

Chipwoods Comment Responses – GSAI/Township/County			
County Comment (NOVEMBER 13 2025)	GSAI Response (DECEMBER 24 2025)	New County Response (FEBRUARY 5 2026)	New GSAI Response (FEBRUARY 24 2026)
County Comment #1 – County Growth Forecasts, Official Plan Amendment#5 Updates – Cleared	Per Dufferin County staff report 2025-023, we understand that there is an expected 10% increase in County growth projections that may have notable implications to current settlement area boundaries and their ability to absorb expected growth.	No comments.	• Comment acknowledged and addressed.
County Comment #2 – Previously Developed Area In the last paragraph on page 40, it is outlined that the proposed development will provide 224 new affordable homes over a 5-year period, which is close to the entire residential dwelling demand (227) required for Melancton until 2051, as identified in the County’s most recently completed Land Needs Assessment (LNA). The County does have concerns with maximizing the Township’s projected residential demand to 2051 for a development that proposes the establishment of a new settlement area and not the expansion of an existing settlement area. This fact is also concerning because section 3.0 of the County Official Plan explicitly states that “the majority of future growth will be directed to urban settlement areas with full municipal services, and to a lesser extent to the community settlement areas that can	...We suggest that the subject property remains a suitable opportunity to establish a Community Settlement Area, given the existing site characteristics and the protections and enhancements offered, the existing community and the ability to immediately provide affordable housing in a new type of tenure through the proposed leasehold condominium, thereby contributing to a mix of housing options in the County’s housing stock. The proposed housing type meets County housing goals and addresses the housing focus and directives of the PPS. The PPS specifically states that new Housing Options are to be provided through the redevelopment of previously developed areas, and in a range and mix of housing options...	I am hesitant to refer to the existing lands as a " previously developed area ". Development, under the County Official Plan, is defined as “ <i>the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act</i> ”. While it is understood that what is being proposed addresses that definition, the existing conditions of the site, in our opinion, don't necessarily reflect that of a " previously developed area " being that not one of the three (3) criteria of development are achieved.	Definition of Previously Developed Area: • Consider 2023 Landlord Tenant Board decision that recognized permanent residents on site • Consider 1979 ZBLA that introduced trailer park permissions in the OS1 zone (ex. change in land use) • Consider access easement approved under Planning Act authority (Bylaw 9-1993) • Consider existing site servicing (indicator of existing development) • Planning Act Site Plan Control 41(1) defines “<u>development</u>” as: <i>the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in subsection 164 (4) of the Municipal Act, 2001 or subsection 3 (1) of the City of Toronto Act, 2006, as the case may be, or of sites for the location of three or more mobile homes as defined in subsection 46 (1) of this Act or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of this Act.</i> ○ <u>Exception 41(1.3):</u> The definition of “development” in subsection (1) includes the construction, erection or placing of a land lease community home, as defined

<i>accommodate additional growth</i>". This proposed development directly contradicts this assertion.			<i>in subsection 46 (1), on a parcel of land that will contain any number of residential units</i> ○ <u>Subsection 46(1)</u>: "<i>Mobile Home</i>" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed; <u>Direction of Residential Growth</u> • Regarding the November 2025 County comment, our interpretation is that the proposal <i>does</i> maintain and <i>does not</i> contradict the intent of COP section 3.0. On review of COP Table 3.2a, the COP currently directs a majority of future growth to urban settlement areas. The Proposal only represents only 0.01% of overall future County growth and does not contradict COP direction. • Please refer to February 2026 GSAI response to County comment #5 for further detail on COP section 3.0
County Comment #3 – School Capacity and Phased Progression of Urban Development In the analysis conducted on pages 48-60, the applicant planner determines that all policies of the Provincial Planning Statement, 2024 ('PPS, 2024') have been conformed to. Through our review, questions still remain with respect to section 2.3.2 of the PPS, 2024, specifically that of subsections b) and g), which are outlined below for reference. As it pertains to subsection b), there is no extensive discussion on whether capacity exists at existing public service facilities, especially local schools. The County would, therefore, request that additional information be provided in the PJR that discusses whether there is capacity at existing	... Regarding 2.3.2(b), and as discussed in Section 3.2 of the PJR, public service facilities, including area schools, are available to service the proposed redevelopment. We note that the definition for "public service facilities" in both the PPS and COP encompasses services beyond area schools, and a detailed list of these services is provided in the submitted PJR. "Public Service Facilities" are defined as "<i>land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, longterm care services, and cultural services.</i>" If detailed information on the capacity of any specific services is not available, we are open to discuss further based on the County's review and	School Capacity In the comments provided by DPCDSB, which was the only school board to provide comments, it was indicated that currently both the elementary and secondary schools are above existing capacity. DPCDSB does note that sufficient accommodation may not be able available for the anticipated students to arise from this development.	• DPCDSB comments only note projected student yield, existing conditions, and a request for warning clauses. They also note portables and bussing accommodations may be made for students as needed. ○ Yield: 22 JK-Gr.8, 7 Gr.9-12 • Suggest the proposal generates revenue to support increased public services (tax, DCs) • DPCDSB is not opposed to the proposed redevelopment

