

COUNCIL ADDENDUM

**Thursday, July 13, 2023 immediately following the Statutory Public Meeting
W & M Edelbrock Centre, 30 Centre Street, Orangeville**

The meeting will be live streamed on YouTube at the following link:

<https://www.youtube.com/channel/UCCx9vXkywflJr0LUVkKnYWQ>

7. PRESENTATION AND CONSIDERATIONS OF REPORTS

7.4. Director of Development & Tourism's Report – Dufferin County Official Plan Amendment No. 03

Listed on the
agenda

Additional written comments were received from:

- IPS Innovative Planning Solutions
- MHBC Planning Urban Design & Landscape Architecture
- Gladki Planning Associates



INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

July 11th, 2023

County of Dufferin
W. & M. Edelbrock Centre
30 Centre Street
Orangeville, ON L9W 2X1

Attention: Cody Joudry | Director, Development and Tourism
County of Dufferin

Silva Yousif, PMP, MCIP, RPP | Senior Planner, Development and Tourism
County of Dufferin

Michelle Dunne | County Clerk
County of Dufferin

Re: Request for Consideration: Phase II of County of Dufferin Municipal
Comprehensive Review – OPA No. 3 Policies, Schedules and Maps

063076 County Road 3
Marsville, Township of East Garafraxa, County of Dufferin, ON
Marsville Estates Inc.

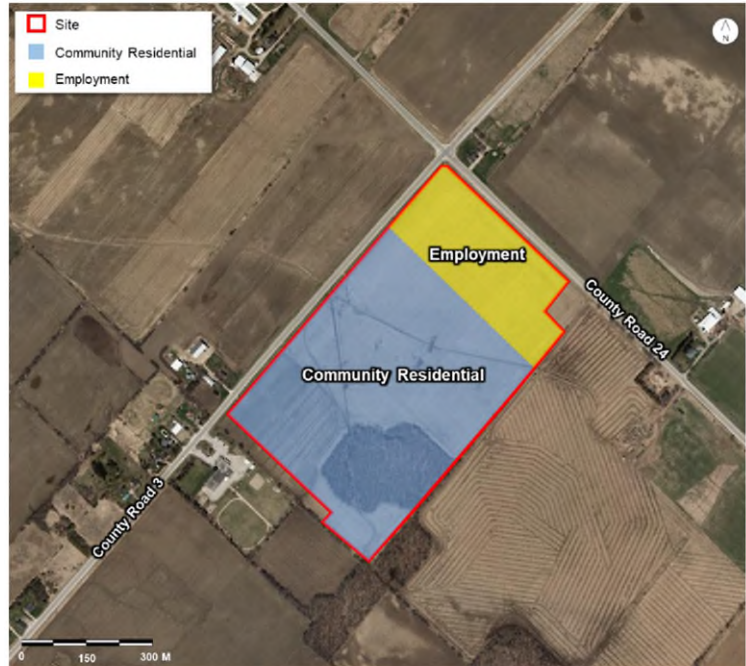
Introduction

Innovative Planning Solutions (IPS), on behalf of Marsville Estates Inc., has previously submitted correspondence regarding the County of Dufferin's Municipal Comprehensive Review (MCR) and Land Needs Assessment (LNA). It is understood that a statutory Public Meeting will be held on July 13th, 2023, regarding Phase II of the County's MCR and the associated Official Plan Amendment No. 3. The following letter is intended to provide further comments regarding portions of land known municipally as 063076 County Road 3 in the Settlement Area of Marsville, in the Township of East Garafraxa, County of Dufferin. The comments provided herein relate to the County's proposed 'Employment Land Use' designation as well as mapped natural heritage features as they would apply to the lands.

Site Context

The subject property is approximately 26.05 hectares in size and is zoned entirely 'Rural' (RU). The majority of the site is designated 'Community Residential' while approximately 23% (6.18 hectares) is currently designated 'Employment' in the Township of East Garafraxa Official Plan (**Figure 1.**). It should be noted that the Township Employment designation is not recognized by the in-effect County of Dufferin Official Plan, which identifies the entire parcel as 'Community Settlement Area'. A review of provincial mapping has been completed and the Employment lands designation identified at the Township level is not *Provincially Significant*.

Figure 1: Site Location



Source: Tate Economic Research Inc.; Basemap: ESRI ArcGIS.

Proposal

The applicant is proposing the development of a residential subdivision, requiring a local site-specific Official Plan Amendment (OPA) for the conversion of a portion of the property from 'Employment' to 'Community Residential'. The mechanism by which an employment conversion is to occur is through the County's MCR process. The applicant has submitted applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of subdivision. First submission was made in April of 2020 and the latest was made in May of 2022, which took a phased approach, noting our ongoing employment conversion request.

Through our desktop review, it became apparent that there is a significant oversupply of employment lands within the County – approximately 116 hectares of vacant land designated within the Township of East Garafraxa, south of the City of Orangeville.

A request for consideration was submitted to the County in June 2021, highlighting the large oversupply of employment lands. The letter was supported by an Employment Land Conversion Market Commentary Report, prepared by Tate Economic Research Inc. A review of the County's July 2022 Land Needs Assessment Report indicated that it failed to consider the 116 hectares of vacant employment lands in the employment supply calculations. In October of 2022, a subsequent letter was sent to the County highlighting this issue. See **Appendix A** for copies of the previous letters submitted to the County on this matter.

The County has not provided justification for this continued over supply of employment land and in January 2023, proceeded to propose a new Employment land use designation on the eastern portion of the subject site lands, seemingly without updating the Land Needs Assessment Report or providing any quantitative rationale. A copy of the County's Draft Official Plan *Schedule B – Community Structure and Land Use*, is provided in **Appendix B** to this letter.

A New Provincial Policy Framework – Employment Areas

Several provincial proposals have been unveiled in recent months that seek to make changes to the Planning Act as part of the government's plan to cut red tape, streamline development approvals and facilitate the construction of more housing for Ontarians.

Bill 97, *Helping Homebuyers, Protecting Tenants Act, 2023*, implemented legislative amendments, including the release of a new Provincial Planning Statement set to replace the Provincial Policy Statement and the Growth Plan, with the goal of facilitating the construction of 1.5 million new homes by 2031. On June 8, 2023, Bill 97 received Royal Assent and became law. As part of Bill 97, an amendment to the Planning Act gives the Minister the power, through an order, to deem that an official plan does not apply in respect of an approval or permission in cases where the Minister deems such official plan to compromise matters of provincial interest.

Additionally, Bill 97 more clearly defines Employment Areas as lands designated in an official plan for uses related to manufacturing, research and development related to manufacturing, and warehousing, or any other prescribed business and economic uses. The changes specifically exclude institutional uses, as well as commercial, retail and office uses which are not ancillary to manufacturing, research and development related to manufacturing, and warehousing. This demonstrates the Province's intent to better define Employment Areas that are to be protected as being sites with industry or specifically supporting industry.

The vacant lands proposed for conversion do not meet these employment area criteria as the East Garafraxa Official Plan's 'Employment' designation also permits a host of office, retail, commercial, and institutional uses that are unrelated to manufacturing or warehousing. Additionally, the lands are not suited for an Employment Area, particularly for warehousing or manufacturing, per the proposed definition, given the small size of the employment lands, the fact that they are directly adjacent to designated residential lands with no room for a suitable buffer, their distance from major transportation corridors, and the area's lack of municipal water and sanitary servicing. Protection of Employment Lands was always intended to protect large industries, not just any site where jobs could be accommodated. Those latter sites can be freed for much-needed housing and the realization of complete communities, particularly at a time when the trend of remote work has proven to be one that is here to stay.

Natural Heritage

Additionally, the County's Draft Official Plan *Schedule E – Natural Heritage Features* identifies a watercourse and woodland on the property. A copy of the County's Draft Official Plan *Schedule E – Natural Heritage Features*, is provided in **Appendix C** to this letter. This appears to be a carryover from the County's current natural heritage Official Plan schedule. It is noted that extensive ecological assessment of the property has been completed through the various planning submissions made by the applicant going as far back as 2020. Reports prepared included a Baseline Ecological Assessment and Hydrogeological Investigation Report, as well amended versions of those documents. A subsequent memorandum scoped for the woodlot was also submitted to the Township.

Assessment of the GRCA regulated area, identified as a stream, determined that it is unquestionably an over-extension of the Regulated Area by the GRCA and that it is not floodplain, contains no defined stream channel, and is part of an active agricultural field with no natural

ecological habitat present. The stream is also ephemeral, drying up completely early in the season.

Assessment of the 3.2 ha woodlot on site determined that it does not meet the minimum age or size criteria in either the Provincial Policy Statement (PPS) or the Natural Heritage Reference Manual. Notwithstanding the potential impact to SAR bats, which would be successfully mitigated through an ESA Section 17 permit, there is nothing ecologically unique about the woodlot and it is considered small and of relatively poor quality. To date, we have not received any comment from the Township on the November 2021 woodlot memorandum.

Further, we have reviewed Section 5.3.4.1 of the County's Official Plan Amendment No. 3 and have additional concerns as it relates specifically to the proposed implementation of 'Significant Woodland' criteria. It is assumed that the reference to "wetland" in the preamble of Section 5.3.4.1 is a typo and it should be corrected to "woodlands". While the proposed woodland criteria generally follow the intent of similar criteria, such as in the PPS, there is considerable language that we find problematic in that it is too subjective, poorly defined, and not ecologically relevant to make it an effective decision-making tool. Additionally, it is not clear if one, several, or all sub-sections a) through i) need to be met in order for the woodland to be considered significant. If it is the intent that a woodland is considered significant if any one sub-section is met, then virtually all woodlots in the County would qualify.

