

# Planning Justification Report

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## Hillsburgh Trails Subdivision

Thomasfield Homes

Town of Erin, County of Wellington

Draft Plan of Subdivision

Zoning By-law Amendment

November 2024



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Zoning By-law Amendment

Town of Erin, County of Wellington

November 2024

**Prepared for:**

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# Contents

1.	Introduction .....	1
1.1	Background & Development Applications.....	1
1.2	Pre-submission Consultation.....	2
1.3	Resubmission of Applications.....	2
1.4	Report Structure & Contents .....	4
2.	Subject Property & Proposed Development.....	5
2.1	Location & Description of Subject Property .....	5
2.2	Surrounding Land Use Context .....	6
2.3	Proposed Development.....	11
3.	Planning Applications .....	17
3.1	Draft Plan of Subdivision .....	17
3.2	Zoning By-law Amendment .....	19
3.3	Public Consultation Strategy .....	23
3.4	Future Applications .....	24
4.	Supporting Studies & Reports .....	27
4.1	Functional Servicing Report .....	27
4.2	Hydrogeological Study .....	31
4.3	Slope Stability Study .....	32
4.4	Phase I Environmental Site Assessment.....	32
4.5	Environmental Impact Study .....	33
4.6	Stage 1-2 Archaeological Assessment.....	39
4.7	Transportation Impact Study .....	40

4.8	Noise Feasibility Study .....	41
4.9	Urban Design Brief.....	41
5.	Policy Review & Analysis .....	43
5.1	Provincial Planning Statement, 2024.....	43
5.2	Greenbelt Plan (2017).....	55
5.3	Wellington County Official Plan .....	57
5.4	Town of Erin Official Plan .....	62
6.	Conclusion .....	68

Appendices

Appendix “A” – Draft Zoning By-law Amendment

Appendix “B” – Lot Dimensions

Appendix “C” – Provincial Planning Statement, 2024

# List of Figures & Tables

Figure 1 – Aerial Photograph of Subject Property .....	7
Figure 2 – Town of Erin Official Plan, Schedule A-3 .....	8
Figure 3 – Town of Erin Zoning By-law, Schedule “C” .....	9
Figure 4 – Surrounding Land Use Context.....	10
Figure 5 – Proposed Draft Plan of Subdivision.....	14
Figure 6 – Multiple Residential Block Concept Plan .....	15
Figure 7 – Park Concept Plan .....	16
Figure 8 – Preferred Growth Scenario (Hillsburgh) .....	26
Figure 9 – Conceptual Plan of Sanitary Pumping Station.....	30
Figure 10 – Locations of Butternut Trees .....	36
Figure 11 – Wellington County Official Plan, Schedule A2.....	59
Figure 12 – Wellington County Official Plan, Schedule B2.....	60
Table 1 – Outstanding Items from Complete Application Screening Comments.....	3
Table 2 – Land Uses in Draft Plan of Subdivision .....	18
Table 3 – Widths of Single Detached Dwelling Lots (Lots 1–142) .....	19
Table 4 – Zoning Standards for Detached Dwellings in “UR1” Zone .....	21
Table 5 – Zoning Standards for Townhouse Dwellings in "UR1" Zone.....	22
Table 6 – Potential Impacts & Recommended Mitigation Measures from EIS .....	35
Table 7 – Policy Direction from Chapters 2 & 3 of PPS 2024 .....	44
Table 8 – Policy Direction from Chapters 4 & 5 of PPS 2024.....	51
Table 9 – Criteria for Medium-Density Development in Wellington County Official Plan.....	63
Table 10 – Matters for Consideration in Approving Development .....	64
Table 11 – Criteria for Subdivision Approval in Town of Erin Official Plan.....	67

# 1. Introduction

## 1.1 Background & Development Applications

GSP Group Inc. (“GSP”) has prepared this Planning Justification Report in support of applications being made by Thomasfield Homes Limited regarding proposed development on lands described legally as Part of Lot 23, Concession 7 (Geographic Township of Erin). The Subject Property is located on the northwesterly side of Wellington Road 22 between Nos. 9354 and 9364 Wellington Road 22, but has not been assigned a municipal address itself. The Subject Property is within the settlement area boundary of Hillsburgh, which is identified as a “Primary Urban Centre” on Schedule A2 to the Wellington County Official Plan.

This Planning Justification Report is being submitted in support of two applications: an Application for Plan of Subdivision to the County of Wellington and a Zoning By-law Amendment Application to the Town of Erin. The proposed Draft Plan of Subdivision accommodates a total of 215 dwelling units in a mix of single detached dwellings and townhouse dwellings, with one “Multiple Residential” block for condominium townhouse dwellings. The Draft Plan also includes a 0.92-hectare public park, a ten-metre buffer to provide protection for an adjacent woodland, a stormwater management block, and a block to accommodate a sanitary pumping station. The purpose of the Zoning By-law Amendment Application is to facilitate the proposed Draft Plan by re-zoning the Subject Property from “FD” (“Future Development”) to a combination of “UR1” (“Urban Residential One”) and “OS1” (“Open Space Recreation”).

The Subject Property is designated “Residential” on Schedule “A-3” to the Town of Erin’s Official Plan, and the proposed land uses are consistent with that designation. Furthermore, the Subject Property is located within an area that the Town’s 2019 Growth Management Strategy identifies as an area in which future population growth should be prioritized. The development will provide an appropriate mix of dwelling unit types and sizes, and represents a much-needed addition to the local supply of housing. The proposed development will be provided with full municipal water and sewage services, having already been allocated capacity for the latter, and has been designed to make efficient and cost-effective use of the new infrastructure currently being installed in the Town. The implementation of the measures recommended in the Environmental Impact Study prepared for the proposed development (see Section 4.4 below) will ensure there are no negative impacts on natural heritage features or their functions.

## 1.2 Pre-submission Consultation

The initial Pre-submission Consultation Meeting regarding the applications being submitted was held on April 19, 2021; a follow-up meeting was held virtually on Tuesday, January 10, 2023, in part to discuss changes to the development proposal and to the overall planning policy framework made during the intervening period. Certain modifications have been made to the design of the proposed development that was initially presented in April 2021, based on comments received during the original Pre-submission Consultation Meeting, among them the relocation of the street townhouse blocks to the interior of the development (from their original placement along the entrance road from Wellington Road 22), as well as changes to the location and accessibility of the park block and the incorporation of a condominium townhouse block to broaden the mixture of dwelling unit types, both in response to comments made by the County of Wellington.

The items requested during Pre-submission Consultation included a Concept Plan for the park on Block 146 of the proposed plan of subdivision showing the park configuration and amenities, which has been included as Figure 7 in this Planning Justification Report with an accompanying description in Section 2.3 (see p. 12). The items requested also included the County's Public Engagement Strategy Form, which has been attached to the Draft Plan of Subdivision application form. Section 3.3 of this report further discusses public consultation with respect to the applications submitted. The other reports and studies requested during Pre-submission Consultation are summarized in Section 4 of this report.

## 1.3 Resubmission of Applications

The two applications for the proposed development were originally submitted to the Town of Erin and the County of Wellington in March 2024, but were subsequently deemed "incomplete" by both the Town and the County. The Complete Application Screening Comments received from the Town indicated that a number of items were missing from the original submission. Those items are briefly addressed in **Table 1** on the following page. Many of the items identified pertain to details that would be more appropriately addressed during the detailed design stage of the proposed development, rather than during the Draft Plan of Subdivision and Zoning By-law Amendment stage.

Additional items requested in the Complete Application Screening Comments are provided in this revised Planning Justification Report — namely, a concept plan for the proposed multi-residential block (see Figure 6 on p. 15) and a conceptual plan for the sanitary pumping station (see Figure 9 on p. 30).

**Table 1 – Outstanding Items from Complete Application Screening Comments**

Item(s)	Response
Arborist Report	The Tree Protection Plan provided as Appendix VI to the Environmental Impact Study (prepared by Natural Resource Solutions Inc.) meets the requirements for the Arborist Report as set out in the Complete Application Screening Comments.
Compatibility Study	The Application Checklist provided by the Town refers to a “Compatibility Study (i.e. Noise, Vibration, Air, MDS).” A Noise Feasibility Study (prepared by HGC Ltd.) has been provided accordingly.
Construction Management Plan	The Function Servicing Report (prepared by GM BluePlan, now GEI Consultants) addresses construction as it pertains to erosion and sedimentation control. Further details will be confirmed during the detailed design stage and administered through conditions of draft plan approval.
Elevation Drawings Landscape Drawings & Cost Estimate Lighting / Photometric Plan	The design of the proposed residential development, including the overall landscape approach and lighting, will comply with the Town’s Urban Design Guidelines, as discussed in the Urban Design Brief (prepared by GSP Group). More specific drawings and details will be provided and confirmed as part of the detailed design stage.
Phase I Environmental Site Assessment (“ESA”)	A Phase I ESA (prepared by GEI Consultants) has been provided with the re-submitted applications.
Source Water Protection Analysis	The Subject Property does not overlap and Intake Protection Zones (“IPZs”) or Wellhead Protection Areas (“WHPAs”). Much of the Subject Property is identified as overlying a Significant Groundwater Recharge Area (“SGRA”) and a Highly Vulnerable Aquifer (“HVA”) with a Vulnerability Score of 6. There are no specific Source Protection policies attributed to the SGRA. The handling, storage, or application of road salt are listed threat activities in HVA(6). Therefore, it is recommended that the preparation of a Salt Management Plan be included as a condition of draft plan approval.
Waste Management Plan	Details regarding waste management, presumably as it relates to the proposed multi-residential block, will be addressed and confirmed through a future Site Plan Application submitted for development on that block.

## 1.4 Report Structure & Contents

The primary purpose of this Planning Justification Report is to demonstrate that the proposed development is consistent with Provincial policy and conforms with Provincial, County, and local municipal plans (or does not conflict with such plans, as the case may be).

Following this introductory section, the contents of this report have been organized as follows:

- Section 2 (Subject Property & Proposed Development) describes the Subject Property and provides context regarding surrounding land uses before describing the proposed development itself.
- Section 3 (Planning Applications) describes the two applications submitted to facilitate the proposed development, discusses the Public Consultation Strategy for those applications, and identifies future applications that will be required.
- Section 4 (Supporting Studies & Reports) summarizes the principal findings and recommendations made in the other reports and studies that have been submitted in support of the applications for the proposed development.
- Section 5 (Policy Review & Analysis) reviews the proposed development with respect to the Provincial Planning Statement, 2024, and with respect to the Greenbelt Plan (2017), the Wellington County Official Plan, and the Town of Erin Official Plan.
- Section 6 (Conclusion) summarizes the key points made in this Planning Justification Report.

There are also three appendices to this Planning Justification Report:

- Appendix “A” contains the draft text of the proposed amendment to the Town of Erin’s Zoning By-law (No. 07-67).
- Appendix “B” contains a table with the dimensions of the residential lots in the proposed Draft Plan of Subdivision, for the purpose of demonstrating their compliance with the regulations in the Town’s Zoning By-law.
- Appendix “C” contains the text of relevant policies of the Provincial Planning Statement, 2024 that are discussed in Section 5.1 of this report.

## 2. Subject Property & Proposed Development

### 2.1 Location & Description of Subject Property

The Subject Property is a parcel of land with a total area of approximately 14.14 hectares located at the southerly corner of the Hillsburgh Urban Area in the Town of Erin. The parcel has about 160–165 metres of frontage along the north side<sup>1</sup> of Wellington Road 22 and extends about 610 metres back from the road, with a width of about 245 metres along the rear lot line. The smaller frontage of the Subject Property is the result of the severing of a small residential lot from the southwest corner, measuring approximately 3,967 m<sup>2</sup> and with about 63 metres of frontage. This separate residential property is known by the municipal address of 9354 Wellington Road 22. The Subject Property itself has not been assigned a municipal address, but is described legally as Part of Lot 23, Concession 7 (Geographic Township of Erin).

Aerial photographs of the Subject Property (see **Figure 1** on p. 7) show that it is unoccupied by buildings or structures and that it is currently being used for the farming of crops. The adjacent lands east of the Subject Property (known municipally as 9366 Wellington Road 22) contain a large woodlot and part of a larger Provincially Significant Wetland (“PSW”) that extends along the Erin Branch of the Credit River. The presence of these natural features means that parts of the Subject Property along the shared lot line fall within the Regulated Area of the Credit Valley Conservation Authority (“CVC”), as indicated on Figure 1. The site topography generally slopes downward both to the east and west, with the highest elevations being situated along the midline of the property running from the rear lot line to the front along Wellington Road 22. The grade becomes more pronounced east of the Subject Property, as the terrain slopes down towards the aforementioned PSW and the Credit River.

The Subject Property is designated “Residential” on Schedule “A-3” to the Town of Erin’s Official Plan (see **Figure 2**); Schedule “A-3” also shows the conceptual alignment for a “Proposed Minor Collector” road that runs as an extension of Station Street through the Subject Property to connect with Wellington Road 22 (with the exact alignment yet to be

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<sup>1</sup> Throughout this report, cardinal directions will be used in relation to “project north,” an orientation according to which Wellington Road 22 abuts the southerly lot line of the Subject Property. Each figure in this report shows two compass rosettes: one for “true north” and one for “project north” (approximately 46 degrees west of true north).

determined). According to Schedule “C” to the Town’s Zoning By-law No. 07-67 (**Figure 3**), the entire Subject Property is currently zoned “FD” (“Future Development”).

## **2.2 Surrounding Land Use Context**

The Subject Property is located at the corner of the Hillsburgh Urban Area, meaning that the properties to the south and west are predominantly occupied by agricultural operations and rural residential uses (see **Figure 4**). The parcels immediately to the east of the Subject Property are occupied by part of the West Credit Provincially Significant Wetland (“PSW”), which lies along the Erin Branch of the Credit River, as well as a significant woodland; these natural features extend both to the north and to the south, on the other side of Wellington Road 22. The Elora Cataract Trailway, which runs from northwest to southeast approximately 450–500 metres north of the Subject Property, passes through part of the West Credit PSW before curving to the south and continuing towards the Erin Settlement Area (formerly the Village of Erin).

The lands abutting the Subject Property to the north, owned by Carson Reid Homes Ltd., are the subject of a separate plan of subdivision that has already received draft approval: the lotting pattern in this draft plan is shown on the Zoning Map in Figure 3 above. This draft-approved plan includes a currently unopened public road allowance that abuts the Subject Property approximately 100 metres west of the road connection in the proposed draft plan (see Figure 5 on p. 14: the unopened allowance abuts the rear lot lines of Lots 96 and 97). The proposed road connection from the Subject Property (via Street “C”: see Figure 5) is more congruent with the conceptual alignment of the “Proposed Minor Collector” shown on Schedule A-3 to the Town of Erin’s Official Plan (Figure 2 above). The precise location of the future road connection between the two subdivisions will require coordination between Thomasfield Homes and Carson Reid Homes, and could entail minor modifications to the lotting shown in Figure 5, as well as minor revisions to the site grading design.