public service facilities that could address the additional constraint 224 new residential units would have on the Melancthon and surrounding municipalities. Further, the planning division does not believe that the consultants assertion that the redevelopment is a continuation of an existing residential use provides strong reasoning to addressing subsection g). Further clarification on how this settlement area would represent a phased progression of urban development in Dufferin and the Township of Melancthon is required. <i>b) 'If there is sufficient capacity in existing or planned infrastructure and public service facilities' (PPS)</i> <i>g) 'The new or expanded settlement area provides for the phased progression of urban development' (PPS)</i>	identification of a particular service that does not have capacity... ...Regarding (g), the proposed redevelopment considers phasing in three respects: a continuation and intensification of the existing residential use on site; a phased redevelopment plan to logically guide the redevelopment of existing disturbed, internal lands; and the location of the subject property between existing settlement areas of Shelburne and Hornings Mills. With respect to point three above, the proposed redevelopment is locationally suited for growth as it is between two existing settlement areas generally connected by Third Line. The proposed redevelopment would result in the provision of efficient, cost-effective housing that will not be inefficiently stretching municipal resources into otherwise unserved or isolated rural areas...	Phased Progression of Urban Development In our opinion, the "phased progression of urban development" would reflect a pattern in which there is currently substantive development in the surrounding area beyond that of the site. An example of this would be the area surrounding the Mansfield Ski Club in Mulmur. This area is not currently designated as a <i>Settlement Area</i>; however, it has the existing development that would facilitate a more phased progression of urban development.	<u>Phased Progression of Urban Development</u> • Phasing is not a defined term in the PPS nor the COP (no policy states “<i>a pattern in which there is currently substantive development in the surrounding area beyond that of the site</i>” ○ COP policy 3.5.1 (Settlement Area Expansions) does state: “<i>The timing of the expansion and <u>phasing</u> of development will not adversely affect the achievement of the County’s intensification target, and policies and the density target and policies for the designated greenfield areas</i>” ○ Proposal does not adversely affect intensification target (represents 0.01% of the County’s 2051 population forecast). • We maintain that phasing is provided for through: ○ continuation of previously developed area (refer to discussion of “previously developed area” through Comment #2 above) ○ an internal phasing plan within the proposal (40-50 units/year) ○ Connection along 3rd Line to existing development areas in Shelburne and Horning’s Mills <u>PPS Interpretation</u> • Request clarification if and why 2.3.2(g) is critical to staff • Note that PPS policies require <u>consistency</u> ○ must ensure that PPS policies are applied as an essential part of decisions on land use planning matters ○ less stringent than conformity ○ suggest sufficient justification has been provided for test of <i>consistency</i> • PPS section 2.3.2 only requires <u>consideration</u> of criteria when identifying CSAs. Suggest 2.3.2(g) has been duly considered within rural context
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County Comment #4 – Provide for a Greater Mix of Land Uses, Unit Options, Complete Communities and Active Transportation

Further, section 2.3.1.2 of the PPS, 2024 states that “*land use patterns within settlement areas should be based on densities and a mix of land uses*”. In reviewing the proposed concept plan, the mix of land uses is minimal, in fact, the proposed development largely contains residential dwellings. The planning division would suggest that the applicant revise the concept plan to incorporate a greater mix of land uses to address that policy of the PPS, 2024. In addition, subsections c) – e) are minimally discussed in the analysis section provided on page 52. of section 2.3.1.2. The planning division, therefore, requests that additional information be provided on how those subsections are addressed by the proposed development

...As cited from the same section of the PPS (Settlement Areas), Section 2.3.1 of the PPS further states that “*Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*” The proposed redevelopment will specifically contribute a range and mix of housing options, as well as amenity space for residents that provides basic commercial needs including a tuck shop and recreational services. The PPS also states that “*Complete communities are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations*”. We additionally note that section 2.3.1.2 discusses density, not just a mix of land uses, and the proposed redevelopment represents an appropriate density (approximately 6 units per gross hectare) for a settlement area in the context of the previously disturbed and occupied subject property...