Below we have provided a breakdown of our concerns as it relates to each of the proposed woodland criteria under Section 5.3.4.1.

a) It is unclear whether "land cover" means the assessment parcel or some broader area, and this is therefore problematic. For this commentary, we will consider it to mean the assessment parcel. The proposed metric of "5-60% of the land cover" and "2 to 50 hectares" appears to be far too broad a range and combining percent of the property and size will lead to inconsistent results. A 2-ha woodlot on a small property could be considered significant, while a 10 ha woodlot on a large property may not be significant. If percent and size are used, then they should be applied in brackets. For example, a woodland is significant if: 5-15% land cover and 4 ha in size, 15-30% land cover and 10 ha in size, 30-50% land cover and 15 ha, etc. The size of the property should not be a driving factor, it should be the size of the woodland. Larger woodlands have a proportionately greater ecological service value. It may be most appropriate to set a minimum woodland size, of which the PPS uses 4 ha.

b) Brackets i.-iv. are consistent with the PPS. The proposed criteria would have no impact on the Marsville woodlot because there is no interior habitat.

c) This is consistent with the PPS. The proposed criteria would have no impact on the Marsville woodlot because there are no significant natural features or fish habitat within 30m.

d) This is consistent with the PPS. The proposed criteria would have no impact on the Marsville woodlot because it is not located in a Natural Heritage System, and it does not provide a connecting link to other significant features.

e) "Sensitive or threatened watershed" requires a definition. The other criteria are consistent with the PPS. The proposed criteria would have no impact on the Marsville woodlot because none of the listed criteria are present.

f) The proposed criterion would have no impact on the Marsville woodlot because none of the listed criteria are present. Nonetheless, we offer the following comments:

- i. How is this relevant to southwestern Ontario? What constitutes a “significant decline”?
- ii. No comment.
- iii. “unique species composition” requires a definition.
- iv. No comment.
- v. Rare, uncommon, and restricted are not accepted regulatory terms. Additionally, it is unclear whether just the habitat must be present, or if the species must be present. The requirement should be the confirmed presence of a designated rare species, as presence of habitat does not mean the species will be present.
- vi. This is consistent with the PPS; however, the criteria should be stated.

g) This criterion of high value products is generally consistent with the PPS; however, the term “continuous native natural attributes” requires definition. The proposed criterion would have no impact on the Marsville woodlot because it does not produce any high value products.

h) Accurately quantifying net air quality improvement is quite complicated and dependant on many variables, which means it is subject to a large calculation error, and selective use of data can substantially alter the outcome. This is not a criterion that should be included in the determination of woodland significance. The PPS does include access to the woodland for educational or public recreation to be criteria for significance, and the use would have to be sustainable. The proposed criterion would have no impact on the Marsville woodlot because it is privately owned and therefore not available for public recreation.

i) This is consistent with the PPS. However, as stated, the criteria are very subjective. What national, regional, or municipal institution determines the woodlands educational, cultural, or historical value? The proposed criterion would have no impact on the Marsville woodlot because there is no known educational, cultural, or historical value.

Formal Objection to Dufferin County’s Proposed Official Plan Amendments

On March 9, 2023, the County of Dufferin Council received the proposed MCR Phase II Official Plan Amendment Schedules and directed County staff to submit them to the Province for review. It is understood that, following the July 13th public meeting, County Council is expected to adopt the proposed OPA No. 3 and send it to the Province for final approval.

For the reasons outlined above and reiterated below, we are filing a formal objection to the County of Dufferin’s MCR Phase II and associated Official Plan Amendment No. 3, which include:

Official Plan Amendment No. 3: Schedules and Maps for the Growth Management Plan

- There is a fundamental flaw in the Land Needs Assessment report prepared under MCR Phase I which failed to consider 116 hectares of vacant employment land within East Garafraxa.
- The 116 hectares of vacant employment land should have been reflected within the MCR Phase I ‘Appendix B: Employment Area Supply Maps’.
- The numbers referenced in the Draft MCR Phase I OPA (OPA No. 2) are therefore incorrect, including both the County’s and East Garafraxa’s employment land needs (3.2.2e), which would inform any employment conversions.

- The proposed new land use schedules and maps for the MCR Phase II OPA No. 3 are based on flawed data from the MCR Land Needs Assessment completed through the MCR Phase I OPA.
- *Schedule B* of OPA NO. 3 for MCR Phase II implements a new Employment land use designation throughout the County, including on our client's lands. The decision to recognize a portion of our client's lands as Employment was made at the request of the Township of East Garafraxa to mirror the Township's current local Official Plan designation. This change was made after the release of the final July 2022 Land Needs Assessment, without the data to justify it and without regard for our ongoing employment conversion request.
- The County's proposed *Schedule E – Natural Heritage Features* carries over the property's watercourse mapping from the current Official Plan without regard for the findings of site assessments completed over the course of several years. The 'watercourse' should not be included in the mapping overlay on *Schedule E*, nor should it be considered part of the County's Natural Heritage System as it is ephemeral and has no defined stream channel.
- The County's proposed *Schedule E – Natural Heritage Features* carries over the property's woodland mapping despite numerous ecological assessments over the course of several years. While the Marsville woodlot can be included in the woodlot map layer, it should not be considered part of the County's Natural Heritage System.

We respectfully request that County of Dufferin Council review the information provided as it considers the MCR Phase II Official Plan Amendment No. 3 and its associated amending text and schedules on July 13th, 2023. We would also request that we receive any relevant updates from the County's Development and Tourism Department as it relates to the MCR process and associated OPAs.

Thank you for your consideration. Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Respectfully Submitted,

Innovative Planning Solutions



Darren Vella, MCIP, RPP
President & Director of Planning



Tyler Kawall, BES
Intermediate Planner

Cc: Dellarue Howard | Planner, Ministry of Municipal Affairs and Housing
 Cc: Peter Avgoustis, MPA, MSc, | CAO, Township of East Garafraxa
 Cc: Ken Michaud | Marsville Estates Inc. (client)
 Cc: Andrew Jeanrie | Partner, Bennett Jones LLP

APPENDIX A:
RECORD OF PAST CORRESPONDENCE



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October 27th, 2022

County of Dufferin
Planning and Development Department
30 Centre Street
Orangeville, ON L9W 2X1

Attention: Cody Joudry, Director | Development and Tourism | County of Dufferin
Gregory Bender, MCIP, RPP | Manager | Municipal Planning | WSP

Re: County of Dufferin MCR – Request to Extend Residential Land Supply Area

063076 County Road 3
Marsville, Township of East Garafraxa

The following letter is further to previous correspondence and meetings with the County on this matter. Innovative Planning Solutions (IPS), on behalf of Marsville Estates Inc., has previously submitted correspondence regarding the County Municipal Comprehensive Review (MCR) and Land Needs Assessment (LNA). The following letter is intended to request further direction from the County of Dufferin related to portions of land known municipally as 063076 County Road 3 in the Settlement Area of Marsville. Specifically, we request that the County of Dufferin update the Residential and Community Area Supply map for Marsville to extend the residential supply area eastward to include the 6.18 ha portion at the north/east area of the subject property.

As the County is aware, the subject property is approximately 26.05 hectares in size and is zoned entirely 'Rural' (RU). The majority of the site is designated 'Community Residential' while approximately 23% (6.18 hectares) is currently designated 'Employment' in the Township of East Garafraxa's Official Plan. It should be noted that the current Employment designation is not recognized by the in-effect County of Dufferin Official Plan, which identifies the entire parcel as 'Community Settlement Area'. A review of provincial mapping has been completed and the Employment lands designation identified at the municipal level is not *Provincially Significant*.

On August 18, 2022, a draft of the County's LNA Report and draft Official Plan Amendment (OPA) were presented to County of Dufferin Council for review. The LNA outlines the population and employment changes that would need to be made to the Dufferin County Official Plan as the initial step required to conform with the Growth Plan. The decision resulting from this meeting states:

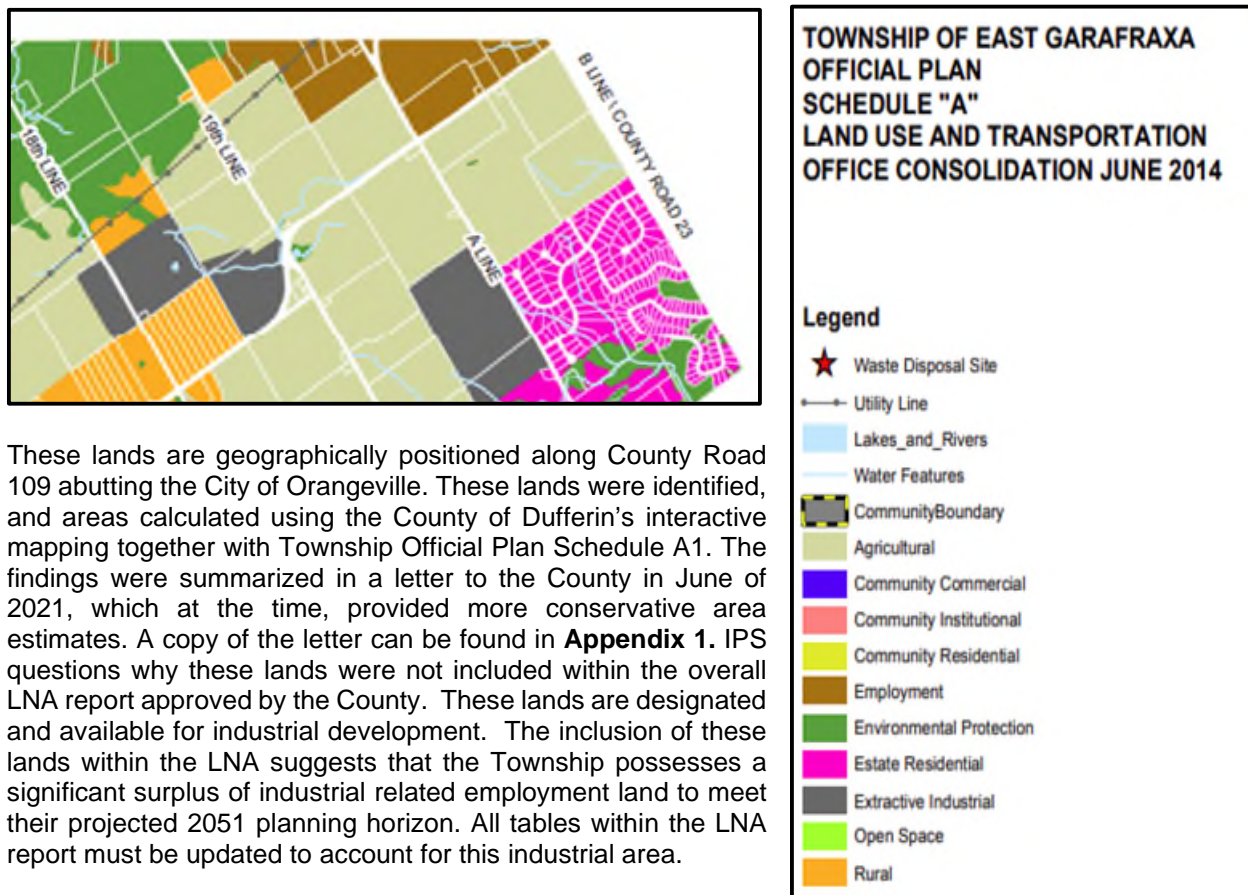
Moved by Warden Mills, seconded by Councillor Horner THAT the report of the Director of Development and Tourism, "Land Needs Analysis and Official Plan Amendment", dated August 18, 2022, be received; AND THAT staff be directed to submit the Land Needs Analysis and related draft OPA to the Province for their review and approval; AND THAT staff be directed to request a meeting with the Minister of Municipal Affairs and Housing to discuss the opportunity for an increase in the population and employment growth forecast for Dufferin County.