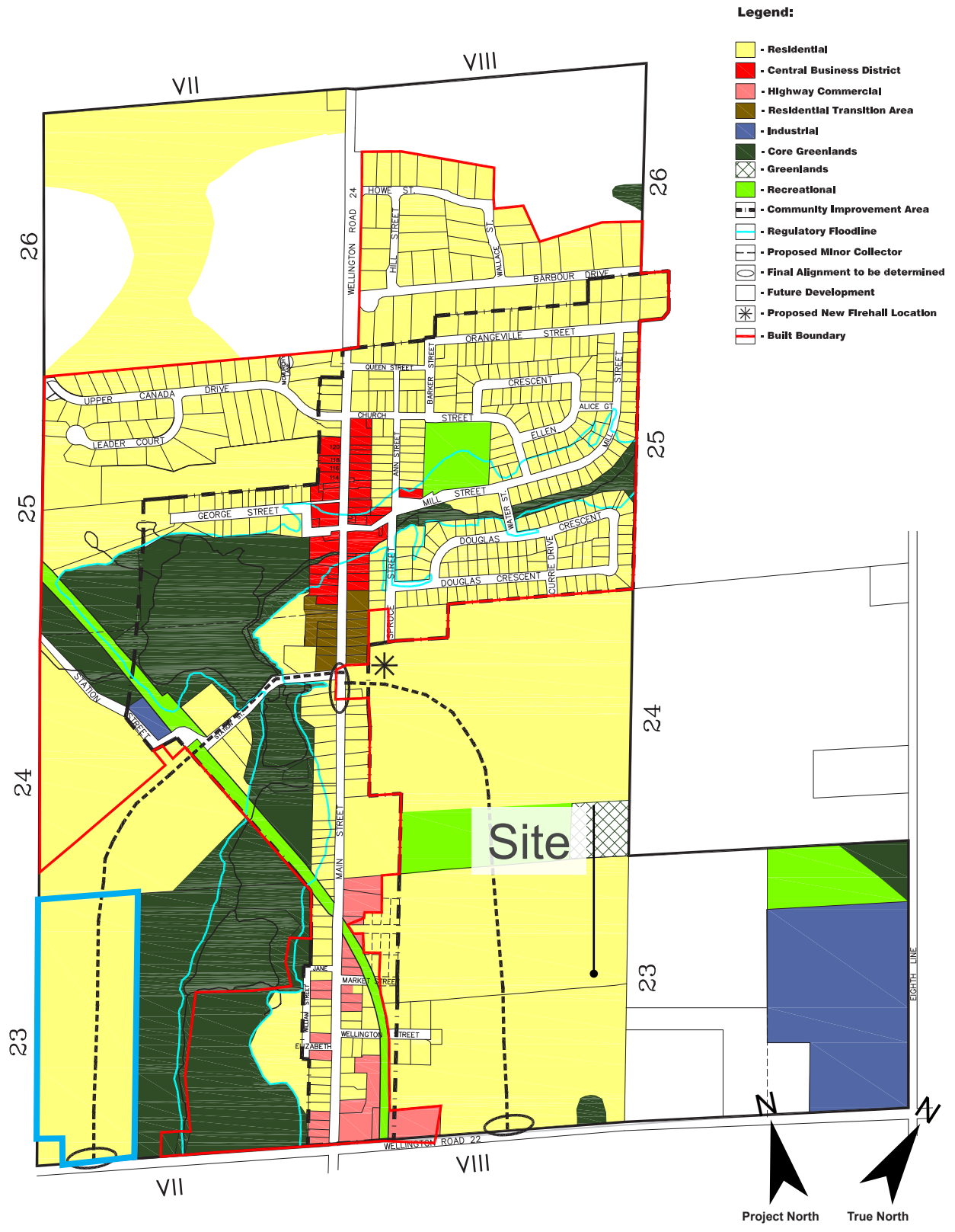
As shown in Figure 2, the intent is for this future road to connect with Station Street approximately 375 metres northeast of the Subject Property, near the Hillsburgh Library. From this point, Station Street crosses a large reservoir associated with the Credit River before ending at Trafalgar Road (Wellington Road 24), which is the main thoroughfare through Hillsburgh. In addition to residential uses, the properties fronting onto Trafalgar Road contain various commercial, institutional, and other community uses, including Ross R. MacKay Public School (Upper Grand District School Board), located approximately 520 metres east of the Subject Property; Erin Fire Department Station No. 50, at the corner of Trafalgar Road and Station Street, approximately 650 metres from the Subject Property; and the Hillsburgh Arena, at the corner of Trafalgar Road and Mill Street, approximately 950 metres away from the Subject Property.

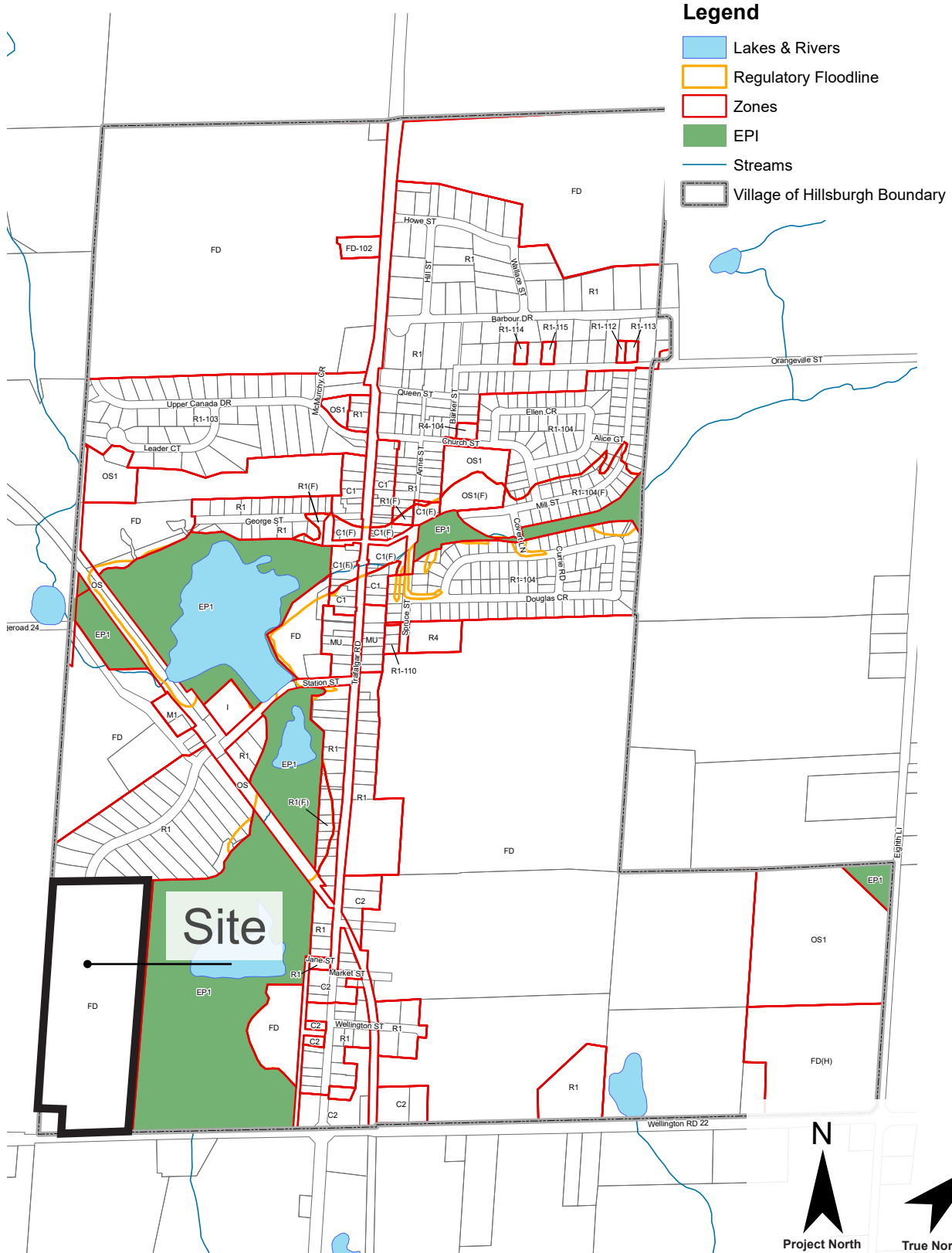


Source: Google Earth, Wellington Interactive Mapping, Credit Valley Conservation

### Site Location

Figure 1





### Hillsburgh Zoning Map

Source: Town of Erin Official Plan, Zoning By-Law No.07-67, Schedule C (2023)

Figure  
**3**



## 2.3 Proposed Development

The proposed development of the Subject Property is a Draft Plan of Subdivision (**Figure 5**) consisting of 142 lots for single detached dwellings, two blocks for street townhouse dwellings, one “Multiple Residential” block, one “Future Residential” block, one “Park” block, and one “Open Space” block, as well as one block each for stormwater management, a pumping station, a 10-metre-wide storm sewer easement, and a 0.3-metre reserve.

The proposed lots for single detached dwellings range in width from 10.97 metres to 15.6 metres, with the majority (85 out of 142) being 12.19 metres wide. (For a breakdown of lot widths for Lots 1–142, see Table 3 on p. 19 of this Planning Justification Report.) The two street townhouse blocks will contain a combined total of 24 dwelling units (15 units on Block 143 and 9 units on Block 144), while the Multiple Residential block (Block 145) will contain another 48 townhouse dwelling units. The proposed Draft Plan of Subdivision thus comprises a total of 215 dwelling units (which includes one unit on the “Future Residential” block) on an area of approximately 14.14 gross hectares,<sup>2</sup> for an overall density of about 15.2 units per gross hectare.

At an average of 2.81 persons per unit,<sup>3</sup> 215 dwelling units corresponds to a population of approximately 604 people. According to Statistics Canada, in 2021 the Town of Erin had an overall population of 11,981 people, with 1,825 people reporting their place of work status as “working at home,” indicating an average work-at-home rate of 15.2% for the Town. Further data released by Statistics Canada indicate that national work-at-home rates have gradually declined from a peak of just over 40% in April 2020 (at the height of the covid-19 pandemic) to about 20% by the end of 2023.<sup>4</sup> At the time the 2021 Census Population was conducted (May 2021), the national work-at-home rate was about 30%.

To account for this difference, we apply a “conversion factor” of two-thirds to the average work-at-home rate reported in the 2021 Census to arrive at an adjusted rate of approximately 10.2% for the Town of Erin. Applying this rate to the estimated 604 residents

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<sup>2</sup> According to Policy No. 3.5.6.a.iii in the Town’s Official Plan, the term “gross hectare” refers to the area of residential land “excluding environmental protected features and non-residential uses (such as schools and convenience commercial) but includes roads, parks, stormwater management areas or other utility blocks.”

<sup>3</sup> Based on “Figure 2-30: County of Wellington D.G.A. Population and Housing to 2051” on p. 2-41 of the “Phase 2 M.C.R. Report: Urban Land Needs Assessment” (dated August 29, 2022) prepared for the County of Wellington by Watson & Associates Economists Ltd.

<sup>4</sup> Statistics Canada, Research to Insights: Working from home in Canada (January 18, 2024), <https://www150.statcan.gc.ca/n1/pub/11-631-x/11-631-x2024001-eng.htm>. In particular, see Chart 1 (“Percentage of workers working most of their hours from home...”).

of the proposed subdivision yields a total of 61 work-at-home jobs. Combining the two values gives a total of 665 people and jobs on 14.14 gross hectares of land, for a density of approximately 47.0 people and jobs per hectare. This is greater than the minimum target of 40 people and jobs per hectare established in Policy No. 3.5.6.b of the Town of Erin's Official Plan.

**Figure 6** (p. 15) presents a development concept for the "Multiple Residential" block (Block 145), with a total of 48 dwelling units (30 stacked townhouse units and 12 cluster townhouse units). The proposed "UR1" zoning requires a minimum lot area of 170 m<sup>2</sup> per dwelling unit, which for 48 dwelling units would correspond to a minimum area of 8,160 m<sup>2</sup>. Block 145 has an area of approximately 1.0 ha, and therefore fulfills this minimum requirement. It should be noted that the concept plan shown in Figure 6 is intended as a "proof-of-concept" plan, to illustrate that Block 145 can indeed perform its intended function as a Multiple Residential block. The development of Block 145 will be the subject of a future Site Plan application to the Town (see Section 3.4 below).

The park on Block 146 will have an area of approximately 0.92 hectares and will be conveyed to the Town in fulfillment of the requirement set out in Section 4.b of the Town's Parkland Dedication By-law (No. 22-41, as amended by By-law No. 23-04). Section 4.b requires the conveyance of five percent of the lands that are the subject of the development approval, which for the 14.14 hectares of the Subject Property that are proposed for development is an area of 0.71 hectares. The proposed conveyance of 0.92 hectares of parkland therefore exceeds the amount required under By-law No. 22-41. (The alternative requirement of 1 hectare for each 600 net dwelling units set out in Section 5 of By-law No. 22-41, as amended, would require the conveyance of only 0.35 hectares.)

**Figure 7** (p. 16) shows a concept plan for the park on Block 146, which was requested during pre-submission consultation as a condition for a complete application. The park has been sited midway along the westerly boundary of the Subject Property to provide a centralized location, making it more conveniently accessible for future residents of the proposed development. The design features a central play area next to a gazebo and picnic tables on a concrete pad, flanked on both sides by planting areas and with 2.4-metre-wide asphalt pathways connecting it to both Street 'A' and Street 'D'. There is an open lawn area on the easterly portion of the proposed park, with a row of trees to serve as a buffer between the park and the dwellings on the adjacent townhouse block. The westerly portion of the park block is proposed as a passive play area, free of buildings or structures, in order to accommodate the 25-metre buffers associated with five butternut trees located just beyond the westerly boundary of the park block.

Block 147 is a 10-metre-wide buffer situated between the rear lot lines of Lots 1–23 and the woodlot along the easterly boundary of the Subject Property. This buffer is intended to provide protection for the woodlot and for the natural heritage features on the adjacent parcel. The stormwater management facility on Block 148 has been sited at a low point of the Subject Property to take advantage of the topography. The proposed draft plan includes a 10-metre storm sewer easement as Block 150 (between Block 148 and Wellington Road 22). A sanitary pumping station will be located on Block 149, at the southeast corner of the proposed development. Further details on the pumping station are provided in Section 4.1 of this report.

Block 151, which is similar in size to the adjacent detached dwelling lots, has been designated as a “Future Residential” block. In the short-term, Block 151 will accommodate a temporary turning circle at the end of Street ‘C’. This location will eventually provide a road connection to the subdivision situated north of the Subject Property and, beyond that, to Station Street, as envisioned on Schedule “A-3” to the Town’s Official Plan (see p. 8).