Range and Mix of Housing Options

When interpreting the concept of "a range and mix of housing options" it is our understanding that this would reflect an area whereby there are low-rise, mid-rise, affordable, market-based, etc. unit options. While we appreciate the focus on affordable homes, the idea, in our opinion, that this community would be providing a "range and mix of housing options" does not seem to be accurate.

In reviewing Appendix F and H of the PJR, the styles of homes being offered are largely single-family detached homes. It is our understanding, based on the Concept Plan, that this is the only type of residential housing that is to be provided. Given that, our team does not believe that this development would actually provide a "range and mix of housing options" being that the proposed new *settlement area* would only include the subject lands and not any additional lands surrounding the property.

Complete Communities

It is also critical to focus on the first part of the definition of "complete communities", as per the PPS. The first section of this definition reads as follows:

Housing Options

- Per County feedback, the revised concept provides **five (5) housing options** within the PPS definition (single detached, townhouse, affordable, tiny home, land lease)
- “Tiny Home” is not defined but suggest 600 sq.ft. meets criteria and is a unique housing option
- Also facilitates age-friendly options (1-2 storey ground related homes)
- Affordable housing is underrepresented in County (refer to Corporate Strategic Plan, Master Housing Strategy, 10-Year Housing and Homelessness Plan, Homelessness Task Force)
- Understand County goal is complete community and a mix of housing types within the proposed CSA, but we also suggest its important to consider the existing housing stock in the greater area (ex. primarily larger single detached, rural estate lots) and the value of providing relatively diverse forms
- (PPS) Housing options: *means a range of housing types such as, but not limited to **single-detached**, semidetached, rowhouses, **townhouses**, stacked townhouses, multiplexes, additional residential units, **tiny homes**, laneway housing, garden suites, rooming houses and multi-residential buildings, including low-and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, **land lease community homes**, **affordable housing**, additional needs housing, multigenerational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or institutional uses, such as long-term care homes.*

Complete Communities

- Proposal provides the below to meet definition of “complete communities”:
 - Equitable access (affordable, senior-oriented unites, accessible active transportation network)
 - Range of housing options

		<i>Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a fully range of housing, transportation options, public service facilities, local stores and services.</i>	○ Active transportation network (sidewalks and bicycle infrastructure) ○ Commercial uses (central commercial area) ○ Recreational uses (central recreation area and three parkettes) ○ On-site employment (local commercial, maintenance, admin, home occupation, construction) ● Suggest the implementing OPA/ZBA could include flexible permissions for other appropriate employment (ex. home office, home business)
	...Regarding subsection c), which refers to active transportation, the proposed redevelopment supports active transportation as a continuous 1.5 metre sidewalk connects all areas internal to the proposed redevelopment. All units and all amenity spaces are connected to the internal active transportation network. The proposed redevelopment will allow existing and new residents to enjoy an active, rural lifestyle while creating a sense of community and ownership. As presented in Section 3.2 of the Planning Justification Report, numerous parks, recreation centres and community halls exist in the surrounding area. Chipwoods Park intends to provide for a refurbished community hub/recreation centre with the proposed redevelopment and add to these available services for the immediate community and area at large...	Active Transportation The County appreciates the inclusion of active transportation measures within the proposed development area. Where our concern lies is with the broader active transportation network and how future potential residents can access those amenities you mentioned that are present in the surrounding areas without the use of car? In our high-level understanding on the conditions of 3rd Line, it is unlikely that active transportation measures could be utilized on this municipal road.	Active Transportation ● Accessible active transportation network proposed internally (1.5m connected sidewalk, bicycle parking) ● External connections can be provided by municipality ○ Consider funding through DCs, property tax ● 2025 Community Meeting raised community desire for active transportation on 3rd Line ● Dufferin County offers alternative transportation options to access amenities: ○ Dufferin County Community Support Services (door-to-door transport to medical services) ○ Wellington-Dufferin Student Transportation Services (school bus service for students) ○ Shelburne Transporter (door-to-door transport to medical services, servicing greater County area) ○ Orangeville and Shelburne Taxi services ○ Dufferin County Early Years (children/caregiver transportation) ○ Home at Last (hospital transport and recovery services) ○ Existing Transit options within Shelburne and Orangeville (including GO connection at Orangeville) ○ Potential future Transit options linking Bruce/Dufferin/Grey/Wellington Counties ● Owners can commit to a car-share service on site