Based on a review of the LNA, the following facts are summarized below:

- Township of East Garafraxa has approximately 11.73 hectares of vacant industrial employment lands, and there is approximately 356 hectares of vacant industrial employment lands across Dufferin County.
- Township of East Garafraxa is projected to see 200 new jobs requiring land between 2021 and 2051, and of this, 41 new jobs would be new industrial employment jobs requiring designated employment lands (Exhibit 18 in LNA Report).
- Overall, the LNA found that East Garafraxa has a surplus of 158 jobs within their Settlement Areas (Exhibit 12 in LNA Report).
- The Employment Supply Maps in 'Appendix B: Land Supply Maps – Employment Area Supply' do not identify the subject site as containing employment lands.
- The Land Supply Maps – Residential and Community Area Supply in 'Appendix B' do not identify the lands as Residential or Community Area.

Based on a review of the Township of East Garafraxa Official Plan, a significant employment area has not been included within the LNA calculations. **Figure 1** identifies employment (industrial) lands located within the Township totalling approximately 116 ha (286 acres).

Figure 1: Additional Employment Lands in the Township of East Garafraxa



These lands are geographically positioned along County Road 109 abutting the City of Orangeville. These lands were identified, and areas calculated using the County of Dufferin's interactive mapping together with Township Official Plan Schedule A1. The findings were summarized in a letter to the County in June of 2021, which at the time, provided more conservative area estimates. A copy of the letter can be found in **Appendix 1**. IPS questions why these lands were not included within the overall LNA report approved by the County. These lands are designated and available for industrial development. The inclusion of these lands within the LNA suggests that the Township possesses a significant surplus of industrial related employment land to meet their projected 2051 planning horizon. All tables within the LNA report must be updated to account for this industrial area.

IPS agrees that the Marsville Estates lands should not be identified as industrial given that the LNA states a surplus of industrial land exists within the municipality, notwithstanding that the calculation significantly underestimates the total industrial land available within the Township. We request that the Residential and

Community Area Supply Maps in Appendix B be updated to include the entirety of 063076 County Road 3 as residential. The LNA must recommend a land use for the entirety of the subject lands.

It is our professional planning opinion that the LNA clearly demonstrates that the Township of East Garafraxa and the Settlement Area of Marsville has sufficient employment lands to accommodate growth projections to the year 2051. We are of the opinion that industrial uses are best suited for larger communities with municipal services, access to larger populations, supporting businesses and infrastructure, such as Orangeville, Shelburne or Grand Valley. This is the direction provided in the LNA report.

Tate Economic Research was retained by Marsville Estates Inc. to assess the suitability of the site for development as residential versus employment uses. Their findings, as summarized in the Employment Land Conversion Market Commentary Report, indicated that the lands are not suitable for employment development due to their relative isolation, market characteristics, and service levels. The report highlights a surplus of employment lands within the Township and the need for additional residential supply, concluding that the subject site is appropriate for residential development which would assist in meeting the shortfall of housing forecasted in the Township. This report was circulated to the County on July 13, 2022, and a copy can be found in **Appendix 2**.

Our Request

Considering all of the factors above, we would request that all employment lands outside of settlement areas be included within the LNA. The presence of 116 ha of vacant designated employment lands within the Township of East Garafraxa, directly adjacent to Orangeville, cannot be ignored. Accordingly, the employment tables within the LNA also need to be updated to reflect the employment land supply through the entire township and not just within settlement areas. The omission of these lands paints an incomplete picture, and their inclusion will conclude a significant oversupply of employment lands across the Township.

For these reasons and noting our client's employment lands are not identified as employment on the Employment Supply map for Marsville, we also request that the County of Dufferin update the Residential and Community Area Supply map for Marsville (Appendix B of the LNA) by extending the residential supply area eastward to include the 6.18 ha area at the north/east portion of the subject property. Please refer to the figure in **Appendix 3** for a visual representation of the request.

We would also request that we receive any relevant updates regarding the County's Official Plan update and Municipal Comprehensive Review. Should you have any questions or concerns, please do not hesitate to contact the undersigned. We look forward to your response.

Respectfully submitted,

Innovative Planning Solutions



Darren Vella, MCIP, RPP
President & Director of Planning



Tyler Kawall, BES
Intermediate Planner

Cc: Kay Grant, Ministry of Municipal Affairs and Housing
Cc: Ken Michaud, Marsville Estates Inc. (client)
Cc: Susan Stone, CAO/Clerk-Treasurer | Township of East Garafraxa

APPENDIX 1:

JUNE 2021 EMPLOYMENT CONVERSION REQUEST LETTER



INNOVATIVE PLANNING SOLUTIONS

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June 14, 2021

County of Dufferin
Planning and Development Department
30 Centre Street
Orangeville, ON L9W 2X1

Attention: Darrell Keenie, Director | Development and Tourism | County of Dufferin
Gregory Bender, Manager | Municipal Planning | WSP

Re: Marsville Estates – Employment Conversion Request Letter

063076 County Road 3
Marsville, Township of East Garafraxa

On behalf of Marsville Estates Inc., Innovative Planning Solutions is pleased to submit a formal request for consideration of employment lands conversion for lands known municipally as 063076 County Road 3 in the Settlement Area of Marsville. This request relates to the proposed Marsville Estates subdivision and associated applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications which are currently being processed by the Township and County.

The following request is being submitted under an abundance of caution to ensure that our clients parcel is on record for a conversion request. It is our planning opinion that the type of conversion being proposed by our client does not need to wait for the completion of the MCR process based on the analysis and policy review completed within the Planning Justification Report in support of the application.

The subject property is approximately 26.05 hectares in size and is zoned entirely 'Rural' (RU). The majority of the site is designated 'Community Residential' while approximately 23% is designated 'Employment' (6.18 hectares) in the Township of East Garafraxa's Official Plan. It should be noted that the Employment designation is not recognized by the County of Dufferin Official Plan, which identifies the entire parcel as 'Community Settlement Area'. A review of provincial mapping has been completed and the Employment lands designation identified at the municipal level are not *Provincially Significant*. There are a number of Provincial and County level policies which must be met in order to permit conversion of designated employment lands. These policies have been reviewed extensively in the Planning Justification Report submitted as part of the above noted submission, which demonstrates conformity with the criteria.

IPS has completed an analysis with available information which compared County mapping to designated employment lands as shown in the Township's Official Plan. This analysis identified a large supply (approximately 110 hectares) of vacant designated employment lands within the

Township, excluding those under our application for employment conversion. Approximately 15.5 hectares of those lands are located within Marsville, again excluding our client's parcel. Based on the employment projections set out through the County MCR process to plan for growth to the year 2051, it is our opinion that 110 hectares of vacant employment lands is sufficient to service a municipality with no settlement area that contains full municipal services.

The property lacks municipal services, making employment uses on the lands undesirable, as evidenced by the amount of time they have sat vacant, we are of the opinion that employment uses are best suited for larger communities with municipal services, access to larger populations, supporting businesses and infrastructure, such as Orangeville, Shelburne or Grand Valley. Residential communities such as Marsville can retain the potential for significant numbers of jobs through home businesses and the ever-increasing trend of remote work, which has only become more prevalent with the advancement of technology and the COVID-19 pandemic. As such, we believe the conversion of lands to residential is well justified.

We would also request that we receive any update regarding where the County and WSP is at in the process as it relates to the Official Plan update and Municipal Comprehensive Review. Should you have any questions or concerns, please do not hesitate to contact the undersigned. We look forward to your response.

Respectfully submitted,
Innovative Planning Solutions



Darren Vella
President & Director of Planning



Tyler Kawall, BES
Planner

Cc: Ken Michaud, Marsville Estates Inc. (client)
Cc: Susan Stone, CAO/Clerk-Treasurer | Township of East Garafraxa
Cc: Gord Feniak, P.Eng. | R.J. Burnside & Associates Limited
Cc: Liz Howson, Principal | Macaulay Shiomi Howson Ltd

APPENDIX 2:

EMPLOYMENT LAND CONVERSION MARKET COMMENTARY REPORT

Employment Land Conversion Market Commentary

Marsville, Township of East Garafraxa

May 4, 2022

Prepared for: Marsville Estates Inc.

c/o Innovative Planning Solutions

Prepared by: Tate Economic Research Inc.





