands to be remove the 'Employment Land Use' and replacing with 'Community Settlement Area'
- 'Employment Land Use'
- 'Community Settlement Area'



Source: Dufferin County, Official Plan Schedule 'B', Community Structure & Land Use, Dated- October 09 2024

Note: Information shown is approximate and subject to change.



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Tel: 905-291-7525
Tel: 905-995-9008

Date: April 01, 2026
File: 19-869

Drawn By: M.D
Checked: B.S | R.C

APPENDIX C

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER XX-2026

**BEING A BY-LAW FOR THE ADOPTION OF AN AMENDMENT TO THE OFFICIAL
PLAN FOR THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
(OFFICIAL PLAN AMENDMENT NUMBER XX)**

1. THAT Official Plan Amendment Number XX (OPA-XX) to the Official Plan of the Corporation of the Township of East Garafraxa being the attached text is hereby adopted.
2. THAT the Clerk is hereby authorized and directed to make an application to the County of Dufferin for approval of the Official Plan Amendment to the Official Plan of the Corporation of the Township of East Garafraxa and to provide such information as required by Section 17 of the *Planning Act*, R.S.O. 1990, c. P.13 as amended.

Enacted and passed this _____ day of _____ 2026.

Mayor

Clerk

AMENDMENT NUMBER XX
TO THE OFFICIAL PLAN
FOR THE
TOWNSHIP OF EAST GARAFRAXA

INDEX

PART A – THE PREAMBLE

- 1.0 LOCATION
- 1.1 PURPOSE OF THE AMENDMENT
- 1.2 BASIS OF THE AMENDMENT

PART B – THE AMENDMENT

- 2.0 INTRODUCTION TO THE AMENDMENT
- 2.1 DETAILS OF THE AMENDMENT
- 2.2 IMPLEMENTATION
- 2.3 INTERPRETATION

PART C – THE APPENDICES

- 3.0 APPENDICES

THE CONSTITUTIONAL STATEMENT

PART A – THE PREAMBLE: The Preamble provides an explanation of Amendment No. XX to the Official Plan for the Township of East Garafraxa, including purpose, location and background information, but does not form part of this amendment.

PART B – THE AMENDMENT: The Amendment, consisting of text, designates the proposed changes to the Official Plan for the Township of East Garafraxa and constitutes Amendment No. XX.

PART C – THE APPENDICES: The appendices, if included herein, provide related information to the amendment but do not constitute part of this Amendment.

AMENDMENT NUMBER XXX
TO THE OFFICIAL PLAN
FOR THE
TOWNSHIP OF EAST GARAFRAXA

PART A – THE PREAMBLE

1.0 LOCATION

This Amendment applies to a part of the lands known as 063076 Dufferin County Road 3 and legally known as ‘Part of Lot 5, Concession 14’ in the Township of East Garafraxa and specifically to the part of the lands containing the ‘Employment’ designation as per Schedule A-1 to the Township Official Plan (the ‘Subject Lands’). The land is located at the southwest corner to the intersection of County Road 3 and County Road 24.

2.0 PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to redesignate the Subject Lands from ‘Employment’ to ‘Community Residential’.

3.0 BASIS OF THE AMENDMENT

The basis for this Amendment is founded on the policy direction of both the Provincial Planning Statement, 2024 (PPS) and the Dufferin County Official Plan (2025), which emphasize the need to appropriately plan for employment areas, ensure land use compatibility, and direct residential growth to designated settlement areas. The redesignation of the ‘Employment’ lands to ‘Community Residential’ is necessary to resolve inconsistencies between the current County Official Plan, the local Township Official Plan, and the PPS, as the Subject Lands do not currently meet the definition of an ‘employment area’ under the *Planning Act* or the PPS.

Specifically, this Amendment is supported by the following policy assessments:

The Planning Act

- **Definition of Area of Employment:** Subsection 1(1) of the *Planning Act* defines an ‘area of employment’ as an area designated for clusters of business and economic uses (such as manufacturing, warehousing, and associated retail/office) and strictly excludes institutional and commercial uses that are not associated with the primary

employment uses. However, the Township of East Garafraxa Official Plan continues to contain policies permitting standalone commercial, retail, office, and institutional uses within its Employment areas. Because these permitted uses directly contradict the *Planning Act* definition, the lands currently designated as ‘Employment’ are not considered a valid ‘Area of Employment’ under the *Act*.