County Comment #5 – CSAs “shall” be the focus of growth and development
Section 2.5.2 of the PPS, 2024, states that *“in rural areas, rural settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted”*. The Township of Melancthon currently has three (3) rural settlement areas and, as such, it is the belief of the planning division for this policy of the PPS, 2024 to be maintained any growth and development should occur in these areas. In our opinion, the establishment of a new settlement area in Melancthon would directly contradict this objective of the PPS, 2024

...We do not agree that the creation of a new community settlement area would prevent the growth and development of existing settlement areas in the Township. This application was made by a landowner ready and able to build affordable housing now within an existing community which does not (yet) have a settlement area designation, and this development is based in the current site context and the opportunity it represents. The County should continue to advance this proposal on its planning merits, rather than focusing on rationale that future development should only occur in an existing settlement area; this will only result in the loss of opportunity to provide affordable housing units...

PPS – CSA Shall be...
In our opinion, the "planning merits" of the application would also include consistency with the PPS and all overarching planning policies. Being that the section 2.5.2 of the PPS, 2024, uses positive directive in the form of "shall", it is our understanding that there is little discretion to be had when it comes to that policy. This is further affirmed by the fact that the PPS, 2024 states under the section titled, "How to Read the Provincial Planning Statement", that "there is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation, or prohibition.

- PPS Interpretation:**
- With discussion of “previously developed area” above, this is a proposed **re**development of existing disturbed lands
 - Agreed in how to read “shall” but note that “focus” and “promoted” are not affirmative.
 - Note “Focus” not a defined term
 - Note PPS does not state “exclusive” focus of growth
 - Note PPS does not state “existing” settlement areas
 - Continue to suggest the proposal does not prevent the County to focus development within settlement areas (proposal is only 0.01% of future growth forecast and includes self-contained servicing.)
 - Note that PPS test is “consistency”
 - must ensure that PPS policies are applied as an essential part of decisions on land use planning matters
 - less stringent than conformity
 - suggest sufficient justification is provided for test of *consistency*
 - Note PPS also states: *“The Provincial Planning Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. **When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together.**”*
 - Suggest a justifiable balance with other PPS policy that encourages development of affordable housing, redevelopment of existing areas and brownfield sites

- Direction of Residential Growth**
- COP growth management policy provides for focused growth in settlement areas but does exclude population growth outside of existing settlement areas
 - COP policy 3.2.2(b): *“The majority of future growth will be directed to the County’s three urban settlement areas which include the: Town of Orangeville, Town of Shelburne and Town of Grand Valley urban area.”*

			• COP policy 3.2.2(c): “The allocation of future population growth is intended to be accommodated as a <u>first priority</u> within the urban settlement areas” ○ Table 3.2a forecasts a 79% majority of growth to the urban settlement areas, and remaining 21% to Townships ○ Proposal represents 0.01% of overall future County growth to 2051. Suggest “majority” and “first priority” of future growth to USAs is maintained. ○ Table 3.2a forecasts 1,100 people to Melancthon by 2051. The proposal represents 36% of that growth (400 people) ○ We suggest the proposal maintains and does not contradict the intent of COP section 3.0 • We maintain our previous comments: ○ County/Melancthon is experiencing very limited development and there is opportunity for growth; ○ Client is positioned to advance development now ○ Proposal supports affordable housing ○ Proposal is consistent with PPS ○ The County’s Growth Management strategy considered servicing capacity when allocating population growth to settlement areas – but we suggest that since the site proposes self-contained servicing it would not significantly impact servicing capacity and would not impact the planning intent of the growth management strategy
	...Importantly, as we discuss section 2.5.2 of the PPS, we would also refer to the previous section 2.5.1, which provides policy criteria to evaluate development in Rural Areas. We suggest that the proposed development meets this criteria and will maintain the health of rural area: <i>2.5.1 Healthy, integrated and viable rural areas should be supported by:</i>	<u>PPS Section 2.5.1 – Development in Rural Areas</u> Could clarification be provided on how the proposed developments meets criteria c), e), f), and h).	<u>PPS Section 2.5.1 – Development in Rural Areas</u> • (c) Mix of housing options is provided and the proposal has incorporated options suggested by County (refer to County Comment #4 above) • (e) Mix of economic opportunities is provided and the proposal has incorporated options suggested by County (refer to County Comment #4 above) • (f) Suggest protection and improvement of NHS improves health and supports opportunity to leverage natural assets within County

