

AMENDMENT NUMBER XXX

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

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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.

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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.

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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.

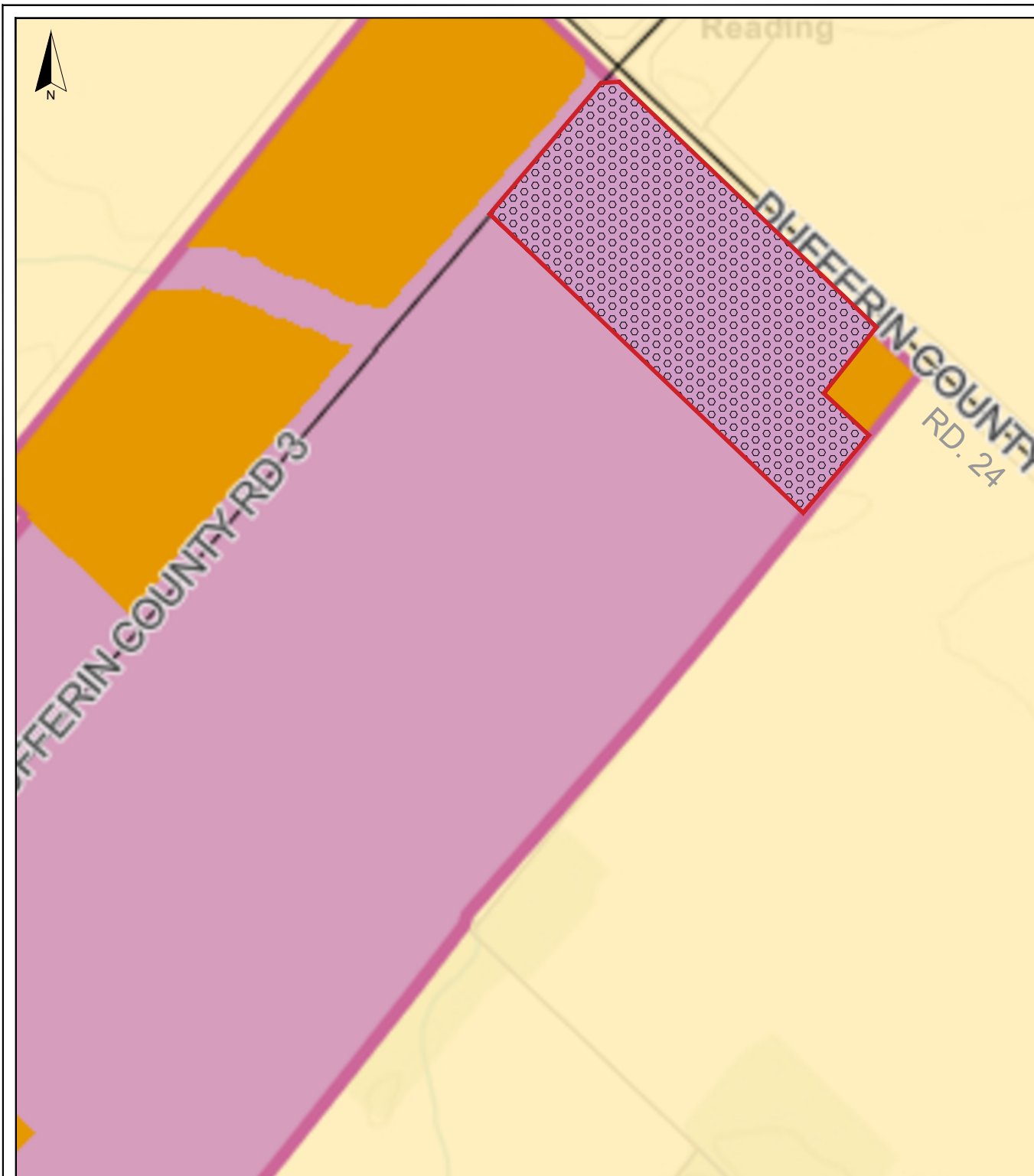
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TO THE OFFICIAL PLAN FOR THE COUNTY OF DUFFERIN

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.

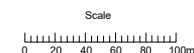


SCHEDULE "A-1" DUFFERIN COUNTY OFFICIAL PLAN AMENDMENT

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.

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	