- **Matters of Provincial Interest (Section 2):** The proposed redesignation directly supports multiple provincial interests under Section 2 of the *Act*:
 - **Appropriate Location of Growth (p):** If the Subject Lands were restricted strictly to the industrial uses mandated by the *Act*, it would result in incompatible development (generating noise, odour, and heavy traffic) immediately adjacent to sensitive uses, including an existing draft-approved residential community and a public school. Expanding the compatible residential built-form is the appropriate location for growth.
 - **Adequate Employment Opportunities (k):** Market analysis demonstrates the Township holds a surplus of 14.8 hectares of employment lands; therefore, the removal of this 5.44-hectare parcel will not jeopardize the adequate provision of employment opportunities.
 - **Housing and Orderly Development (h, j):** The development facilitates the orderly expansion of a safe, healthy residential community and provides a full range of housing by addressing a documented deficiency in designated residential lands within the Township.
 - **Infrastructure and Economic Well-Being (e, f, l):** The compact residential expansion efficiently utilizes existing and planned infrastructure, such as the municipal water system, representing an efficient use of resources that protects the financial well-being of the municipality without creating unanticipated infrastructure burdens.
 - **Protection of Ecology and Heritage (a, d):** Supported by Environmental and Archaeological assessments, the development poses no threat to significant natural features, species at risk, or archaeological resources.

Provincial Planning Statement (PPS) Consistency

- **Employment Area Assessment and Removal (PPS Policies 2.8.2.4 and 2.8.2.5):** Neither the County nor the Township has completed the mandated conformity exercise to assess existing employment lands against the updated 2024 PPS definition of employment area. While employment area conversion criteria are

inapplicable due to basis of the Subject Lands not considered employment area as per the PPS, consideration is given to the conversion criteria under PPS Policy 2.8.2.5 in the absence of an alternative. Similar criteria are found under the County Official Plan Policy 3.6.2.b). One of the conversion criteria set out in PPS Policy 2.8.2.5 is ensuring that the municipality has sufficient supply of employment lands that supports the long-term employment growth. Tate Economic Research Inc. confirms that the Township holds a surplus of 15.58 hectares of employment lands and a deficit of residential lands. The removal of this 5.44-hectare employment block is justified as it is not needed for long-term employment and will not negatively impact the municipality's overall economic viability.

- **Land Use Compatibility and Transition (PPS Policies 2.8.2.3 and 3.5):** Policies 2.8.2.3 and 3.5 require planning authorities to protect employment areas by prohibiting sensitive land uses and to avoid, minimize, or mitigate adverse effects from odour, noise, and other contaminants. The Subject Lands are immediately surrounded by sensitive land uses, including an Ontario Land Tribunal (OLT) draft-approved residential community and the East Garafraxa Public School. The introduction of industrial functions would result in unavoidable land use conflicts where impact mitigation is not feasible without raising viability concerns with the employment lands.
- **Settlement Area Growth and Housing (PPS Policies 2.1.4 and 2.3.1):** The PPS directs that settlement areas shall be the primary focus of growth and mandates that municipalities maintain sufficient land to accommodate residential expansion. Removing the employment designation will facilitate the logical, orderly expansion of the adjacent 58-lot residential subdivision. This optimizes the use of existing and planned infrastructure, such as the Marsville municipal water system, while actively addressing the Township's housing shortfall.

County Official Plan Policy Assessment

- **Employment Area Removal Criteria (Policy 3.6.2.b):** In the absence of an updated County Land Needs Assessment and land use policies that conforms to the 2024 PPS employment definition, the employment lands on the Subject Lands are considered not employment area. While employment area conversion criteria are inapplicable due to basis of the Subject Lands not considered employment area, consideration is given to the conversion criteria under County Official Plan Policy 3.6.2.b) in the absence of an alternative. The Subject Lands satisfy these criteria because they are not required over the long term, avoidance of impacts to adjacent sensitive uses is impossible, existing planned infrastructure (municipal water) is available, and the

municipality has a documented surplus of employment lands to accommodate projected job growth.