	<i>a) building upon rural character, and leveraging rural amenities and assets;</i> <i>b) promoting regeneration, including the redevelopment of brownfield sites;</i> <i>c) accommodating an appropriate range and mix of housing in rural settlement areas;</i> <i>d) using rural infrastructure and public service facilities efficiently;</i> <i>e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;</i> <i>f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;</i> <i>g) conserving biodiversity and considering the ecological benefits provided by nature; and</i> <i>h) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3...</i>		○ Suggest relatively minimal impact of self-contained, previously disturbed site servicing does not impede tourism opportunities on other sites • (g) existing disturbed site with no agricultural potential. ○ Suggest site improvements protect NHS and surrounding areas, and does not impede agricultural potential of surrounding area, per the AIA
County Comment #6 – Version of County OP On page 62 it is stated that <i>“since the updated COP is not in full-force and effect, the text of 2017 Official Plan is applied to assess the proposed amendments”</i>. OPA #4, which was the final amendment of the County MCR process, was approved by MMAH on July 31st, 2025, and, therefore, became in-force and effect on that day. With the complete application memorandum being issued on September 11th, 2025, the application is subject to all updates made as part of the MCR process. Please revise the PJR to reflect the updated County Official Plan, 2025.	N/A	N/A (no comment received)	• To be updated in PJR at appropriate time

County Comment #7 The proposed development does not reflect a settlement area expansion, as this would require the boundaries of an existing settlement area to be proposed for growth. Given that, section 3.5.1 of the County Official Plan is not applicable to this application being that the application proposes the establishment of a new settlement area. - As it pertains to the establishment of new settlement areas, section 3.3.1, subsection i), of the County Official Plan states that <i>“the establishment of new settlement areas is not permitted by this Plan”</i>.	The PPS specifically permits the establishment of new settlement areas and provides policy to that effect. Further, Provincial approval of OPA #4 resulted in the modification of section 3.3.1 and the removal of subsection i), which previously stated <i>“The establishment of new settlement areas is not permitted by this Plan.”</i>. The Provincial modifications of OPA #4 are mandatory and ensure that the COP is consistent with provincial policy, and directives and allowances for private landowners to create new Community Settlement Areas (provided requisite policy directives/criteria are met) are now available and consistent with the PPS. Our position is that the cited section 3.3.1, subsection i), no longer applies, and that the COP no longer includes policy prohibiting the establishment of new settlement areas. As such, the policies of section 3.5.1 apply to the proposed redevelopment as the PPS permits both the establishment of new settlement areas and the expansion of settlement areas, and the criteria for evaluation will apply.	This comment can be removed. The applicant is correct in that subsection i) was removed by MMAH as part of OPA #4 approval. This was an oversight on behalf of the planning division.	• Comment acknowledged and addressed.
County Comment #8 Under subsection 4.2.3 (prime agricultural areas), which the subject lands are designated as, subsection e) states that <i>“land may only be removed or excluded from prime agricultural areas for expansions of settlement areas in accordance with the policies of this Plan”</i>. The proposed development does not propose an expansion of a settlement area and, instead, proposes the establishment of a new settlement area. This, in turn, means that the application is not in conformance with that policy.	N/A	N/A (no comment received)	• Comment acknowledged and addressed.