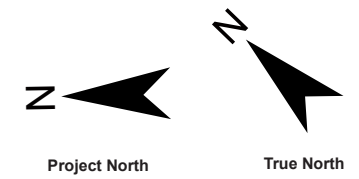
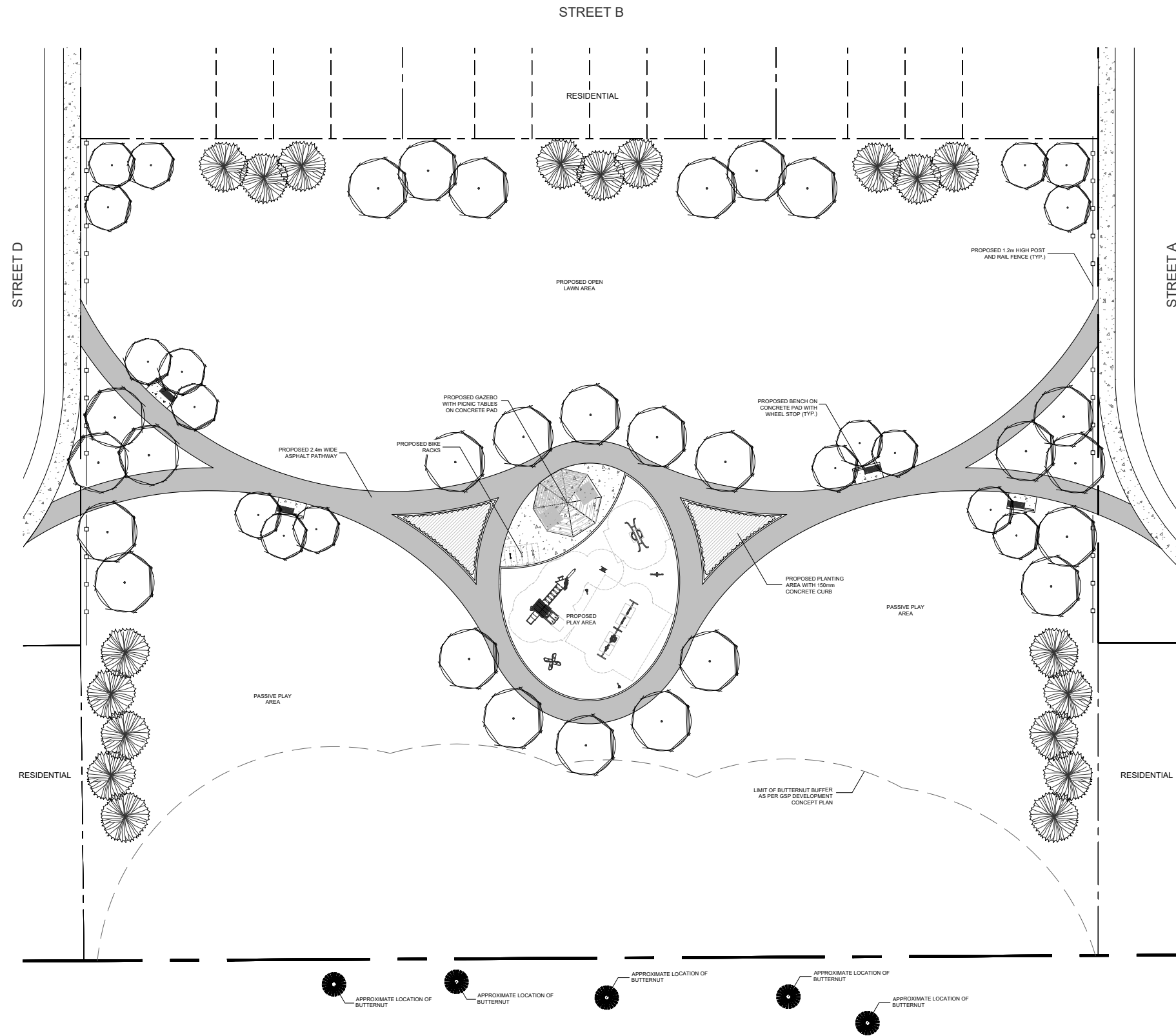


True North

Multiple Residential Block Concept Plan  
 Source: GSP Group (2024)

Figure  
**6**





## 3. Planning Applications

Two applications under the *Planning Act* have been submitted to facilitate the proposed development of the Subject Property:

- an application for the approval of a Draft Plan of Subdivision under Section 51 of the *Planning Act*; and
- an application to amend the Town of Erin's Zoning By-law (No. 07-67) under Section 34 of the *Planning Act*.

A draft version of the proposed amendment to the Zoning By-law has been included as **Appendix "A"** to this report.

This section of the Planning Justification Report discusses these two applications, starting with the application for Draft Plan of Subdivision, as the proposed draft plan provides the basis for the special provisions included with the requested Zoning By-law Amendment. This section also provides an overview of the public consultation strategy required by the County of Wellington as part of a complete application and discusses future applications with respect to the proposed development that will be necessary.

### 3.1 Draft Plan of Subdivision

The proposed Draft Plan of Subdivision, shown in Figure 5 above (see p. 14), covers an area of approximately 14.14 hectares. **Table 2** provides an overview of the land uses in the proposed Draft Plan. As described in Section 2.3 above, the residential component of the proposed Draft Plan contains 142 lots for single detached dwellings plus an additional "Future Residential" block, two blocks for street townhouse dwellings providing a combined total of 24 dwelling units, and one "Multiple Residential" block that will provide another 48 townhouse dwelling units. This means that, upon full build-out, the proposed development will accommodate a total of 215 dwelling units, which translates into a density of 15.2 units per gross hectare.

The Draft Plan also includes a 0.92-hectare block for a public park, an "Open Space" block to provide a ten-metre buffer for the adjacent woodland, a stormwater management block along with a separate block for a 10-metre-wide storm sewer easement, a block to accommodate a pumping station, and a 0.3-metre reserve block to provide an eventual road connection to the lands to the northwest.

**Table 2 – Land Uses in Draft Plan of Subdivision**

Land Use	Lot/Block No.	No. of Units	Area [ha]	Proposed Parking <sup>(a)</sup>
Detached Dwellings	Lots 1–142	142	6.39	1/unit
Street Townhouse Dwellings	Blocks 143 & 144	24	0.56	1.5/unit
Multiple Residential (Townhouse)	Block 145	48	1.00	1.5/unit
Public Park	Block 146	--	0.92	N/A
Open Space (10m Buffer)	Block 147	--	0.29	N/A
Stormwater Management	Block 148	--	1.72	N/A
Pumping Station	Block 149	--	0.10	N/A
Storm Sewer Easement	Block 150	--	0.04	N/A
Future Residential	Block 151	[1]	0.07	1/unit
0.3m Reserve	Block 152	--	0.004	N/A
Road Allowances	--	--	3.05	N/A
<b>Totals</b>	<b>152</b>	<b>214+1</b>	<b>14.14</b>	<b>--</b>

<sup>(a)</sup>Table 1 in Section 4.27 of the Town of Erin's Zoning By-law requires a minimum of 1 parking space per dwelling unit in a residential building with no more than four units and for a street townhouse dwelling, and a minimum of 1.5 spaces per dwelling unit (1.0 space for the unit and 0.5 for visitor parking) for apartment buildings and for townhouse dwellings other than street townhouses.

The internal road network consists of five streets, labelled “A” through “E” on Figure 5, in a modified grid layout. Access to proposed development is provided to Wellington Road 22 via Street “A”, while Street “C” will eventually connect to the lands to the north, which in turn will provide future access to Station Street, as envisioned on Schedule “A-3” to the Town of Erin’s Official Plan (see p. 8).

Lots 1–142 range in width from 10.97 metres to 15.6 metres, with the majority (85 out of 142) being 12.19 metres wide: those lot widths are summarized in **Table 3** below (p. 19). (This section of the Planning Justification Report focuses its discussion upon lot *widths* because that is the dimension required in Section 8.1 of the County’s Plan of Subdivision Application Form. Section 3.2 below focuses on lot *frontages*, which is the dimension used to determine compliance with the Town of Erin’s Zoning By-law. The term “lot width” does not necessarily have the same meaning as “lot frontage,” as that term is defined in Section 2 of the Zoning By-law.) The lot widths for the street townhouses on Block 143 and Block 144, as shown in Figure 5, are 6.04 m for 14 interior units, 7.24 m for six end units, 11.44 m for the corner unit on Block 143 at the corner of Street B and Street D, 11.63 m for the

**Table 3 – Widths of Single Detached Dwelling Lots (Lots 1–142)**

Lot Width	Total No. of Lots	Lot Nos. <sup>(a)</sup>
10.97 m	37	Lots 1–4, 6–9, 11–14, 16–24, 51–54, 104, 111, 114, 121, 124, 127, 128, 131, 134, 137, 138, 141
12.19 m	85	Lots 5, 10, 15, 26–43, 46–50, 55–59, 61–68, 70–77, 79–80, 82–83, 85–86, 88–91, 93–95, 97–99, 101–102, 105–110, 115–120, 125–126, 129–130, 135–136, 139–140
13.71 m	8	Lots 69, 78, 81, 84, 87, 92, 96, 100
13.97 m	2	Lots 45 & 60
14.4 m	4	Lots 113, 122, 133 & 142
14.7 m	1	Lot 132
15.0 m	1	Lot 112
15.4 m	1	Lot 123
15.6 m	3	Lots 25, 44 & 103

<sup>(a)</sup>Refer to Figure 5.

corner unit on Block 143 at the corner of Street B and Street A, 10.63 m for the corner unit on Block 144 at the corner of Street A and Street B, and 10.69 m for the corner unit at the 90-degree angle in Street A.

Principal access to the proposed development will be provided from Wellington Road 34 via Street A, although, in the longer term, Street C will connect to the subdivision north of the Subject Property.

### 3.2 Zoning By-law Amendment

The primary purpose of the requested amendment to the Town of Erin’s Zoning By-law is to implement the Draft Plan of Subdivision described above by re-zoning the Subject Property from “FD” (“Future Development”) to a combination of the following:

- “UR1” (“Urban Residential One”) for Lots 1–142 and Blocks 143–145 to permit a combination of single detached dwellings and street townhouse dwellings;
- “UR1” with holding provisions for Block 151 (“Future Residential”) to limit the use of that Block to a temporary turning circle; and

- “OS1” (“Open Space Recreation”) for Blocks 146–150, with special provisions for the Open Space buffer on Block 147 to prohibit the erection of buildings or structures.

By-law No. 22-43, which was passed on November 24, 2022, amended various sections of Zoning By-law No. 07-67. The amendments to Section 6 (“Requirements for Residential Zones”) of By-law No. 07-67 include the introduction of two new zones, “Urban Residential One” (Zone “UR1”) and “Urban Residential Two” (Zone “UR2”), within which the full range of residential uses is permitted, from detached dwellings to townhouse and apartment dwellings, according to Table 5 of By-law No. 07-67, as amended by By-law No. 22-43. By-law No. 22-43 also added Section 6.5 (“Urban Residential Zones”) to the Zoning By-law, which in addition to the aforementioned permitted uses sets out the lot requirements for different dwelling types in the “UR1” and “UR2” Zones. The added Section 6.5.2 states that the provisions for the “UR1” and “UR2” Zones “apply only to lots that shall be fully serviced by municipal water and municipal wastewater.”

According to Table 5 of By-law No. 07-67, the permitted uses in the “UR1” Zone include detached dwellings, townhouse dwellings, back-to-back townhouses, stacked townhouses, and street townhouses. **Table 4** below identifies the lot requirements for single detached dwellings in the “UR1” Zone, set out in Table 7 of the Zoning By-law.<sup>5</sup> All of the lots for detached dwellings in the proposed development comply with the standards for lot area and lot frontage in the “UR1” Zone: as indicated in Table 4, the smallest lot area in the proposed development is 361.9 m<sup>2</sup> and the smallest lot frontage is 10.97 m. (Dimensions for all single detached dwelling lots are provided in **Appendix “B”**.) It should be noted that “lot frontage” is defined in Section 2 of the Zoning By-law as the distance “between the side lot lines, measured perpendicular to the line joining the mid-point of the front lot line and mid-point of the rear lot line, at a point 7.5 m from the front lot line,” and thus the lot frontages listed in Appendix “B” are not necessarily the same as the lot widths identified in Table 3 on p. 19.

**Table 5** (p. 22) identifies the requirements set out in Table 9 of the Zoning By-law (as amended) that apply to townhouse dwellings in the “UR1” Zone (other than stacked townhouses, which are subject to different requirements for minimum separation distance between buildings and maximum building height. These requirements have been omitted

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<sup>5</sup> In terms of the standards in Table 7 of the Zoning By-law, the difference between the “UR1” and “UR2” Zones is in the requirements for minimum lot area and minimum lot frontage, which are larger in the “UR2” Zone, at 350 m<sup>2</sup> and 12 m, respectively.

**Table 4 – Zoning Standards for Detached Dwellings in “UR1” Zone**

<b>Standard</b>	<b>Requirement for Detached Dwellings in “UR1” Zone</b>	<b>Measurement in Proposed Development<sup>(a)</sup></b>
Minimum lot area	280 m <sup>2</sup>	361.9 m <sup>2</sup>
Minimum lot frontage	10 m	10.97 m
Minimum front yard	4.0 m	≥ 4.0 m
Minimum rear yard	7.0 m	≥ 7.0 m
Minimum side yard	1.2 m on one side, 0.6 m on other side	≥ 1.2 m on one side, ≥ 0.6 m on other side
Minimum exterior side yard	4.0 m	≥ 4.0 m
Maximum building height	≤ 11.0 m	≤ 11.0 m
Minimum landscaped area of front yard or exterior side yard	33%	≥ 33%

<sup>(a)</sup>Minimum lot area and minimum lot frontage identified are the smallest measurements in the proposed development. See Appendix “B” for the dimensions of all lots for detached dwellings.

from Table 5 above, as the proposed development does not include any stacked townhouse dwellings). As indicated in Table 5, the townhouse dwellings in the proposed development will comply with the applicable requirements for the “UR1” Zone.

The proposed draft amendment in Appendix “A” includes a special provision for the “OS1” Zone that apply to Block 147 that prohibit the erection of buildings or structures, including accessory buildings or structures. The purpose of this special provision is to ensure that Block 147 maintains its intended function as a buffer for the natural features on the parcel to the east. According to Section 11.1 of the Zoning By-law, the park on Block 146 and the uses proposed on Blocks 148–150 (the Stormwater Management Facility on Block 148, the Pumping Station on Block 149, and the Storm Sewer Easement on Block 150) are all permitted in the “OS1” Zone (including the pumping station, which is considered a “public building” according to the definition in Section 2 of the By-law). Section 4.45.2 of By-law No. 07-67 (as amended) states that “Nothing in this By-law shall apply to prevent or otherwise restrict any municipal, county, provincial or federal agency, corporation, board or commission” from “the use of any land for the installation, operation or maintenance of any well, watermain, sanitary sewer main, storm sewer main, pumping station, gas main, pipeline, [or] storm water management facility....” The reason for placing Blocks 148–150 in the “OS1” Zone is to limit the uses permitted on these blocks to ensure they will fulfill their intended function within the proposed development.