Mr. Darren Vella
President and Director of Planning
Innovative Planning Solutions
647 Welham Road, Unit 9A,
Barrie, ON L4N 0B7

May 4, 2022

Re: Employment Land Conversion Market Commentary
Marsville, Township of East Garafraxa, ON

Dear Mr. Vella:

As you are aware, Marsville Estates Inc. owns a 64.5 acre (26.1 hectare) parcel of land within the Community of Marsville ("Site"). Marsville is located within the Township of East Garafraxa, ("Township") which is within Dufferin County.

Approximately 77% of the Site is designated for residential uses. The balance, 23%, is designated for employment uses. TER notes there is also a small portion of the Site designated Environmental Protection. Marsville Estates Inc. is seeking residential permissions on the entirety of the Site, which will require an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision. The purpose of these applications is to obtain approval for the development of an 80-unit detached residential subdivision with an associated public park, stormwater pond and easement block.

The purpose of this TER report is to address the suitability of the Site for development as residential and / or employment uses. This TER report is prepared in the context of recent analysis conducted on behalf of the County, as outlined below.

Dufferin County retained a consulting team led by WSP Canada Inc. ("WSP") to prepare a Municipal Comprehensive Review of land needs to the year 2051 ("MCR"). There was a Land Needs Analysis conducted as a component of the MCR. The Draft Land Needs Analysis Report ("Draft LNA") was released in January 2022.

TER has reviewed the work undertaken by WSP in the context of the Site. TER has also reviewed the Planning Justification Report prepared by Innovative

Planning Solutions which undertakes a detailed policy analysis of the Marsville Estates Inc. development application.

This TER letter report summarizes our commentary and is presented in six sections:

1. Description of the Site
2. Summary of Relevant Findings of the Draft LNA
3. Market Opportunity for Permitted Uses
4. Review of Other Employment Land Locations in Marsville and Dufferin County
5. Rationale for Residential Development on Subject Site
6. Conclusion

1 Description of the Site

This section outlines the location and extent of the Site, as well as surrounding land uses and the planning context of the area.

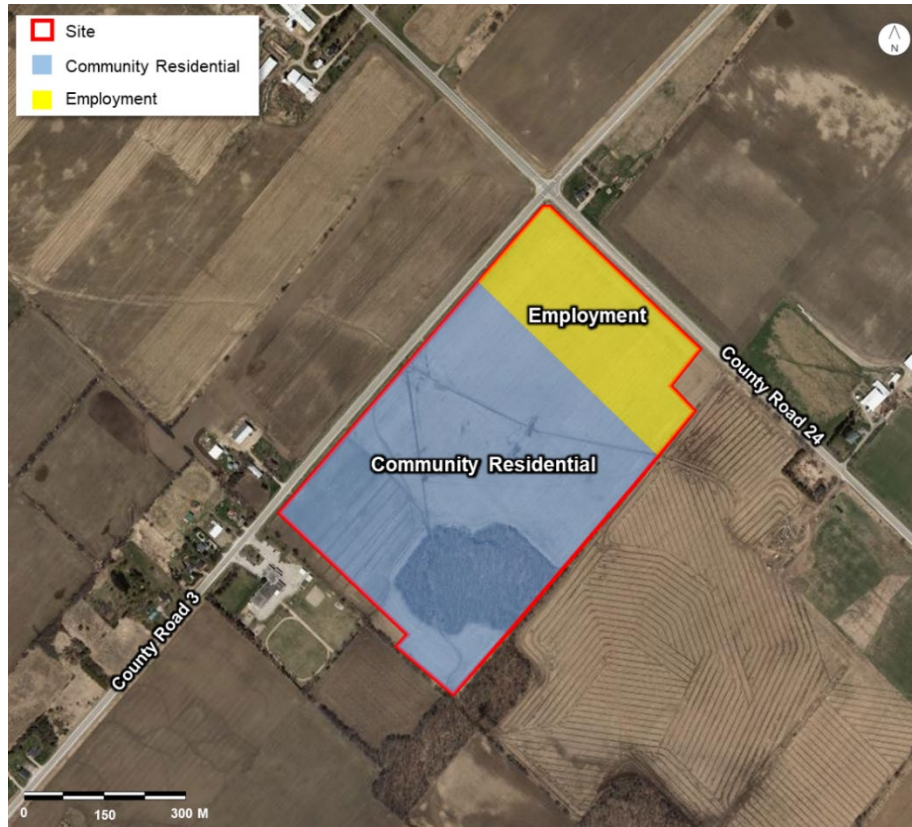
1.1. Site Description

The Site is municipally addressed as 063076 County Road 3 and is located within the Community of Marsville. The Site is approximately 64.5 acres (26.1 hectares) in size and is currently used for agricultural purposes. It has no buildings or structures.

The Site is located at the southwest corner of County Road 3 and County Road 24. It has approximately 1,100 feet (340 metres) of frontage onto County Road 24 and 2,100 feet (650 metres) of frontage onto County Road 3. County Road 3 and County Road 24 are both two lane roads.

Marsville is located between the more urbanized communities of Orangeville and Fergus. It is approximately 15 kilometres (16 minute drive) west of Orangeville and 20 kilometres (17 minute drive) east of Fergus. Orangeville and Fergus include larger scale retail and employment facilities. There are no major highways or public transit facilities in close proximity to Marsville.

Figure 1: Site Location



Source: Tate Economic Research Inc.; Basemap: ESRI ArcGIS.

Figure 2: Site Image



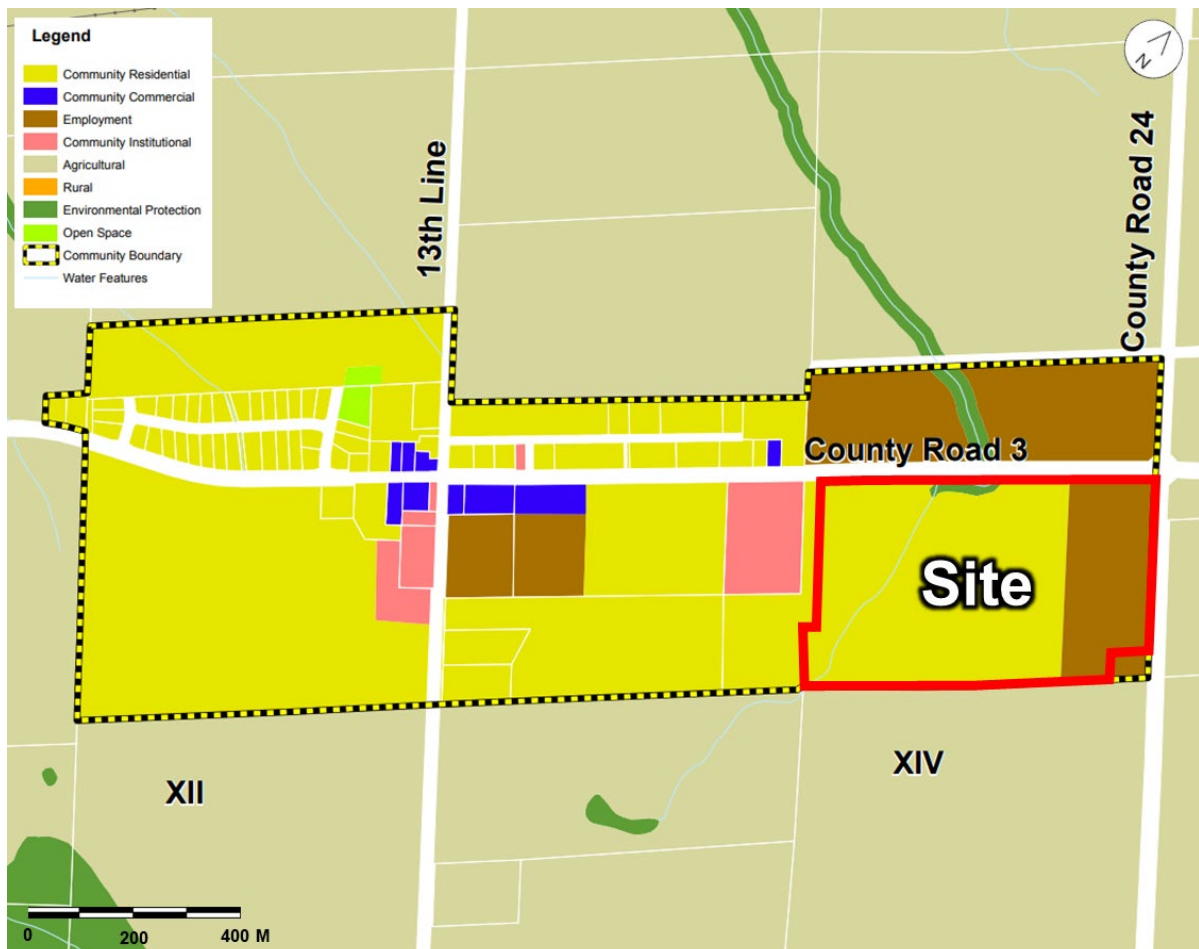
Source: Google Street View, 2021 looking southwest from the intersection of County Road 3 and County Road 24.

1.2. Planning Context

The Site is located within the Marsville Community Boundary. Section 5.4 of the Township of East Garafraxa Official Plan (“Official Plan”) states: “A mix of residential, commercial, open space, environmental protection and small scale institutional uses are encouraged within the Community boundaries.”

The Site is designated Employment, Community Residential and Environmental Protection in the Official Plan. The majority of the Site is designated Community Residential. The portion of the Site designated Employment is 15.3 acres (6.2 hectares), which represents 23% of the total Site area.

Figure 3: Marsville Planning Framework



Source: Tate Economic Research Inc.; Basemap: Official Plan, Schedule A-1.

The designations included in the Marsville Community are indicated and described below:

- Community Residential: Permits single-detached dwellings, home occupations and public open space.
- Community Commercial: The size and nature of Community Commercial uses should reflect the role of the community as a local service centre. Permitted uses include retail stores and food services, automotive, offices, accessory residential, larger agricultural serving retail, and existing residential uses.
- Community Institutional: Intended to provide a focus for social activities. Permitted uses include schools, places of worship, community halls, municipal facilities, public parking, and medical facilities.
- Employment: Intended for larger scale industrial, commercial and institutional development. Objective is to provide opportunities for employment and economic growth in the Township. Permits a wide range of employment uses, including industrial, retail and offices.
- Environmental Protection: Includes lands that are environmentally sensitive and used for outdoor recreation.
- Open Space: Includes neighbourhood parks, parkettes and open space linkages.