Original TOWNSHIP Comment (November 13 2025)	GSAI Response (December 24 2025)	New TOWNSHIP Response (February 5 2026)	Summary / PPS Policy Extract / Response
Township Comment #1 – Trailer Park is temporary use, not year round trailer park The legal non-conforming argument presented in this Planning Justification Report ('PJR') is questionable from the perspective of planning staff. It is our belief that legal nonconforming means that the existing use was legal under previous planning policies, such as Official Plans and Zoning By-laws, but is now no longer legal under the current planning policy framework. Subsection c) of Section 7.6 in the Official Plan further supports that belief by stating that <i>“legally existing land uses at the date and time of adoption of this Plan that are not in conformity with the Plan’s policies are considered as legal nonconformity uses, and, in the long term, should cease to exist”</i>. While campgrounds and residential development in the form of new detached dwellings on existing vacant lots and new residential lots created through the severance process are permitted uses under both the Rural and Environmental Conservation designations, the current existing use that includes sixteen (16) permanent residences has never been permitted under both designations. This is also true for the Zoning By-law whereby sixteen (16) permanent residential dwellings has never been a permitted use under the OS1, Open Space Conservation (OS2), and General Agricultural (A1) zones. In our opinion, any	...Further, Township of Melancthon By-law No. 12-1975 recognized permission for Trailer Camps in the Township and OS1 zone, with specific lot standards and servicing regulations to facilitate year-round residential uses (<i>“trailer”</i> being defined in the Municipal Act to mean <i>“any vehicle constructed to be attached and propelled by a motor vehicle and that is capable of being used by persons for living, sleeping or eating, even if the vehicle is jacked-up or its running gear is removed”</i>). The subject property has a long history of residential occupation and municipal approvals to accommodate that occupation, including property consents, access easements, and installation of permanent site servicing infrastructure...	While we can agree that lot standards have been established for trailer parks in the OS1 zone, there are no servicing regulations under the OS1 zone. Further to that, the correlation of lot standards with the facilitation of "year-round residential uses" does not seem appropriate. Trailer Parks are defined in the zoning by-law as <i>"a temporary parking of tourist or travel trailers on individual sites, and shall be subject to the provisions of this By-law"</i>. Though what is present on the subject lands reflects that of a <i>"year-round residential use"</i>, what is permitted through the zoning by-law is not a year-round trailer park.	• Agreed. Discussion on legal non-conforming use to be removed from Planning Justification Report.

discussion pertaining to legal non-conforming uses should be removed from the PJR given that the existing use does not align with the legal non-conforming argument.			
Township Comment #2 – Township, Limited Rural residential growth, lot creation, and existing available Lots The Township Official Plan, as per section 3.1.1 (e), identifies three principal methods for accommodating residential growth, which are outlined below. The proposed development is not associated with either of the three permitted methods for residential growth and, as such, planning staff question the proposed developments general conformity with critical growth policies of the Official Plan. i Residential development on most of those approximately 185 existing residential sized vacant lots in the Township that are appropriately designated and zoned, that appear to have sufficient area for on-site services and where the construction of a dwelling would be in conformity with the applicable policies of this Plan. ii Lot creation and appropriate intensification, including infilling, within the communities of Horning’s Mills, Corbetton and Riverview. iii Limited rural residential development on new lots created by consents in areas within the Rural designation.	N/A	N/A (no comment received)	• Comment acknowledged and addressed.

Township Comment #3 – New Community Area Further to the above, subsection h) of section 3.1.1 explicitly states that “<i>the creation of new communities or settlement areas is not permitted in the Township</i>”. Being that the proposed development seeks to establish a new community settlement area, planning staff question whether support for this application can be provided given that it directly contradicts key growth policies of the Official Plan	As discussed above through our discussion of County comments, the PPS does permit the establishment of new settlement areas, and the COP was recently modified through Provincial approval of OPA #4 to no longer prohibit the creation of new settlement areas and to permit the identification of new settlement areas. The Township and Country Official Plans are both required to be consistent with the PPS and consistency is mandatory. We suggest that through the proposed redevelopment, the Township Official Plan needs to be updated for conformity with the COP and to be consistent with the PPS, and accordingly, support for the creation of new settlement areas will be provided for in any Township Official Plan update – especially when this provides a specific opportunity to facilitate affordable housing units....	Would agree. This comment can be removed due to non-conformity with new land use policies.	• Comment acknowledged and addressed.
Township Comment #4 – OP Community policies While we can appreciate the applicants inclusion of the Community policies, those solely pertain to the three existing settlement areas. More appropriate policies to determine conformity with are section 3.1.3 (Growth Accommodation Outside of Communities). Subsection a) of section 3.1.3 states that “<i>some additional growth accommodation shall continue to be provided over the planning period through the construction of dwellings on most existing vacant rural residential lots and limited rural residential lot creation...</i>”. The proposed development does not suggest the utilization of either one of those development methods and, as such, would not conform to that section of the Official Plan. What planning staff will note is should these lands be identified as a new	N/A	N/A (no comment received)	• Comment acknowledged and addressed.