**Table 5 – Zoning Standards for Townhouse Dwellings in "UR1" Zone**

Requirement	Standard for Street Townhouse Dwellings in "UR1" Zone	Block 143 (15 units on 0.35 ha) <sup>(a)</sup>	Block 144 (9 units on 0.21 ha) <sup>(a)</sup>
Minimum lot area	170 m <sup>2</sup> per unit	199.3 m <sup>2</sup> (interior units) 238.9 m <sup>2</sup> (end units) 367.3 m <sup>2</sup> (corner units)	200.8 m <sup>2</sup> (interior units) 240.8 m <sup>2</sup> (end units) 340.8 m <sup>2</sup> (corner units)
Minimum lot frontage	6.0 m (interior units) 7.0 m (end/corner units)	6.04 m (interior units) 7.24 m (end units) 11.58 m (corner units)	6.04 m (interior units) 7.25 m (end units) 10.65 m (corner units)
Minimum front yard	3.0 m	≥ 3.0 m	≥ 3.0 m
Minimum rear yard on a lot not accessed by a private road	7.0 m	≥ 7.0 m	≥ 7.0 m
Minimum interior side yard	0.0 m (interior units) 1.2 m (end units)	0.0 m (interior units) ≥ 1.2 m (end units)	0.0 m (interior units) ≥ 1.2 m (end units)
Minimum exterior side yard	3.0 m	≥ 3.0 m	≥ 3.0 m
Minimum separation distance between buildings	11.0 m	≥ 11.0 m	≥ 11.0 m
Maximum building height	11.0 m	≤ 11.0 m	≤ 11.0 m
Minimum private outdoor amenity area	10 m <sup>2</sup> per unit	≥ 10 m <sup>2</sup> per unit	≥ 10 m <sup>2</sup> per unit
Minimum common outdoor amenity area	10 m <sup>2</sup> per unit	≥ 10 m <sup>2</sup> per unit	≥ 10 m <sup>2</sup> per unit

<sup>(a)</sup>Only the smallest measurement for lot area and lot frontage is provided for the purpose of determining compliance.

The proposed amendment also applies a holding symbol ("H") to the "Future Residential" block (Block 151) in order to ensure that the temporary turning circle, part of which is located on Block 151, will remain in place until such time as Council determines it is no longer necessary.

### 3.3 Public Consultation Strategy

According to Subclause (a)(ii) of Subsection 34 (12) of the *Planning Act*, before it passes a by-law to amend the Zoning By-law, Council must ensure that “at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the proposed by-law.” The rationale for this statutory requirement is to ensure that anyone who might be affected by the proposed amendment (and the development that the amendment would facilitate or permit) a chance to express their opinions and concerns in an open, accessible, and public forum. Thus, Subsection 34 (14.2) of the *Planning Act* states that every person who attends a public meeting must be “given an opportunity to make representations in respect of the proposed by-law.”

Subsections 34 (13) and (14.1) of the *Planning Act* further require that notice of the required public meeting be given at least 20 days before the meeting is held. The manner in which this notice is given is prescribed in s. 5 of O. Reg. 545/06 under the *Planning Act*, which requires that notice be directly given, “by personal service or ordinary mail, to every owner of land within 120 metres of the subject land,” and that a notice sign be posted on the subject site “clearly visible and legible from a public highway or other place to which the public has access.”<sup>6</sup>

The *Planning Act*’s provisions regarding public consultation for applications for the approval of a Draft Plan of Subdivision are less rigorous than they are for Zoning By-law Amendments. Under subs. 51 (23), the approval authority (which in this case is the County of Wellington) “may confer with the persons or public bodies that the approval authority considers may have an interest in the approval of the proposed subdivision,” but is not statutorily required to do so. Subsection 51 (22) also provides that “any person or public body may make written submissions to the approval authority” regarding the application before the approval authority makes a decision. However, subs. 51 (19.4) does require that the approval authority give notice that it has received a complete Draft Plan of Subdivision application in a manner similar to what is required for a Zoning By-law Amendment.

We are of the opinion that the requirements of the *Planning Act* will provide for sufficient and appropriate public consultation regarding the proposed development. The proposed

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<sup>6</sup> Alternatively, subs. 5 (7) of O. Reg. 545/06, pursuant to paragraph 1 of subs. 5 (3), provides that notice may “be given by publishing a notice in a newspaper that, in the opinion of the clerk of the municipality or the secretary-treasurer of the planning board, is of sufficiently general circulation in the area to which the proposed by-law would apply that it would give the public reasonable notice of the public meeting.” The Town of Erin’s Zoning By-law Amendment Application Form, however, clarifies that notice will be given through the posting of a sign and circulation of the application to property owners within 120 metres of the subject lands.

change in zoning conforms with the long-term intent for the Subject Property expressed in the Town of Erin’s Official Plan, as represented by the “Residential” land use designation. Furthermore, public consultation that was undertaken during the preparations of the Town’s 2019 Growth Management Strategy identified that the preferred growth option was to “prioritize future population growth in ... Area E in Hillsburgh” (p. xv).<sup>7</sup> The Subject Property is located entirely within the area identified as “Area E” (see **Figure 8** on p. 26). The proposed amendment to the Zoning By-law will contribute towards implementing this preferred growth option. For these reasons, we are of the opinion that the statutory requirements for public consultation in connection with an application for a Draft Plan of Subdivision and with a proposed amendment to the Zoning By-law will provide sufficient and appropriate opportunities for public consultation with regard to the proposed development.

### 3.4 Future Applications

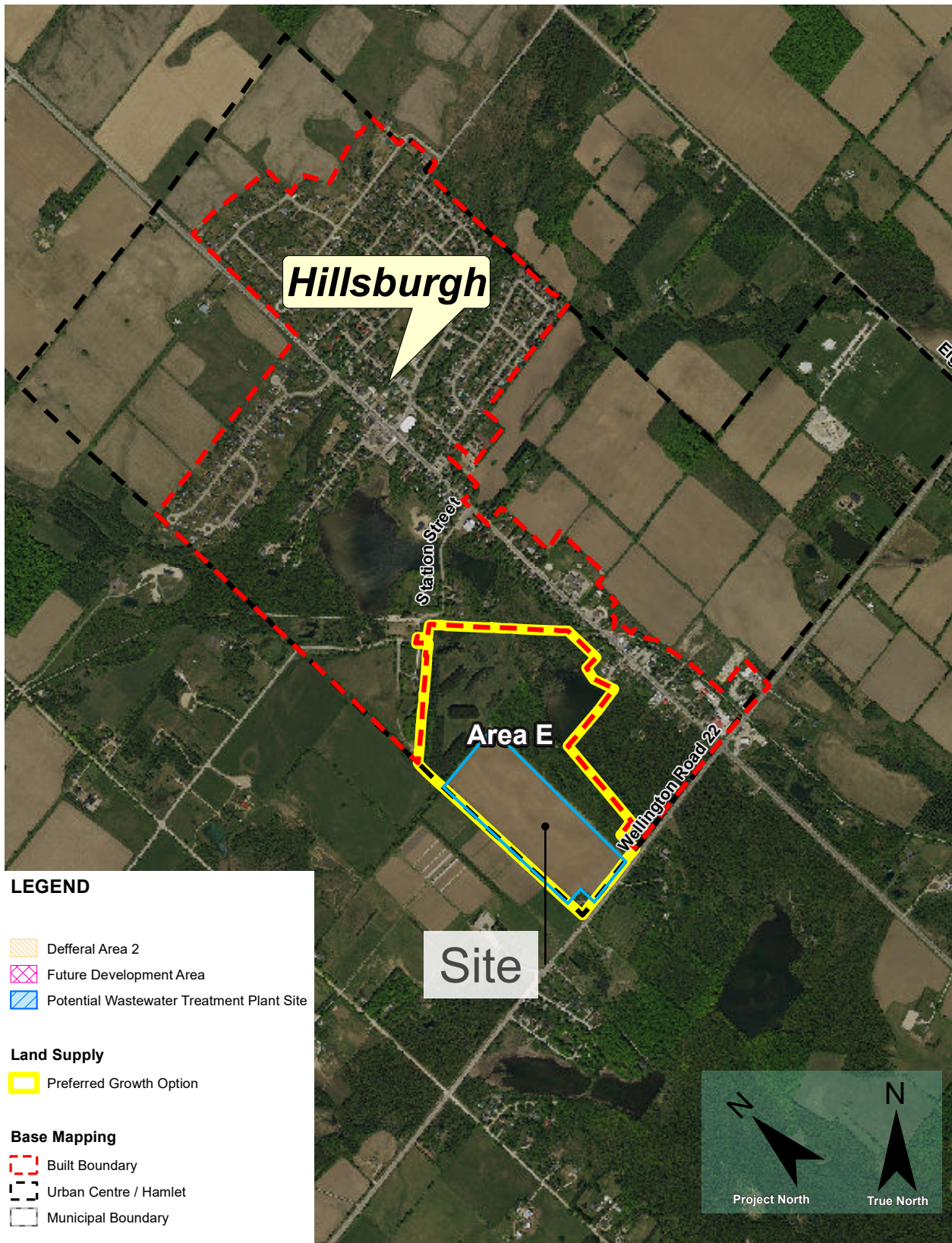
If approved, the proposed Draft Plan of Subdivision would result in the creation of three blocks for multiple-residential uses: Blocks 143 and 144 for street townhouses and Block 145 for “Multiple Residential”, which is expected to accommodate a townhouse condominium. The creation of separate lots for individual townhouse units on Blocks 143 and 144 will require the passing of a by-law under Subsection 50 (7) of the *Planning Act* to provide that the land in question is not subject to part-lot control under Subsection 50 (5) of that Act. Such a by-law would be passed after construction of the townhouse units has been completed. Development on Block 145 will require another application to the County of Wellington for the approval and registration of a declaration and description of condominium under the *Condominium Act, 1998*. Development on Block 143 and Block 145, both of which are proposed to accommodate more than ten dwelling units, may require an application to the Town of Erin for Site Plan Approval.

Section 4.50.2 of the Town’s Zoning By-law (No. 07-67, as amended) states that a temporary sales office may only be permitted if “the lot on which the temporary sales office is located is zoned to permit the use and the zoning is in full force and effect.” This means that the establishment of a temporary sales office for the proposed development will require a by-law under Section 39 of the *Planning Act* to authorize the temporary use in the “UR1” Zone. Section 4.50.4 of the Zoning By-law further states that temporary sales offices are subject to Site Plan Approval.




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<sup>7</sup> Dillon Consulting, *Town of Erin Growth Management Strategy - Final*, October 2019. Available at <https://www.erin.ca/town-hall/building-and-planning/growth-management-strategy>.


Finally, residential development on the “Future Residential” block (Block 151), which would take place once the temporary turning circle located partially on that block is no longer necessary, will require the passing of a by-law to remove the holding symbol (“H”) from the zone in which that block is located.






**LEGEND**

-  Defferal Area 2
-  Future Development Area
-  Potential Wastewater Treatment Plant Site

**Land Supply**

-  Preferred Growth Option

**Base Mapping**

-  Built Boundary
-  Urban Centre / Hamlet
-  Municipal Boundary



Preferred Growth Scenario (Hillsburgh)

Source: Town of Erin Growth Management Strategy (2019)

Figure

8

## 4. Supporting Studies & Reports

This section of the Planning Justification Report summarizes the principal findings and recommendations of the following reports and studies prepared in support of the proposed development:

- Functional Servicing Report, prepared by GM BluePlan Engineering Ltd. (“GMBP”), now known as GEI Consultants, Inc. (“GEI”), and dated November 2024, which includes (as Appendix “A”) the Preliminary Geotechnical Investigation prepared by V.A. Wood (Guelph) Incorporated (dated April 2015) and (as Appendix “F”) the Water Balance Calculations requested by Credit Valley Conservation (“CVC”);
- Hydrogeological Study, prepared by GMBP/GEI and dated November 7, 2024;
- Slope Stability Study, prepared by JLP Services Inc. and dated November 6, 2024;
- Phase I Environmental Site Assessment, prepared by GEI and dated July 18, 2024;
- Environmental Impact Study, prepared by Natural Resource Solutions Inc. (“NRSI”) and dated November 2024, the appendices to which include a Tree Survey and Arborist’s Report;
- Stage 1-2 Archaeological Assessment, prepared by AMICK Consultants Limited (“AMICK”) and dated December 1, 2023;
- Transportation Impact Study, prepared by Salvini Consulting (“Salvini”) and dated April 2023;
- Noise Feasibility Study, prepared by Howe Gastmeier Chapnik Limited (“HGC”) and dated January 10, 2024; and
- Urban Design Brief, prepared by GSP Group and dated September 2024.

The information presented in this section of the Planning Justification Report is provided only for the purpose of summarizing principal findings and recommendations, and is not intended to replace the other reports and studies submitted with the applications for the proposed development. All reports and studies submitted should be read in their entirety in conjunction with this Planning Justification Report.

### 4.1 Functional Servicing Report

The Functional Servicing Report (“FSR”) was prepared by GM BluePlan Engineering Ltd. (“GMBP”), now known as GEI Consultants, Inc. (“GEI”). The version submitted with the original applications was dated February 2024. The revised FSR is dated November 2024.

The FSR includes, as Appendix “A”, the Preliminary Geotechnical Investigation prepared by V.A. Wood (Guelph) Incorporated, dated April 2015, as well as the Water Balance Calculations requested by Credit Valley Conservation (as Appendix “F” to the FSR), which accompany the discussion of water balance in Section 6.0 of the FSR. The FSR includes details on Preliminary Stormwater Management (which was also requested during pre-submission consultation).

The revisions made to the FSR in support of the resubmitted applications include the following:

- A discussion of the post-development water balance with and without mitigation is included in Section 5, with further details provided in Appendix “F”. (Appendix “F” also includes the infiltration gallery sizing calculations.) The discussion in Section 5 includes a comparison of post-development runoff volumes with the pre-development phase of the assessed wetland.
- The proposed infiltration galleries are compared to MECP / CVC guidelines in Section 5.3.
- Table 6 in Section 5.4 has been updated to include a 100-year scenario with 50% orifice blockage to ensure the SWM facility will still contain the storage volume.
- A discussion of the balancing of flows to the existing woodlot and elevation constraints along the easterly property line has been included in Section 5.5.
- Section 6 has been updated to include summary tables for pre-development target flows, post-development controlled flows, and post-development uncontrolled flows.

According to Section 3.3 of the FSR, the proposed development will be provided with municipal water services by extending a watermain along Wellington Road 22 to the intersection with Trafalgar Road (approximately 500–600 metres to the east), where a connection is proposed to the future watermain extension southward along Trafalgar Road, as described in the Town of Erin Servicing and Settlement Master Plan Final Report (2014). The sizing of the proposed watermain will be determined during the detailed design stage. A local watermain will be extended throughout the proposed development using the internal road network, and each dwelling will be provided with a 25mm-diameter water service lateral (FSR, Section 3.3, pp. 4–5). Fire hydrants will be installed in accordance with the Town of Erin’s Design Standards, with a minimum radius of 120 metres for detached dwellings and of 90 metres for townhouse dwellings (p. 5).