- **Community Settlement Areas (Policy 3.3.3):** The Subject Lands are located within the Marsville Community Settlement Area on Schedule B of the County OP. Under Policy 3.3.3, Community Settlement Areas are intended to experience growth through appropriate infilling and plans of subdivision, with the specific goal of evolving as residential and service centres that maintain a rural settlement scale. Developing employment lands—which strictly require industrial functions under the updated PPS—hinders the ability to achieve these residential objectives, as rural settlement areas are not appropriate locations for heavy industrial uses.
- **Growth Projections and Policy Gaps:** The County OP tasks the Township of East Garafraxa with accommodating a projected growth of 1,000 people and 300 jobs by 2051. Updated market commentary confirms the Township has a deficit in residential land and a surplus of employment land; therefore, redesignating this parcel supports the County's population growth targets without jeopardizing job allocations. Furthermore, the County OP lacks specific land use policies or permitted uses for employment areas. This policy gap necessitates alignment with Provincial definitions.

Township Official Plan Policy Assessment

- **Inconsistent Employment Policies (Policies 5.5.1, 5.5.2, 5.5.3):** The Township's 2004 Official Plan policies for employment areas permit standalone commercial, retail, and institutional uses, which directly conflict with the updated 2024 PPS definition of an employment area. If restricted strictly to PPS-compliant industrial uses, the permitted functions would introduce heavy industrial impacts that are incompatible with the planned residential context. Additionally, the OP encourages 'dry industrial' uses, which is misaligned with the reality of the Marsville Community, which operates on municipal water services.
- **Settlement Area Growth (Policy 3.2.1):** The Subject Lands are located within the Marsville Community Settlement Area, which the Township Official Plan identifies as the focus for residential growth. Removing the employment designation to extend residential permissions facilitates cost-effective development that utilizes existing and planned infrastructure, supporting an efficient use of land.
- **Land Use Compatibility (Policies 4.2 and 5.5.7):** Policy 4.2 encourages economic and social development that is compatible with existing development. Industrial and employment uses on the Subject Lands would create significant land use conflicts

with the immediately adjacent draft-approved residential neighborhood and East Garafraxa Public School. Furthermore, Policy 5.5.7 requires that employment uses mitigate and minimize noise, visual, traffic, and pollution impacts on adjacent sensitive uses. The required mitigation would be nearly impossible without raising severe viability concerns for the site, potentially sterilizing the land indefinitely.

- **Source Water Protection (Policies 5.10.4 and 5.10.5):** The Subject Lands fall within a Wellhead Protection Area (WHPA-B). While residential development on partial services is compatible with Source Water Protection objectives, industrial uses could introduce activities that qualify as significant drinking water threats, making employment uses unfeasible on the site.

Accordingly, the proposed removal of the 'Employment' and replacement with the 'Community Residential' designation over the Subject Lands represents a more appropriate land use framework. The Amendment facilitates development that is compatible with the surrounding context.

Overall, the proposed Amendment is consistent with the Provincial Planning Statement, as it promotes compatibility, supports appropriate land use planning, and directs growth to settlement areas in a manner that reflects the existing and planned context.

AMENDMENT NUMBER XXX

**TO THE OFFICIAL PLAN
FOR THE
TOWNSHIP OF EAST GARAFRAXA**

PART B - THE AMENDMENT

2.0 INTRODUCTION OF THE AMENDMENT

The Amendment redesignates 5.82 ha of the Subject Lands from 'Employment' to 'Community Residential' in the Township Official Plan.

2.1 DETAILS OF THE AMENDMENT

The Official Plan for the Township of East Garafraxa is hereby amended as follows:

1. Schedule 'A-1' to the Official Plan of the Township of East Garafraxa is amended for lands municipally known as 063076 Dufferin County Rd 3 and legally known as Part of Lot 5, Concession 14 from 'Employment' to 'Community Residential' as shown of Schedule 'A' attached to this by-law.

2.0 IMPLEMENTATION

Section 9 'Implementation' of the Official Plan Shall apply to the implementation of this Amendment.

3.0 INTERPRETATION

The provisions of the Official Plan, as amended from time to time, regarding the interpretation of the Plan, shall apply with respect to this Amendment.