settlement area, the policies of the Community designation would apply to which we believe the proposed development would be able to comply with.			
Township Comment #4 – Brownfield, Phase 2 ESA The PJR does not make reference, nor make any analysis, on the policies of section 3.5.3 (Contaminated Sites). Being that the proponent identifies the subject lands as brownfield, the Township will request that discussion on these policies are undertaken in the Township Official Plan section of the report.	A Phase 1 Environmental Site Assessment (ESA) was prepared in support of the formal application submission. The Phase 1 ESA identified several potential areas of environmental concern, including the former presence of an on-site dump and scrap metal storage, the current on-site storage of derelict RVs, trailers, and waste building materials; and the presence of a liquid fuel AST with unknown historic use. The Phase 1 ESA recommended a limited Phase II ESA be prepared, and a Designated Substance and Hazardous Materials Survey be conducted. Per section 3.5.3(a), further study can be prepared and submitted with the intent to file a Record of Site Condition. Through redevelopment and improvement, the owners intend to bring the subject property into compliance with current MECP standards, as the MECP has issued a formal notice for the site to be remediated and rezoned to reflect the year-round residential uses.	Has the limited Phase II ESA been prepared? What is the status of that report?	PPS Definition of Brownfield: “undeveloped or previously developed properties that <i>may be contaminated</i>. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.” - Phase 1 ESA suggests site may be contaminated and Phase 2 ESA is pending resolution of planning comments
Township Comment #6 – FSR and HydroG A review of the submitted Functional Servicing Report and Hydrogeological Report will be undertaken by the Township engineering consultant upon proceeding to the Township planning application(s) stage	N/A	N/A (no comment received)	Comment acknowledged and to be addressed after County planning application stage.
Township Comment #7 – LCH zone The zoning by-law seeks to establish a new zone (Leasehold Community Home) and associated regulations. What was the basis used for the regulations that were established? Were any precedent examples	The intent of applying the Leasehold Community Home (LCH) zone is to recognize the unique context of the subject property and proposed redevelopment, as we are of the opinion that there is not an otherwise appropriate zone in the current Zoning By-Law to recognize the proposed unit and leasehold condition.	I would agree. The ZBLA update exercise could potentially be a suitable avenue for implementing this zone.	- LCH Zone regulations were drafted by GSAI - No specific municipality – consideration for a Holding zone is a common avenue to allow development to proceed in phases with the land use being secured

from other municipalities used? It would be the Township's preference for the applicant to utilize existing zones, such as the Hamlet Residential (R1) or Small Lot Estate Residential (ER1), and adjust regulations based on the preferred zoning choice	Applying and adhering to the regulations of the suggested Hamlet Residential (R1) or Small Lot Estate Residential (ER1) zones as cited would ultimately result in a modified proposal, a heavily modified site-specific zone amendment, and/or less affordable housing for the Township. This was also acknowledged by yourself in correspondence as it was determined that there is not currently a suitable zone in the Township Zoning By-law that reflects the proposed leasehold condominium tenure. We suggest the LCH zone, as written, is an appropriate zone, with regulations similar to existing Township zones, but designed to facilitate the proposed redevelopment and conditions contained therein. Unlike the R1 or ER1 zone, the LCH zone permits multiple uses (including non-residential and community uses), introduces new use definitions, and proposes unique standards tailored to the proposal and site context. The LCH zone standards can be reviewed and updated to staff satisfaction, or we are happy to have further discussions if the Township has more thoughts on a more appropriate zone. However, we continue to believe that the proposed LCH zone is a much cleaner and more efficient approach than attempting to fit the proposed development into the R1 or ER1 zones... ...It is also noted that the Township is reviewing updates to the Zoning By-law to ensure conformity with the Township Official Plan (and higher-tier planning policy), and there is currently opportunity to refine the appropriate zone within the Township's planning strategy.	For reference, what municipalities were used when determining the regulations for the proposed LCH zone?	Discussions have been held internally on the suitability of the legal and condominium mechanisms that would follow or be concurrent with Site Plan Approval
Township Comment #8 – EIS Peer Review It is our understanding that the County of Dufferin has retained a peer reviewer to review the submitted Environmental Impact Study (EIS). Township planning staff	N/A	N/A (no comment received)	Comments forthcoming. No action yet.

will defer comments on the policies pertaining to the natural environment until such time that planning staff can review the peer review comments			
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