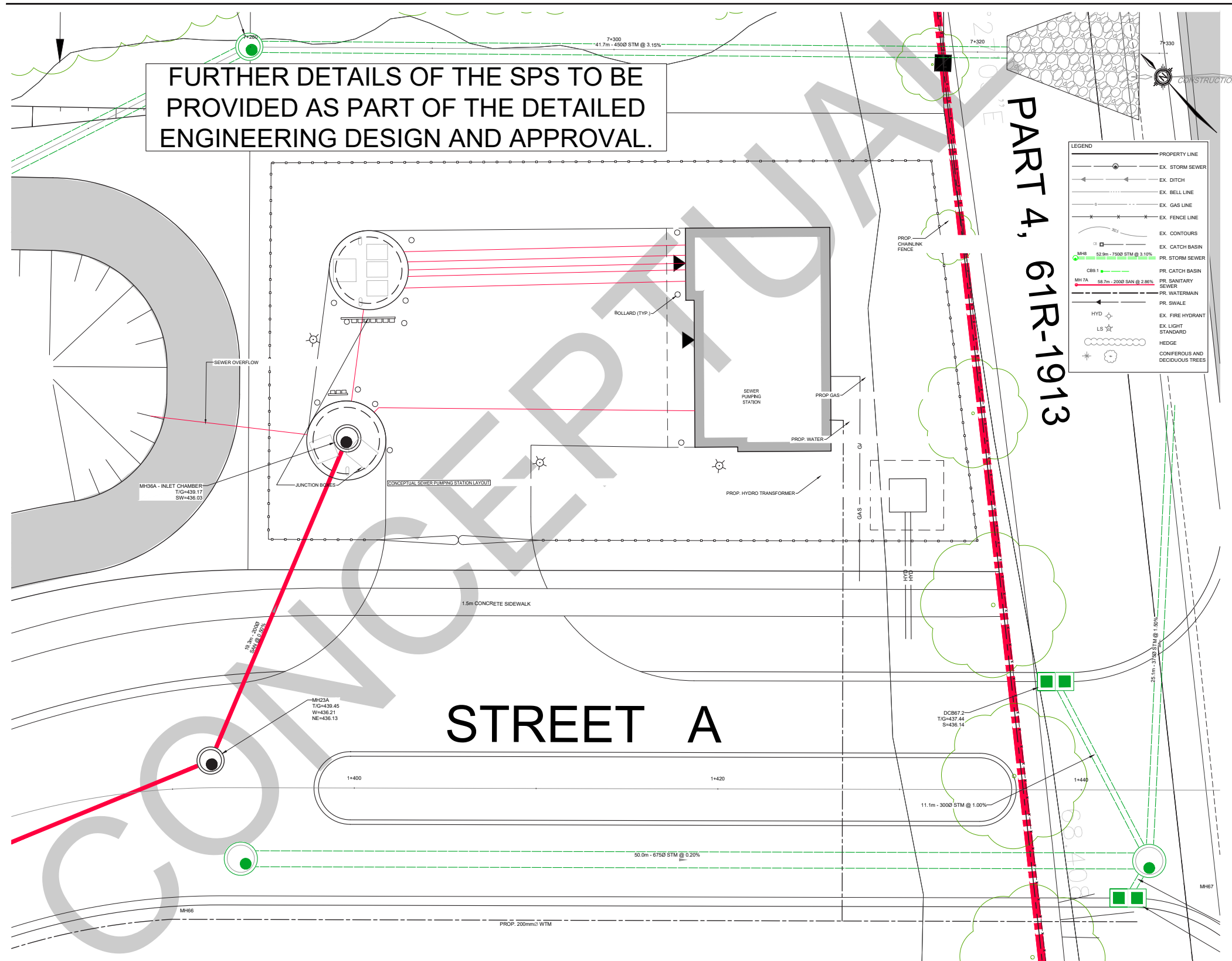
Sewage services will be provided using the sanitary pumping station to be constructed on Block 149 of the proposed draft plan of subdivision (see Figure 5 on p. 14 above). As described in Section 3.4 of the FSR, the pumping station will pump sanitary flows through

a proposed forcemain along Wellington Road 22 to a proposed gravity sanitary sewer located at the point where the Elora Cataract Trailway intersects Wellington Road 22. Each dwelling will be provided with a 125mm-diameter sanitary service lateral which will connect to 200mm-diameter gravity sewer extended along the internal street network of the proposed development, which will convey sewage to the pumping station on Block 149 (FSR, Section 3.4, p. 5). At the request of the Town, the revised engineering drawings include a conceptual plan for the sanitary pumping station (see **Figure 9**). Further details will be confirmed as part of the detailed design stage.

The internal road network will also contain a storm sewer system with 100mm-diameter subdrains constructed under the curb for the full length of the roadway (FSR, Section 3.5, p. 6). The storm sewer system will be sized to convey the five-year design event to the stormwater management (“SWM”) facility on Block 148 of the proposed draft plan. Major storm events will be conveyed overland to this facility using municipal rights-of-way. Each lot in the proposed development will have a 150mm-diameter storm sewer lateral that connects to the storm sewer system in the municipal right-of-way. The SWM facility will outlet to the existing roadside ditch along Wellington Road 22 and to the wooded area to the east of the Subject Property to maintain existing drainage patterns (p. 6).

Stormwater management for the proposed development will adopt a “treatment train” approach using a combination of lot-level controls, conveyance controls, and end-of-pipe facilities to filter and remove sediment from run-off before off-site discharge (Section 5.3, p. 11). Lot-level controls include an infiltration gallery in the rear yard of each lot, designed to infiltrate rooftop run-off from events up to the 25mm storm, with the system being designed so that run-off from any event large enough to generate flow to the storm sewer system will be adequately filtered by grassed areas on each lot (p. 11). The combination of infiltration galleries and natural infiltration through pervious surfaces will achieve the required on-site detention of the first 5 mm of rainfall (Section 8.0, p. 28).

The proposed SWM facility on Block 148 has been designed to function as a wetland-type facility, with a forebay and 0.3-metre-deep permanent pool to provide the required water quality controls (Section 5.3, p. 12). The facility will have two outlet structures, in order to maintain existing drainage patterns and to match pre-development recharge conditions as much as is feasible. One outlet will discharge to the existing roadside ditch along Wellington Road, which ultimately drains to the Erin Branch of the Credit River, while the other will discharge to the adjacent wooded area and from there to the existing wetland before also draining to the Erin Branch of the Credit River (Section 5.4, p. 14). A linear energy dissipation and dispersion trench will spread flows into the wooded area over a wide area to reduce flow depth and avoid a point-source discharge (Section 5.5, p. 17). The Environmental Impact Study (“EIS”) prepared by Natural Resource Solutions Inc. (see



Conceptual Plan of Sanitary Pumping Station  
 Source: GM Blue Plan Engineering/GEI Consulting (2024)

Figure  
**9**



Section 4.4 below) concludes that the thermal mitigation management practices incorporated into the design of the proposed SWM facility will “help to mitigate potential thermal impacts” to the river (p. 75).

Section 7.0 of the FSR presents the Erosion and Sedimentation Control Plan that was requested during pre-submission consultation. This section of the report indicates that “primary sediment control will be achieved with the installation of Type 2 sediment fence around the property boundary” to eliminate opportunities for water-borne sediments to be transported from the site (p. 27). The SWM facility “will be graded and shaped at the start of any construction or pre-grading activity,” and outlet structures will be surrounded by silt fencing to restrict the movement of sediment (p. 27). Once development is complete, “erosion will not occur and sediment transport will be minimal. The stormwater management facility will provide all sediment removal” (p. 27).

## 4.2 Hydrogeological Study

The Hydrogeological Study (originally dated October 3, 2023) was prepared by GMBP (now GEI) for the purpose of assessing potential impacts from the proposed development on local groundwater and nearby surface water features (Section 1, p. 1). The revised Hydrogeological Study, also prepared by GMBP/GEI, is dated November 7, 2024.

The Hydrogeological Study reports that the proposed development, including the proposed infiltration galleries, “is expected to result in a slight increase (+0.6%) in recharge as compared to pre-development conditions. This change is not expected to result in hydrogeological impacts to water well users or ecological features” (Section 8, p. 22). The revised Hydrogeological Study report has been updated to address potential impacts on the Provincially Significant Wetland (“PSW”) located down-gradient of the site. The degree of hydrological change anticipated from the proposed development is low, and the proposed development is therefore “not expected to cause negative impacts to the water balance of the West Credit River Wetland Complex” (Section 6.3.1, p. 16).

According to the Hydrogeological Study, it is expected that dewatering will be required for the construction of services and of the stormwater management facility. Therefore, the Study recommends that “construction dewatering activity for this project be registered on the Environmental Activity and Sector Registry (EASR)” (Section 8, p. 22). The Study further recommends that “a water-taking and discharge plan be developed according to the requirements of O. Reg. 63/16 and in consideration of the recommendations made in Section 7 of this report,” to be implemented during construction (Section 9, p. 22).

With regard to the proposed SWM facility, the Hydrogeological Study recommends that “an appropriate liner be designed and installed with the intent of preventing the development of transport pathways between the deepest parts of the SWM Pond [...] and the underlying aquifer,” with details to be confirmed with input from a geotechnical engineer, and that the pond outlet “be constructed with provisions to mitigate the potential for erosion” (Section 9, p. 22).

### **4.3 Slope Stability Study**

The Slope Stability Study was undertaken by JLP Services Inc. (“JLP”) for the purpose of determining “setback requirements for the sloping ground profiles to the north of the proposed subdivision beyond the northwest quadrant of the subject site” (p. 1). The results are presented in a letter dated November 6, 2024.

The Slope Stability Study consisted of a visual inspection of the site, carried out on September 10, 2024, and a desktop study using data from the Preliminary Geotechnical Investigation prepared by V. A. Wood (Appendix “A” to the FSR: see Section 4.1 above), GMBP/GEI’s Hydrogeological Study (Section 4.2), and available topographic and CVC mapping. The existing slope was evaluated at three selected locations along the proposed residential lots at the northeasterly corner of the site (Lots 1–17 on the proposed draft plan in Figure 5).

Based on the visual observations and desktop study results, the Slope Stability Study finds that existing slopes at the three evaluated locations “appear to be gradual in nature with slope inclination of approximately 1 (vertical) to 6 (horizontal) and flatter” and concludes that the development setback distance of 15 metres from the assumed stable top of bank “may be reduced or waived as the risk of deep-seated or shallow failure of the existing slope is minimal” (p. 3). The Study recommends that a 10-metre setback “as a combined development setback and vegetation limit buffer,” stating that such a reduction “is acceptable in geotechnical standpoint” (p. 3).

### **4.4 Phase I Environmental Site Assessment**

The Phase I Environmental Site Assessment (“ESA”) was prepared by GEI for due diligence purposes, with the objective of identifying “sources of potential environmental concern associated with the Site” (Section 1, p. 1), and is dated July 19, 2024.

The study area for the Phase I ESA consisted of the Subject Property and neighbouring lands within 250 metres of the property boundary (Section 1.2, p. 1). The site reconnaissance performed as part of the Phase I ESA confirmed the current agricultural

use of the Subject Property and the absence of buildings (Section 5.2.1, p. 13) and confirmed the agricultural and rural residential use of adjacent properties (Section 6, p. 17). A review of aerial photographs corroborates the historical use of the Subject Property for agricultural purposes back to 1954 (Section 6, p. 17). As reported by the current owner, the Subject Property “has not been used for industrial or commercial purposes in the past” (Section 6, p. 17).

MECP records do not identify any active or closed waste disposal sites on, or in the vicinity of, the Subject Property (Section 6, p. 17). As reported in Section 3.4.3.4 of the Phase I ESA report, one closed and one active waste disposal site were identified approximately 6 km southeast of the Subject Property, but, “based on the separation distance, these existing active and closed landfill sites are not considered to be a source of environmental impact or risk to the subject property” (p. 7). According to the Summary of Findings in Section 6 of the report, “no evidence of on-Site fuel or chemical storage tanks was observed was observed at the time of the site visit, and the current Owner reported no knowledge of fuel or other chemical storage tanks on the subject property in the past” (p. 18), and “no evidence of fill importation, stressed vegetation, illegal dumping, debris or surface soil staining was observed in areas visited and observed during the site visit” (p. 18).

Overall, the findings of the Phase I ESA indicate that “potential for environmental impacts or risks to the subject property from on-Site and off-Site sources is considered to be low,” and therefore no further investigation is recommended at this time (Section 7, p. 19).

#### **4.5 Environmental Impact Study**

The Environmental Impact Study (“EIS”) was prepared by Natural Resource Solutions Inc. (“NRSI”). The EIS submitted with the original applications was dated January 2024. A revised EIS, dated November 2024, has been prepared to accompany this re-submission. The revisions to the EIS pertain primarily to the feature-based water balance (“FBWB”) discussion in Section 7.4.3 of the EIS, which has been updated to provide greater detail regarding the FBWB risk evaluation and ecological impacts assessment. The discussion of the FBWB has been aligned across the EIS, FSR, and Hydrogeological Study to ensure data are reported accurately and consistently. The assessment of potential impacts from the proposed SWM facility on the West Credit River and associated wetlands, in Section 7.4.3 and Section 7.4.4 of the EIS, has also been updated.

The purpose of the EIS is to characterize the sensitivity and significance of existing natural features, to assess potential impacts of the proposed development on those features, and to identify appropriate mitigation measures to address those impacts. Section 7.8 of the EIS (pp. 82–84) summarizes the potential impacts and recommended mitigation measures. (A

similar summary is provided in **Table 6** on p. 35 of this Planning Justification Report.) According to Section 7.8 of the EIS, it is anticipated that the implementation of the recommended measures will result in there being no significant impacts from the proposed development.

Some of the potential impacts identified in the EIS warrant particular consideration in the present discussion. The impacts in question involve confirmed species at risk (“SAR”) habitat (butternut trees), candidate SAR habitat (two bat species), and candidate significant wildlife habitat (bat maternity colonies), as well as potential indirect impacts on the adjacent West Credit River and West Credit River Provincially Significant Wetland (“PSW”) Complex.

### **Confirmed SAR Habitat**

The area of the proposed residential development overlaps with the confirmed habitat of 16 Category 2 butternut trees (*Juglans cinerea*),<sup>8</sup> which is identified as an endangered species in O. Reg. 230/08 under the *Endangered Species Act, 2007* (“ESA”). The trees in question are located along the northerly and westerly boundaries of the Subject Property: as shown in **Figure 10** (p. 36), the proposed development would retain eight butternut trees (five along the edge of the Park/Open Space block and three more at the northwest corner) and would result in the removal of the other eight trees (shown in red in Figure 10).

Section 7.3.3 of the EIS (pp. 47–50) notes that some of the activities associated with the proposed development may be eligible for conditional exemptions to permitting that would otherwise be required under s. 17 of the *ESA*. Those exemptions apply (among other things) to activities that propose to harm or remove up to a maximum of 15 Category 2 trees. Section 7.3.3 of the EIS further notes that one of the conditions of such an exemption (set out in s. 30 of O. Reg. 830/21 under the *ESA*) is that no permanent structure or permanent infrastructure may be constructed or installed within 25 metres of any butternut tree that will be retained. As shown in Figure 10, the development proposes either to construct a building or install an infiltration gallery within 25 metres of five of the retained trees (Nos. 003-BN, 004-BN, and 005-BN at the northwest corner and Nos. 012-BN and 016-BN at the edge of the park block).

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<sup>8</sup> According to Paragraph 2 of Section 23 of O. Reg. 830/21 under the *Endangered Species Act, 2007*, a “Category 2” butternut tree is either one that is not affected by butternut canker or one that is affected by butternut canker, but not to such an advanced degree that retaining the tree would no longer support the protection or recovery of butternut trees in the area in which the tree is located.