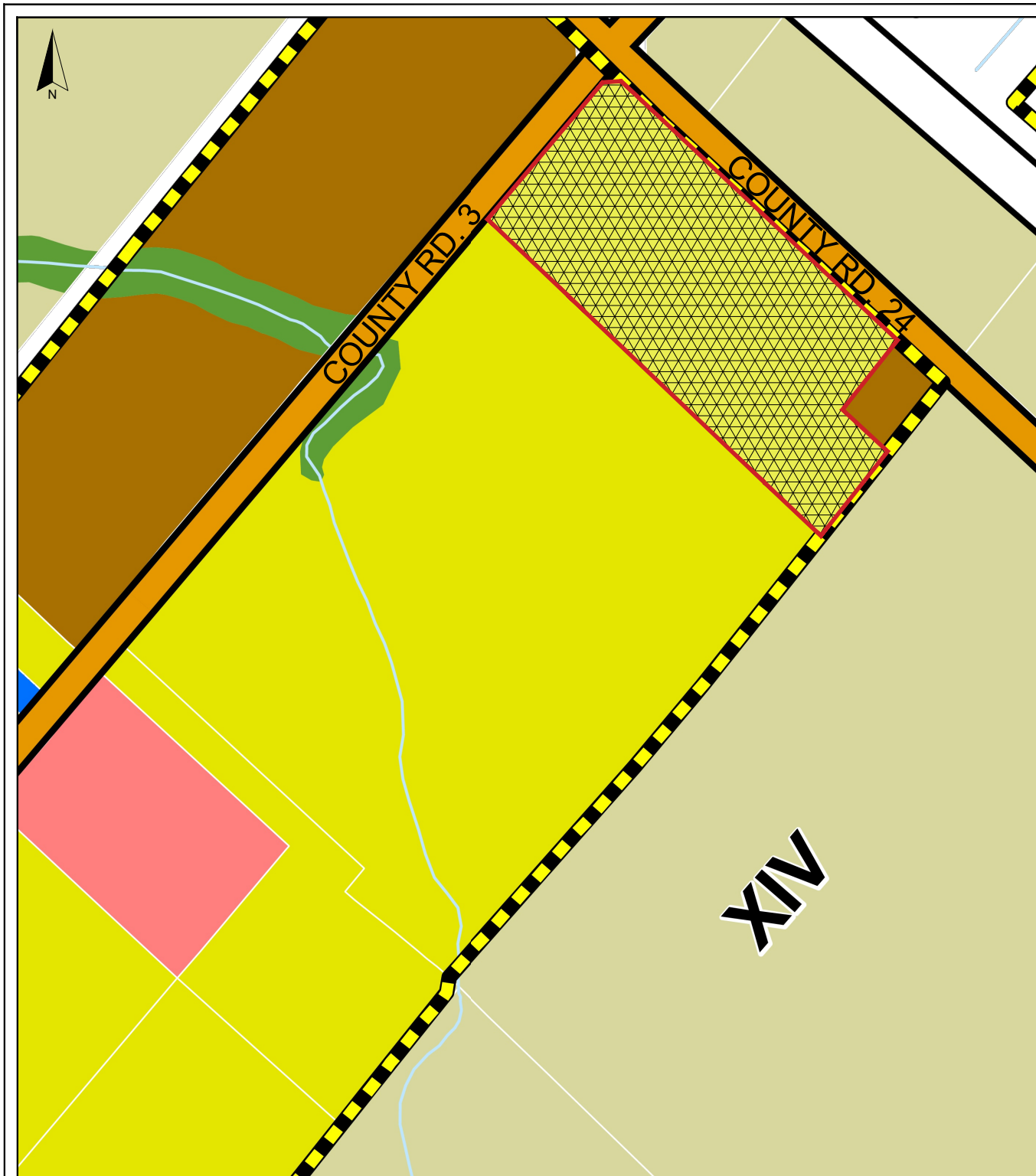
AMENDMENT NUMBER XXX

**TO THE OFFICIAL PLAN
FOR THE
TOWNSHIP OF EAST GARAFRAXA**

PART C – THE APPENDICES

3.0 APPENDICES

- Planning Justification Report, prepared by IPS Consulting and dated April 14, 2026;
- Proposed redline draft plan of subdivision, prepared by IPS Consulting Inc. and dated August 29, 2023;
- Employment Land Conversion Market Commentary, prepared by Tate Research and dated May 4, 2022;
- Employment Land Market Commentary Update, prepared by Tate Research and dated January 30, 2026;
- Hydrogeological Study, prepared by SLR Consulting (Canada) Ltd. and dated March 26, 2026;
- Functional Servicing Report, prepared by Valdor Engineering inc. and dated April 2026.
- Environmental Impact Study, prepared by Cotyledon Environmental Consulting and dated January 19, 2026;
- Traffic Impact Study Addendum Letter, prepared by LEA Consulting Inc and dated March 26, 2026;
- Noise Impact Study Update, prepared by LEA Consulting Inc and dated April 13, 2026; and,
- Stage 1 Archaeology Assessment, prepared by Irvin Heritage and dated March 20, 2020;
- Proof of Stage 1 Archaeology Assessment registration with the Ministry, prepared by Irvin Heritage and dated May 20, 2020;
- Stage 2 Archaeology Assessment, prepared by Irvin Heritage and dated September 12, 2020; and,