The Site is zoned Rural and Environmental Protection in the Township of East Garafraxa Zoning By-law. The Rural Zone permits agricultural uses, bed and breakfast, farm produce sales, home industry, home occupation, open space, single detached dwelling, veterinary hospital, wayside quarry, boarding stables, and kennels.

1.3. Surrounding Land Uses

Generally, lands to the north, east and south of the Site are occupied by agricultural uses. The East Garafraxa Public School is located immediately west of the Site. There are rural residential uses northwest of the Site, on the north side of County Road 3. There are additional low density residential uses approximately 750 metres west of the Site, near the intersection of County Road 3 and 13th Line. There are also limited commercial, institutional and employment uses on County Road 3.

2 Summary of Relevant Findings From The Land Needs Analysis

This section provides a summary of the WSP analysis that has been undertaken on behalf of Dufferin County. WSP prepared the Draft LNA that addresses the needs of the overall Dufferin County, as well as the lower tier municipalities, including the Township of East Garafraxa. This section summarizes the findings that are particularly relevant to the Site and to the proposed redesignation from Employment to Residential.

2.1. Population and Employment Growth

The Draft LNA provides population and employment allocations for Dufferin County and its lower tier municipalities. Table 3.1 of the Draft LNA indicates the following:

- Dufferin County is anticipated to experience population growth of 26,200 persons by 2051. The majority of this growth (63%) is planned to occur in Orangeville and Shelburne;
- Dufferin County is anticipated to experience employment growth of 14,000 jobs by 2051. The majority of this growth (74%) is planned to occur in Orangeville and Shelburne; and,
- East Garafraxa is anticipated to experience population growth of 1,100 persons and employment growth of 338 jobs by 2051.

2.2. Residential Land Needs Analysis

Based on the population allocations summarized above, Table 4.5 of the Draft LNA indicates there is demand for 324 residential units within East Garafraxa by 2051. The estimated dwelling capacity is 275 residential units. Therefore, there is a shortfall of 49 residential units in East Garafraxa. Section 4.1.2 of the Draft LNA states:

“Through the residential analysis undertaken, East Garafraxa, Mono and Mulmur were identified as potentially having insufficient capacity within their Rural Settlements to accommodate the forecast residential demand to the year 2051, with Mono potentially exhausting its dwelling capacity before 2031.”

The Draft LNA uses a conversion ratio of 2.5 dwelling units per net hectare (approximately 1 unit per acre). It concludes that there is need for 48.4 net acres (19.6 net hectares) of additional residential land in East Garafraxa.

2.3. Employment Land Needs Analysis

The Draft LNA allocates 338 additional jobs to East Garafraxa by 2051. After accounting for jobs with no fixed place of work and work from home jobs, there are 205 jobs that require non-residential land by 2051. Of this, approximately 25% will be accommodated in Employment Areas (Industrial) and 75% of jobs will be accommodated in Community Areas (Commercial/Institutional).

The Draft LNA contrasts future demand for employment lands with existing and planned supply. The Draft LNA indicates that there is a theoretical industrial land supply shortage of 251 jobs, or 36.6 net acres (14.8 net hectares), in the Township over the 2051 planning horizon¹.

Figure 4: Summary of the Land Needs Analysis for the Township

| | |
|--|-------------|
| Residential Land Needs from 2021 to 2051 | |
| Population Growth (persons) ⁽¹⁾ | 1,122 |
| Required Dwellings within Settlement Areas (units) ⁽²⁾ | 324 |
| Existing Dwelling Capacity within Settlement Areas (units) ⁽²⁾ | 275 |
| Potential Dwelling Capacity Shortage within Settlement Areas (units) ⁽²⁾ | 49 |
| Employment Land Needs from 2021 to 2051 | |
| Employment Allocation (jobs) ⁽³⁾ | 338 |
| Employment Requiring Non-residential Land (jobs) ⁽³⁾ | 205 |
| Employment on Employment Land (jobs) ⁽⁴⁾ | 50 |
| Existing Industrial Supply ⁽⁴⁾ | |
| Jobs | 301 |
| Land (net ha) | 32.0 |
| Industrial Supply Surplus ⁽⁴⁾ | |
| Jobs | 251 |
| Land (net ha) | 14.8 |

Source: Tate Economic Research Inc.

¹⁾ Based on Draft LNA Table 3.1.

²⁾ Based on Draft LNA Table 4.5.

³⁾ Based on Draft LNA Table 4.6.

⁴⁾ Based on Draft LNA Table 4.9.

¹ Based on Table 4.9 of the Draft LNA.

Section 5.6.2 of the Draft LNA concludes the following:

“East Garafraxa may exhaust its residential Settlement Area land supply by 2046 and may be short by up to 49 dwelling units relative to demand by 2051. Assuming a residential density of 2.5 dwelling units per net hectare, East Garafraxa may require Settlement Area expansions sufficient to provide 20 hecatres of residential growth area. There is sufficient industrial employment area land supply in East Garafraxa to accommodate projected needs.”

2.4. Employment Land Requirements

The Draft LNA indicates, in Table 4.9, that there is a requirement for 50 jobs on employment lands in the Township of East Garafraxa by 2051. The LNA report states that 17 employees per net hectare is an “appropriate policy-based target²”. Calculating land needs for 50 employees at 17 employees per net hectare indicates demand for approximately for 7.2 net acres (2.9 net hectares) of Employment Land.

This 7.2 acres (2.9 hectares) of demand relates the entire Township of East Garafraxa. Table 4.9 of the Draft LNA indicates a supply of 79.1 net acres (32.0 net hectares) in the Township. The community of Marsville includes the Subject Site (15.3 acres or 6.2 hectares) and the lands to the north (30.3 acres or 12.3 hectares). This analysis indicates the supply of Employment Lands in Marsville is 6 times the demand for Employment Lands in the entire Township. In addition, there are other Employment Lands located elsewhere in the Township, further emphasizing that there is no requirement for the Subject Site to be developed for employment uses.

To summarize, the Draft LNA indicates demand for 7.2 net acres (3 net hectares) of Employment Land in the Township of East Garafraxa by 2051. The Subject Site is not required to meet this demand.

3 Market Opportunity for Permitted Uses

The Site is designated Employment Area. TER has reviewed the Township of East Garafraxa Official Plan to determine the permitted uses in Employment Area

² Page 19 of the Draft LNA.

lands. Similarly, TER has reviewed the Industrial (M1) Zoning permissions that would be considered appropriate for the Site.

3.1. Permitted Uses in OP

Figure 5, on the following page, summarizes TER commentary regarding each of the uses permitted on Employment Lands. It is also comments on the appropriateness, from the perspective of market demand, for these uses on the Subject Site.

3.2. Permitted Uses in Zoning By-law

The Employment Land designation could allow for the Site to be zoned for institutional, commercial or industrial uses. There are lands in Marsville that are currently zoned for institutional and commercial purposes. As such, TER has examined the uses permitted in the Industrial (M1) zoning.

Figure 6, which follows, summarizes TER commentary regarding each of the permitted uses, and their appropriateness, from the perspective of market demand, for the Subject Site.

Figure 5: Permitted Uses in OP Commentary

| Lands in the Employment Area designation may be used for the following: | | |
|---|--------------------|---|
| | Market Opportunity | Primary Factors Relating to Market Opportunity |
| a) manufacturing, assembly, clean processing, recycling, warehousing and material storage, including contractors yards, transportation terminals and other similar facilities associated with buildings and structures; | Unlikely | Limited by setbacks, scale of site, lack of full servicing, highway and rail access. |
| 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; | Very Unlikely | Limited by scale. These types of uses would be associated with a large scale industrial use that could not be accommodated on the Site due to its size limitations. |
| 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; | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| d) business and professional offices; | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| e) specialized retail outlets; | None | Site lacks exposure and visibility typically required by these types of retail outlets. |
| f) restaurant facilities; | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| g) hotels and motels; | None | Market factors required for a hotel are not present and there is no highway access. |
| h) open space, recreation uses; | Possible | These types of uses do not require employment land. |
| i) fire halls, police and ambulance stations, utilities and similar facilities; | Possible | These types of uses do not require employment land. |
| j) automotive commercial uses, such as service stations, automotive sales and service, including mechanical and body repair, recreational vehicle or trailer sales and services, car rental outlet; | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| k) building materials outlets, gardening supply, nursery centres, and other similar uses; | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| l) existing legal residential uses; and | None | Adjacent to Site, home on Employment Lands. |
| m) accessory residential use. | Unlikely | Not reasonable to consider that an accessory residential use would be established on Employment Lands. |

Source: Tate Economic Research Inc.

Figure 6: Permitted Uses in Zoning Commentary

| No person shall within any Industrial (M1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following: | | |
|---|--------------------|--|
| | Market Opportunity | Primary Factors Relating to Market Opportunity |
| i) building supply and lumber outlet | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| ii) business, professional and administrative offices; | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| iii) bulk fuel depot | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. Compatibility issues with adjacent residential. |
| iv) concrete batching plant and product manufacturing | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. Compatibility issues with adjacent residential. |
| v) contractors yard | Possible | This use may not be optimal, given compatibility issues. |
| vi) equipment sales and service | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| vii) feed mill | Possible | This use may not be optimal, given compatibility issues. Considered related to agricultural, rather than industrial. |
| viii) manufacturing, processing, laboratory or assembly within an enclosed building | Possible | Limited by setbacks, scale of site, lack of full servicing, highway and rail access. |
| ix) motor vehicle repair garage | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| x) motor vehicle body shop | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| xi) outside storage | Possible | This use may not be optimal, given compatibility issues. |
| xii) retail sales accessory to a permitted use not exceeding 35% of total floor area | Unlikely | Limited by setbacks, scale of site, lack of full servicing, highway and rail access. These types of uses also typically require road characteristics that provide regional scale access. |
| xiii) telecommunications tower | Possible | This use may not be optimal, given compatibility issues. |
| xiv) transmission towers and hydro-electric stations | Unlikely | This use may not be optimal, given compatibility issues. Site is not located near existing transmission towers or hydro-electric stations which are typically located adjacent to transmission towers. This use is not commonly located in rural settlement areas. |
| xv) transportation depot | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. Compatibility issues with adjacent residential. |
| xvi) warehouse including self storage | Unlikely | Regional market is limited by lack of highway access and exposure. Local market is limited by market potential, pedestrian and vehicle traffic. |
| xvii) workshop | Possible | This use may not be optimal, given compatibility issues. |

Source: Tate Economic Research Inc.