**Table 6 – Potential Impacts & Recommended Mitigation Measures from EIS**

Potential Adverse Impact	Recommended Mitigation Measures
Removal of confirmed SAR habitat, candidate SAR habitat, and candidate SWH	Register proposed harm and killing of butternut trees under conditional exemption or obtain permit under <i>Endangered Species Act, 2007</i> . Ensure vegetation removal occurs outside bat active periods. Restrict removal of candidate bat maternity colony habitat to portion on edge of habitat. Clearly demarcate construction zone boundaries to limit unnecessary vegetation removal. Maximize physical separation between development and adjacent natural features. Prepare and implement Woodland Edge & Buffer Management Plan.
Removal of treed hedgerow features, forested and thicket vegetation communities, and other vegetation	Ensure vegetation removal activities occur outside typical bird breeding season. Restrict construction activities to daylight hours and avoid use of artificial lighting. Clearly demarcate construction zone boundaries to limit unnecessary vegetation removal. Clearly delineate limits of all buffer areas to avoid unnecessary encroachment.
Potential impacts on quantity and quality of water in West Credit River, including thermal regime	Implement mitigation measures developed by GEI, outlined in Functional Servicing Report (“FSR”). Use appropriate landscaping to naturalize proposed SWM facility and support its proposed design to function as a wetland.
Potential impacts on hydro-logical balance of PSW	Implement mitigation measures incorporated into SWM approach developed by GEI, as detailed in FSR.
Damage or disturbance to adjacent natural features	Use silt fencing to clearly demarcate construction zone limits. Ensure garbage, leaf litter, and other debris is not deposited in adjacent areas. Develop and implement Woodland Edge & Buffer Management Plan.
Wildlife avoidance and other impacts due to construction activities	Restrict construction activities to daylight hours and avoid use of artificial lighting.
Erosion, sedimentation, and soil compaction	Implement Erosion & Sedimentation Control Plan (developed by GEI). Install silt fencing around construction area boundaries and inspect on a regular basis.
Post-construction disturbances to retained features and adjacent natural features	Develop and implement Woodland Edge & Buffer Management Plan. Maintain buffers in natural state and use native species for all landscape plantings. Consider use of dense plantings to discourage human intrusion into sensitive areas. Divert pedestrians from features and buffers through design of recreational pedestrian trails. Distribute educational brochures to homeowners and install appropriate signage to increase awareness of and appreciation for retained, restored, and enhanced features.



The EIS (Section 7.3.3, p. 47) presents three options that may be considered to address this condition:

- register the trees as though they were being killed (*i.e.*, removed) as part of the conditional exemption;
- request special permission to construct a permanent structure or install permanent infrastructure within 25 metres of a retained tree by fulfilling the criteria set out in Clauses 30 (a)–(c) of O. Reg. 830/21; or
- obtain a permit under s. 17 of the *Endangered Species Act, 2007*.

Section 7.3.3 of the EIS also points out that a conditional exemption will require the demarcation and protection of a root harm prevention zone (“RHPZ”) surrounding each tree to be retained, as well as a five-metre buffer around the perimeter of each RHPZ. Subsection 31 (1) of O. Reg. 830/21 identifies a number of actions that are not to take place within the RHPZ or the five-metre buffer, including the operation of heavy equipment and the excavation of soil. The EIS identifies three trees where such activities are proposed within the RHPZ or the associated five-metre buffer, as well as four others where minor soil disturbance from grading activities is proposed to occur within the five-metre buffer (pp. 47–48).

Overall, the EIS recommends consultation with the Ministry of the Environment, Conservation and Parks (“MECP”) regarding potential impacts to butternut trees from the proposed development, to ensure that any such impacts as might occur either comply with a permit issued under the *Endangered Species Act, 2007* or with a conditional exemption issued under that Act, including any compensation that might be required (such as the planting of butternut seedlings or the payment of a species conservation charge).

### **Candidate SAR Habitat**

As noted in Section 7.3.3 of the EIS (pp. 49–50), the proposed development will have impacts on candidate habitat for two species of bat: Little Brown Myotis (*Myotis lucifugus*) and Northern Myotis (*Myotis septentrionalis*). More specifically, the proposed development will result in the removal of four candidate bat roost trees within the hedgerow feature along the westerly boundary of the Subject Property, as well as the removal of about 68 m<sup>2</sup> of candidate roosting and foraging habitat in two vegetation communities: 58 m<sup>2</sup> from the mature deciduous (FOD5-7) community along the northerly property boundary and another 10 m<sup>2</sup> from the cultural woodland (CUW1) community along the easterly boundary. The proposed development will retain two candidate roost trees identified within the FOD5-7 community, and no candidate roost trees will be removed from the CUW1 community (EIS, p. 49).

Section 7.3.3 of the EIS states that the proposed development is not anticipated to result in any impairment to, or elimination of, the function of candidate bat habitats within the Subject Property, as the proposed removals represent a proportionally small area of habitat from the peripheries of the two vegetation communities and will therefore not result in the fragmentation of habitat (p. 50). However, to ensure there is no contravention of the *Endangered Species Act, 2007*, all tree removals must occur outside of the bat active season of April 1–September 30 (EIS, p. 50).

The EIS further recommends that a Woodland Edge & Buffer Management Plan be prepared and implemented to ensure that the woodland edge structure will be re-established with non-invasive native species, thereby ensuring that potential adverse impacts on candidate bat flyways will also be mitigated (p. 49). Furthermore, the restoration and enhancement of woodland buffers through such a Plan will ultimately provide a benefit to any bat species present by creating suitable foraging habitat (EIS, pp. 49–50).

### **Candidate Significant Wildlife Habitat**

Section 7.3.2 of the EIS (pp. 45–46) observes that Significant Wildlife Habitat (“SWH”), in the form of bat maternity colonies, has the potential to occur in the FOD5-7 deciduous forest communities on and adjacent to the Subject Property. This section of the EIS further notes that the extent of the vegetation communities identified as candidate SWH within the Subject Property itself is “small and contiguous with a tract of forested habitat to the north and east” (p. 46), meaning that the extent of candidate SWH removal required for the proposed development has been minimized as compared to the large extent of candidate roosting habitat in the vicinity of the Subject Property (p. 46): “Given the current size of the tract of forested habitat beyond the subject property boundary, it is not anticipated that the proposed development will adversely impact this SWH type” (EIS, Section 7.3.2, p. 46). The EIS further recommends that the restoration and enhancement of the edge of the candidate SWH be addressed through the preparation and implementation of the Woodland Edge & Buffer Management Plan.

### **Indirect Hydrological Impacts**

The parcel abutting the Subject Property to the east contains part of the Erin Branch of the West Credit River, as well as portions of the West Credit River Provincially Significant Wetland (“PSW”) Complex. Most of the latter is situated more than 120 metres from the limits of the Subject Property, although a portion of this PSW Complex along the easterly boundary is located within 65 metres of the Subject Property limits (EIS, Section 5.1, p. 28). However, the EIS further notes that the Subject Property is “separated from this wetland feature by a steep slope and wooded area” (p. 28). The Subject Property itself does not

contain any wetland features (EIS, p. 28). At its nearest point, the Erin Branch of the West Credit River is approximately 130 metres from the Subject Property boundary.

Together, the Erin Branch and the West Credit River PSW Complex serve as the final receivers for “a large proportion of the surface flow” originating from the Subject Property (EIS, Section 7.4.4, p. 75). The Wetland Water Balance Risk Evaluation presented in Section 7.4.3 of the EIS, undertaken for the purpose of assigning “an overall risk to the wetland from the proposed development” to “guide monitoring requirements and mitigation measures” (p. 53), has been revised to include two wetland features that could be potentially impacted. The findings indicate that “the overall level of risk to the wetland from the proposed development is considered low due to the minimal overall magnitude of hydrological change,” which, “in combination with the water balance analysis [...], drives the conclusion that the mitigation measures integrated into the SWM approach are adequate, and that no impacts to the receiving wetland’s hydrological or ecological functions and processes are expected to occur” (p. 66).

Section 7.4.3 of the EIS also indicates that “it is not expected that there will be any indirect impacts related to erosion or sedimentation to the East Branch” (*i.e.*, the Erin Branch) (p. 74), adding that the design of the proposed SWM facility “will help to mitigate potential thermal impacts to the East Branch” (p. 74). Section 7.4.4 finds that, “based on the FSR and Hydrogeological Study [...], no adverse impacts to water quality are expected as a result of the proposed development” (p. 74).

Overall, the EIS concludes: “No significant negative residual impacts are anticipated to arise from the proposed residential subdivision development if the recommendations to protect, enhance and restore natural features and wildlife habitats within the subject property are implemented” (Section 8.0, p. 85).

## **4.6 Stage 1-2 Archaeological Assessment**

The Stage 1-2 Archaeological Assessment was prepared by AMICK Consultants Limited (“AMICK”) and is dated December 1, 2023. The letter from the Ontario Ministry of Citizenship and Multiculturalism confirming that the report has been entered into the Ontario Public Register of Archaeological Reports is dated March 4, 2024.

The study area for the assessment comprises an area of approximately 13.37 ha on the Subject Property, bounded to the north and east by woodlots, to the west by farmland, and to the south by Wellington Road 22 (Section 1.1, p. 3). The “entirety of the study area ... includes within it entirely ploughable lands” (p. 3). The Stage 2 Assessment of the study area was performed on June 8, 2022, and consisted of a “high intensity pedestrian survey

at an interval of 5 metres between individual transects,” conducted in compliance with Ministry standards (Section 2.1, p. 10).

Section 2.2 of AMICK’s report indicates that “no archaeological resources were encountered” during the pedestrian survey (p. 11). The report therefore concludes that “no further archaeological assessment of the study area is warranted,” and that the “proposed undertaking is clear of any archaeological concern” (Section 5.1, p. 15).

#### **4.7 Transportation Impact Study**

The Transportation Impact Study (“TIS”) was prepared by Salvini Consulting (“Salvini”) and is dated April 2023. The study area for the TIS comprises two intersections: the existing intersection of Wellington Road 22 and Wellington Road 24 (Trafalgar Road), located approximately 500 metres east of the proposed development, and the proposed intersection between Street “A” in the proposed development with Wellington Road 22.

The TIS considers two scenarios: one in which the Subject Property is developed as proposed with access to the subdivision provided solely by the intersection of Street “A” and Wellington Road 22, and a second scenario in which the abutting parcel to the north of the Subject Property is also developed. The intent is for there to be a connection between the two sites once both have been developed, contemplated on Schedule “A-3” to the Town’s Official Plan as the “Proposed Minor Collector” (see Figure 2 on p. 8), and therefore this second scenario includes additional routing options between Wellington Road 22 and Station Street for traffic to and from both sites.

In general, the TIS estimates that the proposed development of the Subject Property will generate 129 trips during weekday morning peak hours and 171 trips during weekday afternoon peak hours. The two study area intersections will be able to accommodate traffic generated by the proposed development without impacting operations at the existing intersection of Wellington Road 22 and Wellington Road 24, which “is expected to continue to operate at acceptable levels” under both future scenarios in both weekday peak-hour periods (Section 6.2, p. 9). The proposed intersection of Street “A” and Wellington Road 22 is likewise expected to operate at acceptable levels under both scenarios without the introduction of auxiliary turning lanes (p. 9), although Section 6.1 of the TIS recommends that a westbound right-turn lane be considered “in consultation with County staff” (p. 5). The TIS finds that an eastbound left-turn lane from Wellington Road 22 to Street “A” is not warranted under any of the future scenarios considered (p. 8). Minimum sight distance requirements at the proposed intersection can be met in accordance with the County’s Entrance Permit Policy.

## 4.8 Noise Feasibility Study

The Noise Feasibility Study (“NFS”), dated January 10, 2024, was prepared by Howe Gastmeier Chapnik Limited (“HGC”) to address potential noise impacts from road traffic along Wellington Road 22 on the proposed development. As noted in Section 2 of the NFS, there are “no significant sources of stationary noise within 500 m of the subject site” (p. 2). The analysis considers the top storeys of proposed dwellings with backing exposure to Wellington Road 22 as the “worst-case prediction locations” (Section 3.2.2, p. 4).

HGC’s analysis indicates that predicted sound levels at the worst-case locations will be within guidelines set by the Ministry of the Environment, Conservation and Parks (“MECP”), and that no further mitigation is required with respect to indoor or outdoor living areas (p. 5). Any exterior wall and double-glazed window construction meeting the minimum requirements of the Ontario Building Code “will provide adequate sound insulation for all the dwelling units in this development” (Section 4.3, p. 5). The proposed dwellings do not have any specific ventilation requirements and do not require warning clauses with respect to noise impacts (Section 5, p. 6).

With respect to multiple dwellings that will be located on Block 145 (adjacent to Wellington Road 22), the NFS recommends that a detailed noise study be undertaken to determine acoustic requirements once siting information for proposed dwellings on this block is available

## 4.9 Urban Design Brief

The Urban Design Brief (“UDB”) for the proposed development was prepared by GSP and is dated September 2024. The purpose of the UDB is to explain how the proposed development reflects the principles of good urban design and addresses the Town of Erin’s “Community & Architectural Design Guidelines: ‘Urban Design Guidelines’ for the Villages of Erin & Hillsburgh” (April 2021).

Section 5.2.1 of the UDB explains how the overall design of the proposed development “aligns with guidelines for a new neighbourhood structure, ensuring the integration of natural elements, promoting pedestrian accessibility, and facilitating harmonious land use transitions” (p. 17). The design provides for a “connected, pedestrian-oriented, and highly permeable street and block pattern” (p. 17), with a priority placed on the “efficiency, safety, and accessibility” for pedestrian circulation (Section 5.2.2, p. 19). Outdoor amenity spaces will offer “opportunities for various social and recreational activities,” while landscaping will “align with site grading and lighting requirements, promoting pedestrian safety and barrier-free design in all outdoor areas” (p. 19).

The proposed development incorporates a range of lot widths, which will “add variety and visual interest to the overall streetscape” (Section 5.2.3, p. 19), further enhanced through the use of varied roof configurations (Section 5.2.10, p. 24). The siting of buildings on individual lots “support the objective of street-orientation,” taking into account factors such as providing a variety of front yard setbacks and sufficient space for landscaped open space (Section 5.2.4, p. 20). Section 5.2.12 of the UDB identifies various “Priority Lots” within the subdivision, including Corner Lots, Gateway Lots, End Units, and View Terminus and Elbow Lot Dwellings, describing how the “enhancement and design detailing of these lots will assist in defining neighbourhood character and resident wayfinding” (p. 26).

Overall, the UDB concludes that the proposed development has been designed to “prioritize accessibility, connectivity, contextual sensitivity, pedestrian-friendliness, livability, and safety,” encompassing “a diverse range of housing types, fostering a unique sense of place and ensuring a high-quality public realm” (Section 6, p. 29).

## 5. Policy Review & Analysis

### 5.1 Provincial Planning Statement, 2024

Section 3 of the *Planning Act* provides for the issuance of policy statements by the Minister of Municipal Affairs and Housing “on matters relating to municipal planning that in the opinion of the Minister are of provincial interest,” and any decision affecting a planning matter must be consistent with policy statements issued under this section of the Planning Act. The most recent such policy statement is the Provincial Planning Statement, 2024 (“PPS 2024”), which came into effect on October 20, 2024.