- Proof of Stage 2 Archaeology Assessment registration with the Ministry, prepared by Irvin Heritage and dated June 9, 2022.

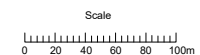


SCHEDULE "A" **(LAND USE) OFFICIAL** **PLAN AMENDMENT**

063076 COUNTY ROAD 3,
 IN THE
 TOWNSHIP OF EAST GARAFRAXA,
 COUNTY OF DUFFERIN

LEGEND

- Subject Site (Area: 6.18 ha)
- Lands to be re-designated from 'Employment' to 'Community Residential'
- 'Community Residential'
- 'Employment'



Source: Township of East Garafraxa, Official Plan Schedule 'A-1', May 2025 Marsville, Land Use and Transportation

Note: Information shown is approximate and subject to change.

IPS INNOVATIVE PLANNING SOLUTIONS PLANNERS • PROJECT MANAGERS • LAND DEVELOPMENT	647 WELHAM ROAD, UNIT 9, BARRIE, ON, L4N 0B7 3800 STEELS AVE. W. SUITE 200W, VAUGHAN, ON, L4L 4G9 8925 WOODBINE AVE. SUITE 405, MARKHAM ON L3R 9W9 www.ipsconsultinginc.com info@ipsconsultinginc.com	Tel: 705-812-3281 Tel: 905-291-7525 Tel: 905-995-9008
	Date: April 01, 2026 File: 19-869	Drawn By: M.D. Checked: B.S R.C.

APPENDIX D

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER 2026-____

Being a By-law to further amend Zoning Bylaw 60-2004, as amended, to rezone the lands described as 063076 Dufferin County Rd 3 and legally known as “Part of Lot 5, Concession 14” in the Township of East Garafraxa.