3.3. Market Opportunity For Permitted Uses Summary

The characteristics of the Site provide limited opportunity for development as Employment Land. Furthermore, the market conditions that surround the Site are not conducive to development as employment lands.

4 Review of Other Employment Land Locations in Dufferin County and Marsville

There are other designated Employment lands in the County that may be considered more suitable for development as employment lands than the Site. Furthermore, within Marsville itself, there are other lands that may be considered more suitable for development as employment lands. These comments are elaborated on below:

4.1. Dufferin County Employment Lands Discussion

The Draft LNA indicates that there is a surplus of 588.1 net acres (238.0 net hectares) of employment land in the County³. In a general sense, TER considers vacant employment lands elsewhere in Dufferin County, specifically within Orangeville and Shelburne, to be more appropriate for development as employment uses than the Site due to the following considerations:

- There is an established employment base in Orangeville;
- In addition, there is ample land for expansion. The Draft LNA indicates 51.9 net acres (21.0 net hectares) of surplus employment land in Orangeville;
- The Draft LNA states that Orangeville is the largest population and economic centre in Dufferin County and, in the absence of servicing constraints, would attract the vast majority of growth in the County;
- Both Orangeville and Shelburne have full municipal services, unlike Marsville;

³ Based on the addition of Theoretical Industrial Land Supply Shortage / Surplus for each municipality as per Table 4.8 and Table 4.9 of the Draft LNA.

- The local highway infrastructure was expanded from 2005 to 2010 with the construction of the Orangeville Bypass and extension of four lanes on Highway 10 between Caledon Village and Highway 9;
- Orangeville has GO Transit Bus connections with the Brampton hub;
- Recent industrial developments in Orangeville include the 60,000 square foot Florentina Foods at 165 Centennial Road, as well as an application to expand the existing Hofmann Plastics by 52,000 square feet;
- The Draft LNA indicates 25.5 net acres (10.3 net hectares) of surplus employment land in Shelburne. This includes a significant amount of serviced industrial land around County Road 11 and Prentice Drive;
- Recent developments in Shelburne include a 102,000 square foot water bottling facility at 108 Prentice Drive, a 24,000 square foot industrial building on Luxton Way, and the 15,000 square foot Turnstone Centre at 485289 County Road 11; and,
- Both Orangeville and Shelburne have an existing employment base which is continuing to expand.

4.2. Marsville Employment Lands Discussion

There are 30.3 acres (12.3 hectares)⁴ of designated Employment lands at the northwest corner of County Road 3 and County Road 24. These lands are located directly north of the Site and are referred to in this letter as the “North Employment Lands”.

Assuming limited demand for employment uses, TER considers the North Employment Lands more appropriate for development for employment uses than the Site due to the following considerations:

- The North Employment Lands total 30.3 acres (12.3 hectares), which is significantly larger than the 15.3 acre (6.2 hectare) portion of the Site that is designated for employment uses. This greater size provides opportunity for the development of different scale users;

⁴ Gross land area minus the 2.0 acres (0.8 hectares) of land designated Environmental Protection that run through the site.

- County Road 3 provides a buffer from the residential and institutional uses, particularly the East Garafraxa Public School, which are located on the south side of County Road 3;
- The North Employment Lands will provide the opportunity for a more appropriate buffer to the more sensitive residential uses proposed on the Site;
- If the proposed redesignation of the Subject Site were to proceed, Employment uses can be concentrated in one location in Marsville; and,
- There is a road allowance that provides the opportunity for a planned road that could provide access to the North Employment Lands from County Road 24. This future road could provide access along the northern perimeter of the North Employment Lands. This road could provide another access to the North Employment Lands, aside from County Roads 3 and 24. No such road allowance exists adjacent to the Subject Site.

The employment portion of the Site may be better suited for other uses, as discussed in the following section of the letter.

5 Rationale for Residential Development on Subject Site

TER offers the following commentary regarding the appropriateness of permitting residential development on the Site:

- The majority (77%) of the Site is designated for residential uses. The redesignation of the Employment portion of the Site to Community Residential will allow for the Site to be developed comprehensively;
- The Site is located adjacent to a public school. Future children living on the Site will be within walking distance (less than 800 metres, which is considered by the Growth Plan to be a walkable distance) of East Garafraxa Public School. The entire portion of the Site that is designated for Employment uses is within walking distance of the school. This is an uncommon, but desirable, characteristic for public schools, particularly in rural areas;
- There is both a need for additional residential land and a surplus of employment land in the Township;

- There is a need for an additional 48.4 net acres (19.6 net hectares) of residential land in East Garafraxa. The portion of the Site designated Employment is approximately 15.3 acres (6.2 hectares). The Site represents 30% of the need for additional residential land. Therefore, if the portion of the Site designated Employment is redesignated for residential uses, there would continue to be demand to support other residential development land in East Garafraxa;
- It is noted that even if there were no 'need' for the proposed conversion of the Site to residential uses, the conversion would remain appropriate based on a number of other criteria, such as compatibility with adjacent residential uses and lack of suitability for Employment uses;
- The Subject Site can be cohesively planned for residential uses without having to provide buffers and protection from the employment area, thus reducing potential land use conflicts.

The employment portion of the Site is well suited to accommodate residential uses.

6 Conclusion

The following points summarize the analysis presented in this letter:

- There is population and employment growth forecast in East Garafraxa;
- There is an insufficient amount of designated residential land in East Garafraxa to meet forecast demand;
- There is a surplus of employment land in East Garafraxa;
- The Draft LNA indicates demand for 7.2 net acres (2.9 net hectares) of Employment Land by 2051. Marsville currently includes 45.7 acres (18.5 hectares) of Employment Land, representing 6 times the required amount;
- Within Marsville, the North Employment Lands, located immediately north of the Site, are more appropriate for use as Employment lands than the Site. The North Employment Lands are larger than the Site, have superior access planned via a new road, and have a buffer from residential and institutional uses on the south side of County Road 3;

- The locational and market characteristics of the Subject Site limit the opportunity to develop it for employment uses;
- Other vacant employment lands within settlement areas with full services, such as Orangeville and Shelburne, are superior to the Site from the perspective of attracting industrial development;
- The majority of the Site is designated for residential uses. The redesignation of the Employment portion of the Site will reduce the shortfall of residential land in East Garafraxa; and,
- The Site is well located from the perspective of residential development. It is located within a rural community and is within walking distance of a public school.

Overall, it is our professional opinion that the Subject Site is appropriate for residential development and will contribute to meeting the shortfall of housing that is forecast in the Township.

Should there be any comments regarding this Employment Land Conversion Market Commentary, please contact the undersigned.

Yours truly,

TATE ECONOMIC RESEARCH INC.



James Tate
President










Sameer Patel
Vice President

APPENDIX 3:

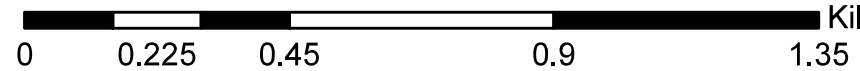
**PROPOSED REVISION TO MARSVILLE RESIDENTIAL AND
COMMUNITY AREA SUPPLY MAP**



-  Settlement Area Boundary
-  Delineated Built Boundary
-  Parcels
-  NHS Area

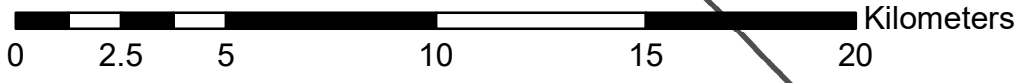
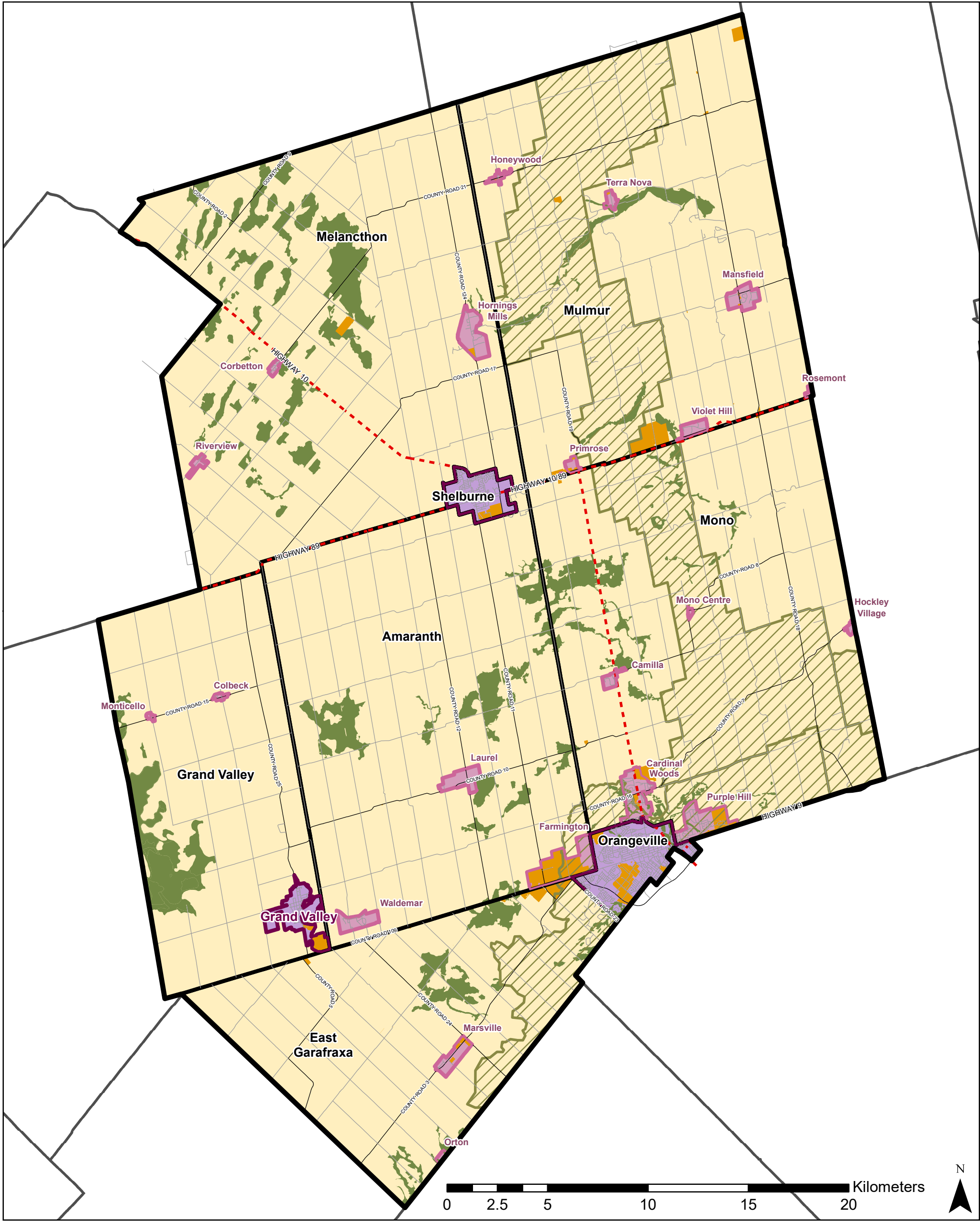
- Supply Type**
-  Community Area (Commercial/Institutional & Potentially Residential)
 -  Residential
 -  Proposed Extension of Residential Supply

**Residential and Community Area Supply
Marsville - East Garafraxa**



APPENDIX B:

DUFFERIN COUNTY DRAFT OFFICIAL PLAN SCHEDULE 'B'



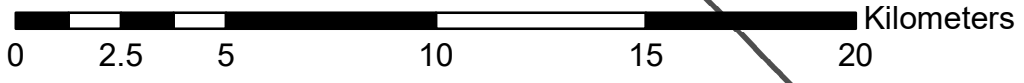
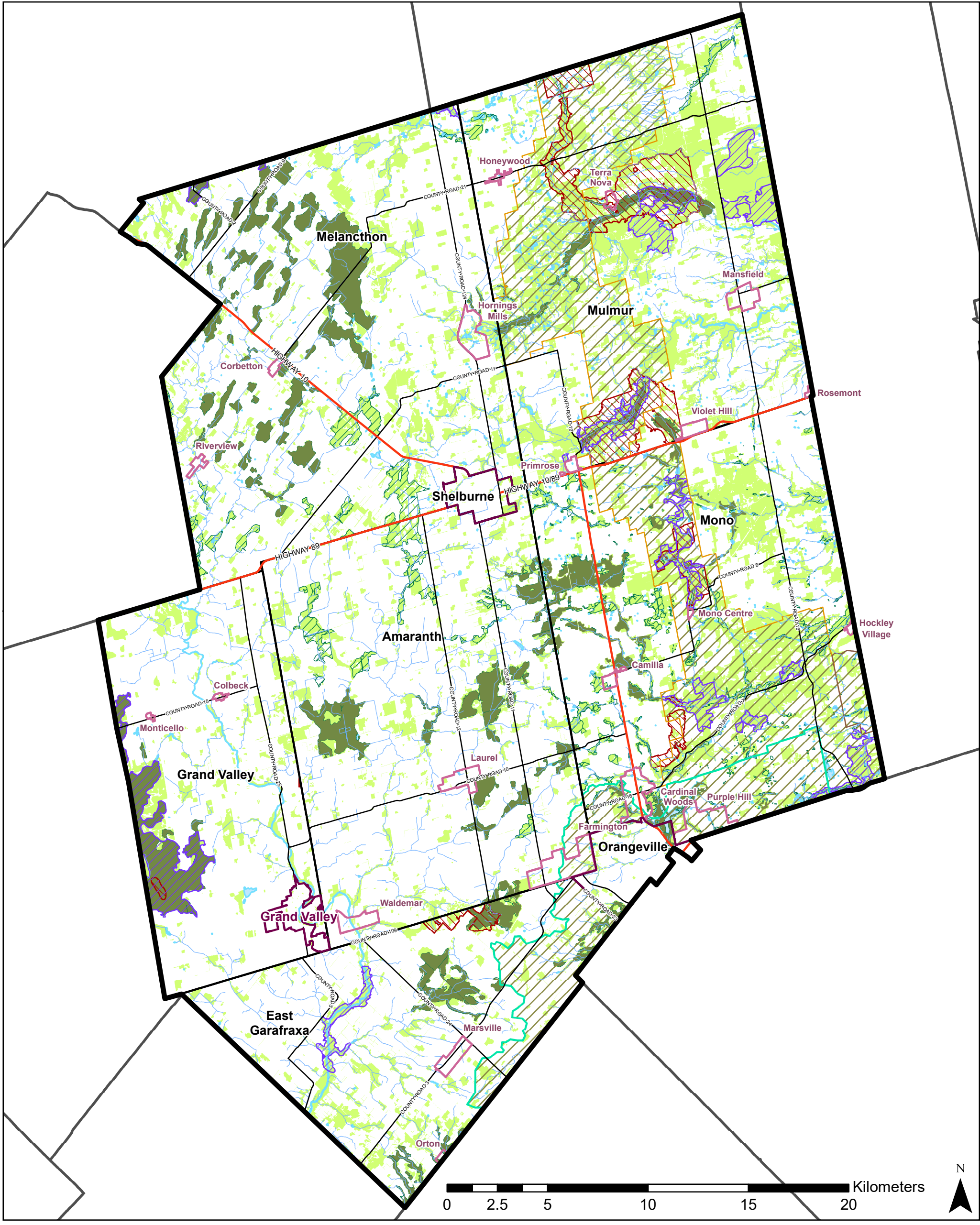
- Dufferin County Boundary
- Urban Settlement Area
- Community Settlement Area
- Provincial Highway
- County Road
- Other Road
- Employment Land Use
- Provincial Plan Areas (S. 2.0)
- Provincially Significant Wetlands (S. 5.3.1)
- Countryside Area (S. 4.0)

**Draft Schedule B
Community Structure
and Land Use**



APPENDIX C:

DUFFERIN COUNTY DRAFT OFFICIAL PLAN SCHEDULE 'E'



- | | | |
|---------------------------|--|--|
| Municipal Boundaries | Provincial Plan Areas (S. 2.0) | Provincially Significant Wetlands (S. 5.3.1) |
| Urban Settlement Area | Greenbelt Plan Protected Countryside Area (S. 2.1) | Unevaluated Wetlands (S. 5.3.6) |
| Community Settlement Area | Oak Ridges Moraine Conservation Plan Area (S. 4.2.2) | Waterbody |
| Provincial Highway | Niagara Escarpment Plan Area (S. 2.3) | Watercourses (S. 5.3.8) |
| County Road | Earth Science ANSI (S. 5.3.3) | Woodlands (S. 5.3.4) |
| | Life Science ANSI (S. 5.3.3) | |

Draft Schedule E Natural Heritage Features





PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

July 11, 2023

Cody Joudry
Director of Development & Tourism

Dufferin County
30 Centre Street
Orangeville, ON
L9W 2X1

Via email: cjoudry@dufferincounty.ca

Dear Mr. Joudry:

**RE: MUNICIPAL COMPREHENSIVE REVIEW
PHASE 2 OFFICIAL PLAN AMENDMENT – SCHEDULES AND MAPS
Aragon Kingfisher Development Lands (Blocks 2 & 28, Plan 7M-41 and Part 7 of Lot 5,
Concession 2, Plan 7R5452)
OUR FILE: 17111A**

We are currently retained by Aragon (Hockley) Development (Ontario) Corporation (the "Owner") to facilitate the planning approvals process for the proposed development on their lands legally described as Blocks 2 and 28 of Plan 7M-41 and Part 7 of Lot 5, Concession 2, Reference Plan 7R5452 in the Town of Mono (the "Subject Lands"). The Owner submitted an Official Plan Amendment and Zoning By-law Amendment for a 220-unit townhouse development on a portion of the Subject Lands (Town files OPA 2022-02 & ZBA 2022-02). These applications have now been appealed to the Ontario Land Tribunal.

We have been actively engaged in the County's Municipal Comprehensive Review (MCR), and have previously submitted questions and comments on the Draft Land Needs Assessment Report on July 28, 2022 and the Draft Schedules and Maps on January 20, 2023. Both of these letters are attached for reference.

The Land Needs Assessment (LNA) conducted as part of Phase 1 of the MCR identified the Subject Lands as Community Area, which provides for commercial, institutional and mixed-use development. To conform to the Growth Plan and implement the LNA, the Phase 2 County Official Plan Amendment (COPA) was prepared to update the policies and land use schedules of the County Official Plan (COP). The proposed Schedule B: Community Structure and Land Use Schedule prepared with the Phase 2 County Official Plan now identifies the Subject Lands as "Employment Land Use". This proposed land use designation directly contradicts the LNA's identification of the Subject Lands as Community Area, the current designation of the Subject Lands in the Town of Mono's Official Plan, and the provincial planning legislation and policies related to the appropriate development of Employment Areas, as described in detail below.