The PPS 2024 provides a policy foundation for regulating land use and development across the province, “helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians” (p. 2). Chapter 1 of the PPS 2024 explains that the document “is to be read in its entirety and the relevant policies are to be applied in each situation,” and that decision-makers “should consider all of the relevant policies to understand how they work together” (p. 3).

The analysis presented in this section of the Planning Justification Report has been organized based on the chapters of the PPS 2024. The discussion of Chapter 2 (“Building Homes, Sustaining Strong and Competitive Communities”) and Chapter 3 (“Infrastructure and Facilities”) have been organized thematically, mainly because the matters considered in these chapters (such as supporting efficient land use patterns, providing a range and mix of housing options, and supporting active transportation and the use of transit) arise in multiple sections in these two chapters. The discussion of Chapter 4 (“Wise Use and Management of Resources”) and Chapter 5 (“Protecting Public Health and Safety”) address each section in these two chapters individually.

#### **Chapter 2: Building Homes, Sustaining Strong and Competitive Communities**

The direction provided by the policies in Chapter 2 and Chapter 3 of the PPS 2024 are identified in **Table 7**, which also lists individual policies pertaining to each “theme” and summarizes how the proposed development is consistent with the direction provided by the PPS 2024 with respect to that “theme.” The text of the relevant policies can be found in **Appendix “C”** to this Planning Justification Report.

**Settlement Areas & Efficient Development Patterns** — According to Section 2.3.1 of the PPS 2024, settlement areas are to be “the focus of growth and development” (No. 2.3.1.1), with land use patterns based on densities and a mix of uses that will make efficient use of land and resources (No. 2.3.1.2.a), that optimize existing and planned infrastructure and

**Table 7 – Policy Direction from Chapters 2 & 3 of PPS 2024**

Policy Direction from PPS 2024	Policy Nos.	Summary of Response in Relation to Proposed Development
<p>Ensure that settlement areas are the focus of growth and development, with land use patterns based on densities and a mix of uses that efficiently use land and resources, optimize existing and planned infrastructure, and support the achievement of complete communities.</p>	<p>2.1.6, 2.3.1.1, 2.3.1.2, 2.3.1.5, 2.3.1.6</p>	<p>The Subject Property is located within a “Primary Urban Centre” identified in the County’s Official Plan and is within a preferred growth area. The proposed development has been designed to make efficient use of land and servicing infrastructure, at a density that exceeds the target established in the Town’s Official Plan.</p>
<p>Provide for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents of the regional market area (based on projections and upper-tier allocations).</p>	<p>2.1.4, 2.1.5, 2.2.1; (see also 2.1.1 &amp; 2.1.2)</p>	<p>The proposed development provides an appropriate mix of dwelling unit types and represents a much-needed addition to the supply of housing.</p>
<p>Incorporate climate change considerations into the planning and development of infrastructure and services, and prepare for climate change impacts by promoting complete communities, energy efficiency, low impact development, and active transportation.</p>	<p>2.9.1</p>	<p>The proposed dwellings will be energy efficient, and planning for infrastructure and services has incorporated climate change considerations. The proposed transportation network is designed to support active transportation, and the proposed development will support the achievement of a complete community in Hillsburgh.</p>
<p>Provide efficient, sustainable, and financially viable water and sewage services that can accommodate projected growth while making efficient use of existing systems. Municipal water and sewage services are the preferred form of servicing.</p>	<p>3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.6.1, 3.6.2, 3.6.7</p>	<p>The proposed development will be provided with municipal water and sewage services and has been designed to make efficient and cost-effective use of infrastructure that provides those services.</p>
<p>Integrate stormwater management into planning for water and sewage services, minimize increases in stormwater volumes and contaminant loads, minimize erosion and changes in water balance, and mitigate risks to human health and safety.</p>	<p>3.6.8</p>	<p>Details regarding stormwater management have been integrated into planning for water and sewage services. The proposed stormwater management facility has been designed to maintain pre-development patterns and to provide enhanced quality control. Lot-level SWM features will utilize the extent and function of pervious surfaces.</p>
<p>Plan for safe and energy-efficient multimodal transportation systems that facilitate the movement of people and goods and that are appropriate to address projected needs. Protect corridors and rights-of-way, including planned corridors.</p>	<p>3.2.1, 3.2.2, 3.2.3, 3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.5</p>	<p>The proposed development will incorporate sidewalks on both sides of all public roads and will ultimately provide multimodal access to downtown Hillsburgh. The proximity of the Elora Cataract Trailway offers further opportunities for active transportation. There are no major goods movement facilities or corridors, or planned corridors, in the area.</p>
<p>Avoid impacts from sensitive uses on the long-term viability of uses in existing or planned employment areas.</p>	<p>2.8.1.3, 3.5.1, 3.5.2</p>	<p>The Subject Property is more than adequately separated from any existing employment uses and planned employment areas.</p>
<p>Promote healthy and inclusive communities by providing an equitable distribution of recreation facilities and by planning public streets and spaces to meet the needs of people of all ages and abilities.</p>	<p>3.1.4, 3.9.1</p>	<p>The proposed park block is centrally located to provide equitable access, with walkways to enhance connectivity. More broadly, the proposed development has been designed to support and promote accessibility, as well as active streetscapes and an attractive public realm.</p>

public service facilities (No. 2.3.1.2.b), and that support active transportation and transit, as appropriate (Nos. 2.3.1.2.c & 2.3.1.2.d). Policy No. 2.1.6 further encourages planning authorities to “support the achievement of complete communities” by “accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses..., recreation, parks and open space, and other uses to meet long-term needs” (No. 2.1.6.a), as well as by “improving accessibility for people of all ages and abilities” (No. 2.1.6.b) and by “improving social equity and overall quality of life” (No. 2.1.6.c). Planning authorities are also encouraged “to establish density targets for designated growth areas,<sup>9</sup> based on local conditions” (No. 2.3.1.5) and to “establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the [sic] infrastructure and public service facilities” (No. 2.3.1.6).

The Subject Property is located within the settlement area boundaries of Hillsburgh, which is identified as a “Primary Urban Centre” on Schedule “B2” to the Wellington County Official Plan (see Figure 12 on p. 60 of this report). The proposed mix of detached dwellings and townhouse dwellings will make efficient use of the land and will support the efficient provision of municipal water and sewage services to the proposed development. The Subject Property is located entirely within an area that has been identified in the Town’s Growth Management Strategy as a preferred location for growth, and is designated for urban residential use on Schedule “A-3” to the Town of Erin’s Official Plan (see Figure 2 on p. 8). The proposed development will have an estimated density of 47.0 residents and jobs per hectare, which is greater than the target established in the Town’s Official Plan (see p. 12 above) and conforms with the direction provided by the County’s Official Plan (see p. 61 below).

**Range & Mix of Housing Options** — The PPS 2024 calls upon planning authorities to “provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area” (No. 2.2.1). This includes “permitted and facilitating... all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents” (No. 2.2.1.b.1), as well as “promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities” (No. 2.2.1.c). To support the provision of an appropriate range and mix of housing, planning authorities are directed to “maintain at all

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<sup>9</sup> The PPS 2024 defines “designated growth areas” as “lands within settlement areas designated for growth or lands added to settlement areas that have not yet been fully developed,” including lands that are designated and available for residential growth (*i.e.*, designated for urban residential use in the municipality’s Official Plan).

times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development” and to “maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units” (No. 2.1.4). In the case of a lower-tier municipality like the Town of Erin, the land and unit supply must “be based on and reflect the allocation of population and units by the upper-tier municipality” (No. 2.1.5).

According to Table 3 in the Wellington County Official Plan (p. 12 in the July 2024 consolidation), the Town of Erin has been allocated a total population growth of 14,300 people between 2021 and 2051, with the number of households growing by 4,970 households (from 4,230 households in 2021 to a projected 9,200 households in 2051). For Hillsburgh specifically, Table 3 allocates a total population growth of 4,700 people for 2021–2051 (from 1,400 people to 6,100 people) and an additional 1,640 households. The dwelling units in the proposed development will help the Town of Erin address the needs of current and future residents of Hillsburgh, and the mix of dwelling unit types will provide a range of housing options that is appropriate for the Hillsburgh Urban Area, at densities that will support the efficient use of land, resources, infrastructure, and public service facilities, in accordance with Policy No. 2.2.1.c of the PPS 2024.

**Energy Conservation, Air Quality & Climate Change** — Section 2.9 of the PPS 2024 directs planning authorities to “plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate” (No. 2.9.1) using approaches that “support the achievement of compact, transit-supportive, and complete communities” (No. 2.9.1.a); that “support energy conservation and efficiency” (No. 2.9.1.c); that “incorporate climate change considerations” in planning and developing “infrastructure, including stormwater management systems, and public service facilities” (No. 2.9.1.b); and that “promote green infrastructure, low impact development, and active transportation” (No. 2.9.1.d).

The proposed development has been designed to make efficient use of available land to support more compact development patterns and the achievement of a complete community in the Hillsburgh Urban Area, consistent with Policy No. 2.9.1.a. The proposed dwellings will be energy efficient and support energy conservation, and planning for infrastructure and services (including stormwater management facilities) in the proposed development has incorporated climate change considerations and resilience to its impacts. The transportation network in the proposed development has been designed to support the use of active transportation (as discussed in greater detail below).

### **Chapter 3: Infrastructure and Facilities**

The policies in Chapter 3 of the PPS 2024 address matters that include water and sewage services, stormwater management, transportation systems and corridors (including

development in the vicinity of airports), land use compatibility, and public spaces (including parks and open spaces).

**Infrastructure & Services** — The policies for water and sewage servicing in Section 3.6 of the PPS 2024 establish that municipal services are “the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety” (No. 3.6.2). Planning for water and sewage services is to “accommodate forecasted growth in a timely manner that promotes the efficient use and optimization” of existing systems (No. 3.6.1.a) and to ensure that services are sustainable, feasible, and financially viable (No. 3.6.1.b). Policy No. 3.6.7 states that “planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity.”

The proposed development will be provided with full municipal water and sewage services, which is the preferred form of servicing according to Policy No. 3.6.2. The Subject Property has been allocated municipal sewage capacity for 224 dwelling units, meaning that there is sufficient capacity for the proposed 215 units, and the development has been designed to make efficient and cost-effective use of servicing infrastructure. The proposed method of providing water and sewage services is consistent with the PPS 2024.

**Stormwater Management** — Policy No. 3.6.8 in the PPS 2024 addresses planning for stormwater management, which according to this policy must “be integrated with planning for sewage and water services” (No. 3.6.8.a); “minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads” (No. 3.6.8.b); “minimize erosion and changes in water balance” (No. 3.6.8.c); “mitigate risks to human health, safety, property, and the environment” (No. 3.6.8.d); and “promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development” (No. 3.6.8.f).

Details regarding stormwater management for the proposed development have been incorporated into the Functional Servicing Report (“FSR”) prepared by GEI alongside details regarding proposed water and sanitary sewer services, as directed by Policy No. 3.6.8.a. (The FSR is discussed in Section 4.1 of this Planning Justification Report.) Section 5.2 of the FSR explains that the SWM facility on Block 148 of the proposed development has been designed to maintain pre-development drainage patterns (FSR, p. 10) and to maintain flows to the existing woodlot and downstream wetland (p. 13). The SWM facility has been designed to function as a wetland, with a “permanent pool and forebay to provide an Enhanced level of quality control” (p. 24).

The SWM strategy employs an overall “treatment train” approach using a combination of lot-level, conveyance, and end-of-pipe practices to remove sediments prior to off-site discharge (p. 11). The facility design also implements thermal mitigation management practices for discharge to the roadside ditch along Wellington Road 22 (p. 15). The incorporation of outdoor amenity spaces and lot-level stormwater management features into the proposed development will further utilize the extent and function of vegetative and pervious surfaces, consistent with Policy No. 3.6.8.e in the PPS 2024.

**Transportation Systems & Corridors** — In addition to promoting land use and development patterns that support active transportation and transit (such as No. 2.2.1, No. 2.3.1.2, and No. 2.9.1), the policies in the PPS 2024 call for the provision of safe and energy-efficient transportation systems that “facilitate the movement of people and goods, are appropriate to address projected needs, and support the use of zero- and low-emission vehicles” (No. 3.2.1). Policy No. 3.2.3 further calls for the maintenance and (where possible) improvement of “connectivity within and among transportation systems and modes.” Section 3.3, meanwhile, directs planning authorities to “protect corridors and rights-of-way for infrastructure, including transportation, transit, and electricity generation facilities and transmission systems” (No. 3.3.1), stating that “major goods movement facilities and corridors shall be protected for the long term” (No. 3.3.2) and that “planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified” (No. 3.3.3). Policy No. 3.3.4 encourages the “preservation and reuse of abandoned corridors for purposes that maintain the corridor’s integrity and continuous linear characteristics.”

The roads in the proposed development will form part of a transportation network that will ultimately provide convenient multimodal access to businesses and public service facilities in downtown Hillsburgh (via Station Street through the lands to the north of the Subject Property). As noted in the TIS (see Section 4.7 of this Planning Justification Report), the roads in the proposed development will have an urban cross-section that includes sidewalks along both sides, in accordance with the Town’s Design Standards. The proposed transportation network will feature a number of pedestrian pathways to enhance connectivity. Furthermore, the Elora Cataract Trailway, which connects Hillsburgh with the Erin Village settlement area, is located approximately 600 metres from the Subject Property, just east of the intersection of Wellington Road 22 and Trafalgar Road (Wellington Road 24). The proximity of this corridor will further support the use of active transportation for trips between the Town’s two Primary Urban Centres. The Subject Property is not located adjacent to any major goods movement facilities or corridors, nor are there any planned corridors in the area. (Although Wellington Road 22 is identified as an Arterial Road on Schedule “C” to the Town’s Official Plan, impacts on that corridor are expected to be

minimal: see Section 4.7 above.) The proposed development will therefore be consistent with Section 3.3 of the PPS 2024.

**Land Use Compatibility** — Section 3.5 of the PPS 2024 addresses potential conflicts between sensitive land uses (such as residential uses), on the one hand, and industrial uses, manufacturing, and other major facilities that might require separation from sensitive uses, on the other. Policy No. 3.5.1 states that “major facilities and sensitive uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants.” The purpose of this section of the PPS 2024 is not just to protect sensitive uses from adverse effects, but also to “protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment” (No. 3.5.2). To this end, Policy No. 2.8.1.3 requires that any development taking place within 300 metres of an employment area “avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.”

According to Schedule “A-3” to the Town of Erin’s Official Plan (see Figure 2), there is one “employment area” (*i.e.*, area designated as “Industrial”) in the Hillsburgh Urban Area, located at the northwesterly corner of Wellington Road 22 and Eighth Line, approximately 1.5 km from the Subject Property. In addition, there are some existing land uses that could be considered less compatible with sensitive uses, located mostly north and east of the intersection of Wellington Road 22 and Trafalgar Road, approximately 400–500 metres from the Subject Property. The proposed development of the Subject Property to accommodate residential uses will therefore not adversely affect the long-term viability of any existing or planned industrial use, manufacturing use, or other “major facility,” and is therefore consistent with the direction provided by the PPS 2024 in this regard.