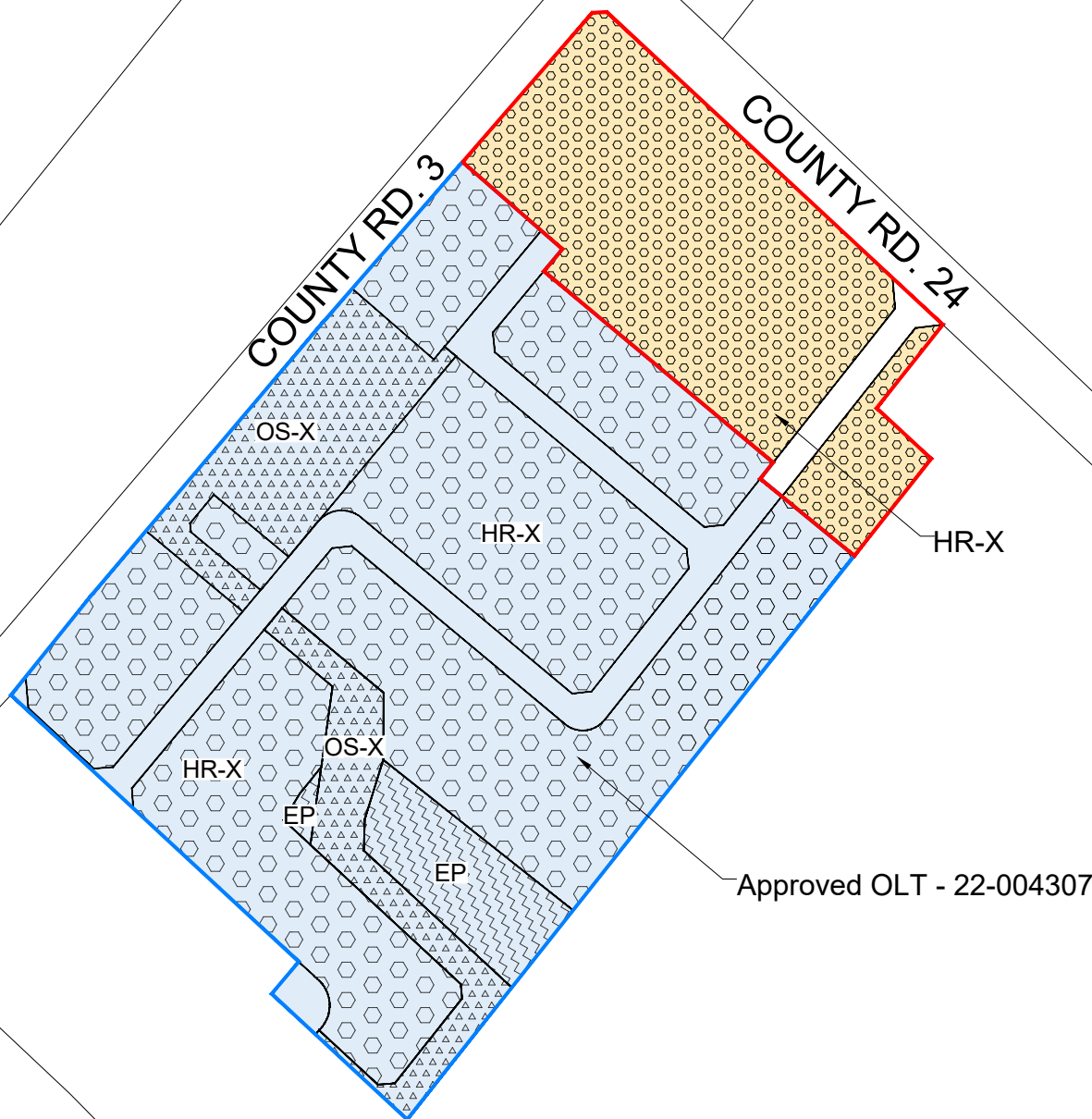
WHEREAS the Council of the Corporation of the Township of East Garafraxa is empowered to pass By-laws to regulate the use of land pursuant to Sections 34 of The *Planning Act*, 1990, as amended;

AND WHEREAS the owner of the lands municipally known as 063076 Dufferin County Rd 3 and legally described as Part of Lot 5, Concession 14, Township of East Garafraxa has filed an application with the Township of East Garafraxa to amend By-law Number 60-2004, as amended (Township File No. XXXX);

AND WHEREAS the Township of East Garafraxa has proposed to further amend By-law 60-2004, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:

1. THAT Schedule “A-1” to By-law 60-2004, as amended, is further amended by rezoning the subject lands described Part of Lot 5, Concession 14, identified on Schedule “A-1” to this By-law, from Rural Exception X (RU-X) Zone to the following zones:
 - a. Hamlet Residential Exception X (HR-X)
2. In all other respects, the provisions of this By-law shall apply.
3. This by-law shall take effect from the date of final passing thereof, providing no appeal has been filed pursuant to Section 34, Subsection (19) of the *Planning Act*, 1990, as amended. Where objections to the by-law are received in accordance with provisions of the Planning Act, the by-law shall come into effect upon approval of the Ontario Land Tribunal.



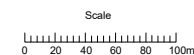
SCHEDULE "A-1" ZONING BY-LAW AMENDMENT

063076 COUNTY ROAD 3,
IN THE
TOWNSHIP OF EAST GARAFRAXA,
COUNTY OF DUFFERIN

LEGEND

- Subject Site (Area: 5.82 ha)
- Lands to be rezoned from 'Rural (R)' zone to 'Hamlet Residential with Exceptions (HR-X)' zone
- As Approved by OLT - 22-004307 -
 - HR-X
 - OS-X
 - EP

Approved OLT - 22-004307



Source: Township of East Garafraxa Zoning By-Law 60-2004,
Schedule 'A-1' Marsville, Office Consolidation April 2011
Note: Information shown is approximate and subject to change.