Neither the current COP nor the COPAs associated with the MCR define Employment Land Use or differentiate between Employment Land Use and "Employment Area". However, Employment Area (or "area of

employment”) is a defined term in the *Planning Act* and Provincial Policy Statement (PPS). The definition of area of employment was recently updated in the *Planning Act* following Bill 97, and is now defined as:

“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 the 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.”*

Based on the above definition, the Community Area uses of commercial, institutional and mixed-use development would not be permitted in an Employment Area. At the local level, the current Highway Commercial designation and uses permitted on the Subject Lands also would not be permitted in an Employment Area. In addition to these uses not being permitted by definition, the Land Use Compatibility (1.2.6) and Employment Areas (1.3.2) policies in the PPS are not conducive to developing Employment Area uses in proximity to sensitive land uses due to the risk of adverse effects from odour, noise and other contaminants and risk to public health and safety. As the Subject Lands are surrounded primarily by sensitive land uses including existing residential and recreational uses, the designation of the Subject Lands as Employment Area would not be consistent in our opinion to the policies of the PPS.

We are also not aware of any planning analysis to warrant the change to the designation of the Subject Lands, now proposed as Employment Land Use.

Due to the conflicts between the proposed Employment Land Use designation and the local and provincial planning policies and legislation, we recommend that the County reconsider the proposed “Employment Land Use” designation for the Subject Lands. In our professional opinion, it would be more appropriate to maintain the Subject Lands’ current designation of Community Settlement Area, which permits the development of the Subject Lands as currently designated and would not create an incompatible land use context.

Yours truly,

MHBC



Dana Anderson, MA, FCIP, RPP
Partner



Kaitlin Webber, MA
Planner

January 20, 2023

Cody Joudry
Director of Development & Tourism

Dufferin County
30 Centre St
Orangeville, ON L9W 2X1

Dear Mr. Joudry:

**RE: MUNICIPAL COMPREHENSIVE REVIEW: PHASE 2 OFFICIAL PLAN AMENDMENT –
SCHEDULES AND MAPS
Aragon Kingfisher Development Lands (Blocks 2 & 28 of Plan 7M-41 & Part 7 of Lot 5,
Concession 2 of Reference Plan 7R5452)
Our File: 17111A**

We are currently retained by Aragon (Hockley) Development (Ontario) Corporation (the “Owner”) to facilitate the planning approvals process for their proposed development on the lands legally described as Blocks 2 and 28 of Registered Plan 7M-41 and Part 7 of Lot 5, Concession 2 of Reference Plan 7R5452 in the Town of Mono (the “Subject Lands”). The Town of Mono is currently in receipt of an Official Plan Amendment and Zoning By-law Amendment for a 220-unit townhouse development on a portion of the Subject Lands (Town files OPA 2022-02 / ZBA 2022-02).

This letter is in response to the County’s release of the Draft Schedules and Official Plan Amendment (“OPA”) prepared for Phase 2 of the County’s Municipal Comprehensive Review (“MCR”). Following our review, we have questions about draft Schedule B: “Community Structure and Land Use”, and the draft OPA, specifically as they relate to the proposed designation of the Subject Lands.

During Phase 1 of the MCR, the County prepared a Land Needs Assessment (“LNA”) to determine how and where allocated population and employment targets set by the Province can be accommodated in the County. Through the LNA exercise, land supply was identified as: 1) Residential; 2) Community Area (Commercial/Institutional & Potentially Residential); or, 3) Employment Area (Industrial). The Subject Lands were identified in the LNA as Community Area (Commercial/Institutional & Potentially Residential).

We understand that the purpose of Phase 2 of the MCR is to update the policies and land use schedules to conform to the Growth Plan and implement the LNA. In draft Schedule B: “Community Structure and Land Use”, the Subject Lands have been identified as “Employment Land Use”. However, neither the current County Official Plan nor the draft OPA include a definition or policies for this land use designation. Therefore, we would like to request the following information:

- 1) How does the County of Dufferin define "Employment Land Use"?
 - a. Will the County be releasing policy text that applies to this land use designation?
- 2) Have all lands identified as Community Area in the LNA been designated as Employment Land Use in Official Plan Schedule B?
 - a. If yes, what is the rationale for grouping the Community Area and Employment Area Lands?
 - b. If no, what is the rationale for identifying the Subject Lands as Employment Land Use?

We appreciate the opportunity to engage in the process and look forward to your response to our questions. Please feel free to contact us if you have any questions.

Yours truly,

MHBC



Dana Anderson, MA, FCIP, RPP
Partner



Kaitlin Webber, MA
Planner

*cc. Matt Alexander, Project Manager, WSP
David Page, Aragon Properties Ltd.*

July 28, 2022

Cody Joudry
Director of Development & Tourism

Dufferin County
30 Centre St
Orangeville, ON
L9W 2X1

Via email: cjoudry@dufferincounty.ca

Dear Cody Joudry:

**RE: DRAFT LAND NEEDS ASSESSMENT REPORT
ARAGON KINGFISHER DEVELOPMENT LANDS (Blocks 2 & 28 of Registered Plan 7M-41, Part
7 of Lot 5, Concession 2 of Reference Plan 7R5452)
OUR FILE: 17111A**

We are currently retained by Aragon Kingfisher Developments in relation to their proposed development in the Town of Mono. Over the past year, we have monitored the County's Municipal Comprehensive Review ("MCR") process and most recently reviewed the Draft Land Needs Assessment Report ("LNAR") dated January 21, 2022 which was presented at the Public MCR Info Session on July 26, 2022. Following our review, we have questions about the methodology used in the Employment Analysis in relation to the lands owned by the Aragon (Hockley) Development (Ontario) Corporation (the "Owner") legally described as Blocks 2 and 27 of Registered Plan 7M-41 and Part 7 of Lot 5, Concession 2 of Reference Plan 7R5452 in the Town of Mono, County of Dufferin (the "Subject Lands").

According to the County of Dufferin Official Plan, the Subject Lands are designated *Community Settlement Area*. In the Town of Mono's Official Plan, the Subject Lands are designated *Special Highway Commercial* (Section 10.4), and in Zoning By-law 78-1, the Subject Lands are designated CH-4 *Highway Commercial*. However, we understand that the Town of Mono consider the Subject Lands as an Employment Area.

The Draft LNAR proposes an employment growth of 936 jobs in Mono from 2021-2051, with 519 of those jobs requiring non-residential land (Table 4.6). Of the jobs requiring non-residential land, employment classifications are divided into Employment Area (Industrial) or Community Area (Commercial/Institutional) (Table 4.7). From this classification, it was determined that Mono will see 109 Employment Area jobs by 2051 and has a surplus of 5.9 net ha of Employment Area land (Table 4.9). Commercial and Institutional projections were not calculated for the Town of Mono. Based on the breakdown presented in the Draft LNAR, it is our assumption that the Subject Lands would be considered in the Community Area classification for Commercial and Institutional jobs.

As the Draft LNAR does not include mapping or indicate the location of the lands identified as Employment Area or Community Area in their Employment Analysis, we would like to request the following information:

- 1) How were Employment Areas defined in the context of the Town of Mono?
 - a. What land use designations were included in the Employment Area calculations? Where were these lands located?
 - b. Was the Highway Commercial designation included as Employment Area? Or as part of the Community Area?

- 2) How were the Subject Lands classified for the purposes of the Draft LNAR? Which category (Employment Area or Community Area) are they within?

Once these questions have been clarified, we will continue to follow the MCR process and may have additional comments and questions. We appreciate the opportunity to participate in the process and look forward to your response. Please feel free to contact us if you have any questions.

Yours Truly,

MHBC



Dana Anderson, MA, FCIP, RPP
Partner



Kaitlin Webber, MA
Planner

*cc. Matt Alexander, Project Manager, WSP
David Page, Aragon Properties Ltd.*

Dufferin County Council
W. & M. Edelbrock Centre, 30 Centre Street,
Orangeville, ON
L9W 2X1

July 12, 2023

**Subject: Dufferin County Municipal Comprehensive Review (MCR)
OPA No. 3 - Draft Land Use Schedules, Dufferin County Council
133184 Sideroad 28-29, Town of Grand Valley (Roll #105800)**

Dear Warden Mills and County Council:

Gladki Planning Associates Inc. was retained to provide planning services with respect to the property at 133184 Sideroad 28-29 in the Town of Grand Valley (Town), located west of the commercial downtown area, and southwest of the intersection of Sideroad 28 & 29 and Concession Road 2 & 3 (the 'subject lands').

We have reviewed the schedules and maps prepared by the County and WSP and presented at the Public Information Centre on January 21, 2023 and understand there are no changes with respect to the subject lands in the proposed mapping dated March 14, 2023.

We refer to our earlier communication provided to County Staff dated March 8, 2023. We are writing to express our continued support for the mapping, in particular *Schedule 'B' – Community and Land Use Structure* as it pertains to the subject lands. The inclusion of the subject lands within the Town's future settlement boundary is supported by various decisions of Council, including County Council's unanimous endorsement of Grand Valley's requested allocation on August 18, 2022, and most recently, *Grand Valley Council Resolution 2023-2-11*, expressing general agreement with the mapping as it pertains to lands within the Town of Grand Valley. The mapping, as shown, will enable the achievement of Town and County objectives by facilitating our client's land use proposal which was based on careful review of Grand Valley's long term economic and social objectives and has been advanced in consultation with the Town.

Our client has appreciated ongoing opportunities to participate and provide input throughout this process having most recently attended MCR workshops on July 5. We look forward to continuing to

participate as the MCR process advances and to continue working with Dufferin County and the Town of Grand Valley towards realizing the land use vision for the property.

We appreciate the efforts of County Staff in advancing the Municipal Comprehensive Review and supporting the positive growth and development of Grand Valley and Dufferin County.

Regards,

A handwritten signature in black ink, appearing to read 'RWJ', written in a cursive style.

Robert Walter-Joseph MA (PL), RPP, MCIP
Senior Planner
Gladki Planning Associates

- c. Cody Joudry, Director, Development and Tourism
Meghan Townsend, CAO/Clerk-Treasurer, Town of Grand Valley
Mark Kluge, Town Planner, Town of Grand Valley