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647 WELHAM ROAD, UNIT 9, BARRIE, ON, L4N 0B7
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8020 WOODBINE AVE., SUITE 405, MARKHAM ON L3R 9W9
www.ipsconsultinginc.com info@ipsconsultinginc.com

Tel: 705-812-3281
Tel: 905-291-7525
Tel: 905-995-9008

Date: April 06, 2026
File: 19-869

Drawn By: M.D.
Checked: B.S | R.C.

APPENDIX E

RE: Meeting inquiry - Sunray Marsville Project

From Liam Morgan <lmorgan@dufferincounty.ca>

Date Tue 2026-03-24 9:58 AM

To Bishoi Shinoda <bshinoda@ipsconsultinginc.com>

Cc Darren Vella <dvella@ipsconsultinginc.com>

 1 attachment (35 KB)

County of Dufferin_OPA_Template.docx;

Hi Bishoi,

Great chatting with you yesterday.

I concur with all of the details provided below, and as requested, please find attached the template for a County of Dufferin OPA. I will also note that when reviewing the application, planning staff will also rely upon the employment removal policies provided in the PPS, 2024, in addition to those provided under section 3.6.2.b) of the County Official Plan.

Best regards,

Liam Morgan, MCIP, RPP | Acting Planning Manager | Development and Tourism

County of Dufferin | Phone: 519-941-2816 Ext. 2511

lmorgan@dufferincounty.ca | 55 Zina Street, Orangeville, ON L9W 1E5

Dufferin County administrative staff are moving to a new office space! As of September 2, 2025, Building Services can be accessed at 55 Zina Street on the second floor. Please note that building access is temporarily restricted to the doors at 10 Louisa Street (Orangeville Court House). For more details, please visit [our website](#).

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From: Bishoi Shinoda <bshinoda@ipsconsultinginc.com>

Sent: Monday, March 23, 2026 2:04 PM

To: Liam Morgan <lmorgan@dufferincounty.ca>

Cc: Darren Vella <dvella@ipsconsultinginc.com>

Subject: Re: Meeting inquiry - Sunray Marsville Project

Hi Liam:

Thank you for taking the time to connect. I am providing the key takeaways below from today's meeting. Please review and confirm **(Action #1)** that the takeaways/statements below are accurate.

- The Official Plan copy on the County's page [here](#) is inclusive of County OPAs #2, 3 & 4 as approved MMAH (inclusive of MMAH modifications);
- The County is undertaking a County initiated OPA#5, which is to include a Land Needs Assessment as well as a Natural Heritage Assessment;
 - The target completion for the County OPA #5 is April 2027;
- The current Official Plan does not include designation policies references to Employment Land Use;
- The current Official Plan only reference Employment Land Use areas in the Schedules;
 - In this case, the relevant schedule is Schedule B - Community Structure and Land Use, which shows the Marsville Community;
- The Applicant's County OPA would be classified as Removal of Employment Lands and not conversion;
 - That being said and given the absence of removal criteria under the current County Official Plan, the Applicant's County OPA to remove Employment Land Use designation will be evaluated against the criteria found under Policy 3.6.2.b), which are the criteria for Employment Land Conversion;
- Land Use Compatibility Study is no longer required;
- Minimum Distance Separation Assessment is no longer required; and,
- The target submission for the Applicant's County OPA is before April 22nd, 2026.

As also mentioned at the meeting, would you be able to provide a template of a County OPA instrument that we may utilize for our submission, please **(Action #2)**?

If you have any questions, do not hesitate to contact me via phone or email. Thank you and looking forward to hearing back from you.

Thanks



Bishoi Shinoda, PMP, RPP, MES, CVT

SENIOR PLANNER

bshinoda@ipsconsultinginc.com | Cell # 647-784-1920



Barrie 705-812-3281 **Vaughan** 905-291-7525 **Markham** 905-595-9008 Ext- 44