**Equitable & Accessible Public Spaces** — Policy No. 3.9.1 of the PPS 2024 states that “healthy, active, and inclusive communities should be promoted” by “providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation” (No. 3.9.1.b), as well as by planning public streets and spaces “to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity” (No. 3.9.1.a). Where appropriate, public service facilities should be co-located, along with parks and open space, “to promote cost-effectiveness and facilitate service integration, access to transit and active transportation” (No. 3.1.4).

The park space on Block 146 of the Draft Plan of Subdivision has been centrally located so as to provide equitable access for the future residents of the proposed development. The

park will provide walkways to enhance connectivity within the development and to encourage social interactions, and will comply with accessibility standards. Taking a broader perspective, the Urban Design Brief (discussed in Section 4.9 of this Planning Justification Report) describes how the proposed development will support and promote accessibility through the location of building entrances and the design of outdoor spaces, as well as by minimizing distances between sidewalks and main entrances and providing barrier-free points of entry. The built form will “include a variety of typologies, accommodating a variety of needs” (UDB, Section 5.2.8, p. 23), and the siting and design of buildings will promote “an active streetscape” and an “attractive public realm” (p. 23).

#### **Chapter 4: Wise Use and Management of Resources**

The following two subsections of this Planning Justification Report review each individual section in Chapter 4 and Chapter 5 of the PPS 2024, explaining how the proposed development of the Subject Property is consistent with the policies in each section. Chapter 4 of the PPS 2024 sets out policies regarding the protection and responsible management of Ontario’s natural heritage resources, water resources, agricultural resources, mineral resources, and cultural heritage resources, while Chapter 5 addresses natural and human-made hazards. **Table 8** on p. 51 summarizes how the proposed development relates to the policy direction provided in these two chapters of the PPS 2024.

**Natural Heritage (Section 4.1)** — Section 4.1 of the PPS 2024 directs that natural heritage features and areas be protected for the long term (No. 4.1.1) and calls for the maintenance, restoration, or (where possible) the improvement of the diversity and connectivity of natural features and the long-term ecological function and biodiversity of natural areas (No. 4.1.2). Development and site alteration are not permitted in significant wetlands in Ecoregions 5E, 6E and 7E (a large area that includes the County of Wellington) or in significant coastal wetlands (No. 4.1.4), and are only permitted in other significant features, such as significant woodlands and significant wildlife habitat, if it has been demonstrated that there will be no negative impacts on those features or their ecological functions (No. 4.1.5). Policies No. 4.1.6 and No. 4.1.7 prohibit development or site alteration in fish habitat or in the habitat of endangered and threatened species except in accordance with provincial and federal requirements. Furthermore, development and site alteration are only permitted on lands adjacent to significant natural features and areas if it has been demonstrated that there will be no negative impacts on the features or their ecological functions (No. 4.1.8).

The implementation of the mitigation measures recommended in the EIS prepared by NRSI will result in there being no significant adverse impacts on natural heritage features or their functions from the proposed development. Any impacts to butternut trees will take place in full compliance with the *Endangered Species Act, 2007*. Vegetation removal activities will take place outside of the bat active period (April 1 to September 30) and typical bird breeding

**Table 8 – Policy Direction from Chapters 4 & 5 of PPS 2024**

Section in PPS 2024	Principal Direction of Policies in Section	Summary of Response in Relation to Proposed Development
4.1: Natural Heritage	Protect natural heritage features and areas for the long term, and maintain, restore, or improve the diversity and connectivity of features and the long-term ecological function and biodiversity of natural areas.	The implementation of the mitigation measures recommended in the EIS will result in there being no significant impacts on natural heritage features or their functions, and the proposed development will not result in the fragmentation of habitat.
4.2: Water	Protect, improve, and restore the quality and quantity of water, and restrict development and site alteration in or near sensitive surface water and ground water features.	The overall Stormwater Management strategy employed in the proposed development maintains pre-development drainage patterns and flow, as well as a SWM facility that will provide enhanced water quality treatment.
4.3: Agriculture	Protect prime agricultural areas for long-term use for agriculture.	The proposed development contributes to the protection of prime agricultural areas by concentrating development within an identified “Primary Urban Centre”.
4.4: Minerals and Petroleum	Protect minerals and petroleum resources for long-term use.	There are no such existing or potential resources or any existing extractive operations in the Town of Erin.
4.5: Mineral Aggregate Resources	Protect mineral aggregate resources for long-term use.	The proposed development will not hinder or preclude access to any such resources, the establishment of new operations, or the expansion or continued use of existing operations.
4.6: Cultural Heritage and Archaeology	Conserve significant built heritage resources, cultural heritage landscapes, and archaeological resources.	The Subject Property does not contain any cultural heritage resources, and no archaeological resources were encountered during a Stage 2 Assessment.
5.2: Natural Hazards	Direct development away from hazardous sites and from lands impacted by flooding, erosion, and other natural hazards.	The Subject Property does not contain any hazardous lands that are impacted by flooding, erosion, or other naturally occurring hazards.
5.3: Human-Made Hazards	Ensure that lands affected by former resource extraction operations and related hazards are remediated before development is permitted and that contaminated sites be assessed and remediated before any on-site activity takes place.	The Subject Property is not affected by any hazards identified in this section or adjacent to lands affected by such hazards, and previous land uses have not resulted in any contamination.

season (April 1 to August 31). A Woodland Edge & Buffer Management Plan will be prepared during the detailed design stage, the implementation of which will see the re-establishment of the woodland edge structure with non-invasive native species, as well as the restoration and enhancement of woodland dripline buffers.

The parcel abutting the Subject Property to the east contains portions of the West Credit River Provincially Significant Wetland (“PSW”) Complex, parts of which come to within 65 metres of the property boundary. The EIS prepared by NRSI has concluded that the overall risk level to the wetland from the proposed development is considered low and that “no impacts to the receiving wetland’s hydrological or ecological functions and processes are expected to occur” (EIS, p. 66). Similarly, no adverse impacts to the quality of groundwater or surface water are expected to occur if the recommended mitigation measures are implemented (EIS, p. 72).

**Water (Section 4.2)** — The policies in Section 4.2 of the PPS 2024 direct planning authorities to “protect, improve or restore the quality and quantity of water” (No. 4.2.1), as measured by various indicators associated with hydrologic function (such as aquifer pressure, minimum base flow, and the presence or absence of contaminants) and direct that development and site alteration “be restricted in or near sensitive surface water features and sensitive ground water features” (No. 4.2.2). The methods for protecting, improving, and restoring the quality and quantity of water listed in Policy No. 4.2.1 include identifying water resource systems and maintaining linkages and related functions among features, planning for the efficient and sustainable use of water resources, and implementing necessary restrictions to protect all municipal drinking water supplies. Policy No. 4.2.2 further states that mitigative measures or alternative approaches to development may be required to protect, improve, or restore sensitive features and their hydrologic functions.

The Subject Property is not located in a designated vulnerable area with respect to drinking water sources. The Hydrogeological Study prepared by GEI, discussed in Section 4.2 of this Planning Justification Report, anticipates that construction activities for the proposed development will require dewatering, and recommends that dewatering activities be registered on the EASR (p. 17). A conceptual monitoring and mitigation plan has been prepared to address potential impacts of dewatering operations on the natural environment (p. 17), although more detailed plans may be necessary. The Hydrogeological Study further recommends the installation of an appropriate liner to prevent the development of transport pathways between the SWM facility in the proposed development and the underlying aquifer (p. 17). The implementation of the Study’s recommendations will ensure that water resources are protected in a manner that is consistent with the PPS 2024.

**Agriculture (Section 4.3)** — The purpose of Section 4.3 of the PPS 2024 is to protect prime agricultural areas and other parts of Ontario’s agricultural land base for long-term use for agriculture (No. 4.3.1.1) by permitting, protecting, and promoting “all types, sizes and intensities of agricultural uses and normal farm practices” (No. 4.3.2.2); by requiring agriculture-related and on-farm diversified uses to be compatible with surrounding agricultural operations (No. 4.3.2.1); and by restricting the non-agricultural uses permitted in prime agricultural areas (No. 4.3.5.1). This section of the PPS 2024 discourages lot creation in prime agricultural areas, which is only permitted in a limited set of circumstances (No. 4.3.3.1), and only permits the removal of lands from a prime agricultural area during the expansion or identification of a settlement area in accordance with other policies in the PPS 2024 (No. 4.3.4.1).

The Subject Property is located within the settlement area boundary of Hillsburgh, which is identified as a “Primary Urban Centre” on Schedule “B2” to the Wellington County Official Plan, as amended by County OPA 119 (see Figure 12 on p. 60). One major reason that the PPS 2024 directs growth and development towards settlement areas is to promote efficient development patterns that preserve significant resources, including prime agricultural areas. By concentrating development within an identified “Primary Urban Centre”, the proposed development of the Subject Property contributes to the protection of prime agricultural areas and is thus consistent with the overall direction provided in the PPS 2024.

**Minerals and Petroleum (Section 4.4)** — Section 4.4 of the PPS 2024 directs that minerals (meaning both “metallic minerals and non-metallic minerals,” but not mineral aggregate resources, which are addressed in Section 4.5 of the PPS 2024) and petroleum resources be protected for long-term use (No. 4.4.1.1). Operations related to mineral mining and the extraction of petroleum resources must be protected from development or other activities “that would preclude or hinder their expansion or continued use” (No. 4.4.2.1), while known deposits and significant areas with mineral potential must similarly be protected from development or activities that would “preclude or hinder the establishment of new operations or access to the resources” (No. 4.4.2.2). Rehabilitation is required once extractive operations have ceased (No. 4.4.3.1), and extraction is permitted in prime agricultural areas so long as the site is rehabilitated (No. 4.4.4.1).

Neither the Town of Erin’s Official Plan nor the Wellington County Official Plan identifies any mineral deposits, petroleum resources, or significant areas of mineral potential within the Town of Erin, nor do they identify any existing operations related to mineral mining or petroleum extraction. The proposed development of the Subject Property therefore will not hinder or preclude access to such resources, the establishment of new extractive operations, or the expansion or continued use of existing operations.

**Mineral Aggregate Resources (Section 4.5)** — Section 4.5 of the PPS 2024 addresses mineral aggregate resources using language similar to that in Section 4.4, directing that such resources (meaning gravel, clay, shale, stone, and similar materials) be protected for long-term use and that deposits be identified where such information is available (No. 4.5.1.1). Known deposits of mineral aggregate resources and lands adjacent to those deposits must be protected from development and other activities that “would preclude or hinder the establishment of new operations or access to the resources” (No. 4.5.2.5), and existing operations must be protected from development and activities that would “preclude or hinder their expansion or continued use” (No. 4.5.2.4). Section 4.5 also sets out requirements regarding rehabilitation (Nos. 4.5.3.1–3) and permits extraction in prime agricultural areas, so long as the site is rehabilitated to an agricultural condition (No. 4.5.4.1, with certain exceptions as under No. 4.5.4.2).

According to Schedule “C” to the Wellington County Official Plan, the Subject Property does not contain any sand or gravel resources of primary or secondary significance and does not contain any selected bedrock resource areas. Appendix 2 to the County’s Official Plan indicates that the nearest licensed aggregate operation is more than 1 km away from the Subject Property. The proposed development will not hinder or preclude access to mineral aggregate resources, the establishment of new aggregate operations, or the expansion or continued use of existing operations.

**Cultural Heritage and Archaeology (Section 4.6)** — The policies in Section 4.6 of the PPS 2024 require that protected heritage property and significant archaeological resources be conserved (No. 4.6.1 & No. 4.6.2). Under Policy No. 4.6.3, planning authorities may only permit development or site alteration on lands adjacent to protected heritage property if it has been demonstrated that the proposed development or alteration will conserve the protected property’s heritage attributes. Planning authorities must engage early with Indigenous communities and ensure their interests are considered when identifying, protecting, and managing built heritage and archaeological resources (No. 4.6.5).

At present, the Subject Property does not contain any buildings or structures, nor has any portion of the Subject Property been designated or listed for any purpose under the *Ontario Heritage Act*. The Stage 1-2 Archaeological Property Assessment prepared by AMICK states that no archaeological resources were encountered during the Stage 2 Assessment (p. 3), concluding that “the proposed undertaking is clear of any archaeological concern” and that “no further archaeological assessment of the study area is warranted” (p. 15).

## **Chapter 5: Protecting Public Health and Safety**

The purpose of the policies in Chapter 5 of the PPS 2024, as stated in Policy No. 5.1.1, is to direct development “away from areas of natural or human-made hazards where there is

an unacceptable risk to public health or safety or of property damage,” and to ensure that development will not create a new hazard or aggravate an existing one.

**Natural Hazards (Section 5.2)** — Section 5.2 of the PPS 2024 addresses natural hazards, directing development away from lands that are impacted by flooding or erosion hazards (No. 5.2.2.b) and away from sites that could be unsafe due to other naturally occurring hazards, such as unstable soils or bedrock (No. 5.2.2.c). Development is not permitted in areas that would be rendered inaccessible during emergencies due to flooding, erosion, or dynamic beach hazards (No. 5.2.3.c), and is not permitted in floodways, except in a designated “Special Policy Area” or where the development in question requires such a location (No. 5.2.3.d & No. 5.2.5).

The Subject Property does not contain any hazardous lands that are impacted by flooding or erosion hazards or by other naturally occurring hazards, and therefore the proposed development is consistent with Section 5.2 of the PPS 2024.

**Human-Made Hazards (Section 5.3)** — Under Policy No. 5.3.1, development on, abutting, or adjacent to lands that are affected by mine hazards; by oil, gas, and salt hazards; or by former resource extraction operations is only permitted if rehabilitation or other measures to address and mitigate known or suspected hazards has been completed or is underway. Policy No. 5.3.2 requires that contaminated sites be assessed and remediated as necessary before any on-site activities associated with a proposed use may take place.

The Subject Property is not affected by any of the hazards identified in Policy No. 5.3.1, nor is it adjacent to any lands affected by such hazards. Previous land uses on the Subject Property have not resulted in any contamination of the site.

Overall, it is our opinion that the proposed development of the Subject Property is consistent with the goals, objectives, and policies of the PPS 2024.

## **5.2 Greenbelt Plan (2017)**

The Greenbelt Plan is a Provincial Plan that originally came into effect on December 16, 2004. The current version is the Greenbelt Plan (2017), which came into effect on July 1, 2017. The Greenbelt Plan works in conjunction with the Niagara Escarpment Plan and the Oak Ridges Moraine Conservation Plan to “provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring” in the Greater Golden Horseshoe area by identifying locations “where urbanization should not occur” (Section 1.1, p. 1).

Hillsburgh is located at the westerly edge of the Greenbelt Area shown on Schedule 1 to the Greenbelt Plan (2017) and is identified on that Schedule as a “Town/Village in the Protected Countryside” to which the policies in Section 3.4.3 of the Greenbelt Plan (2017) apply. Policy No. 3.4.3.1 states: “Towns/Villages ... continue to be governed by official plans and related programs or initiatives and are not subject to the policies of this Plan, save for the policies of sections 3.1.5, 3.2.3, 3.2.6, 3.3 and 3.4.2.” The other two policies in Section 3.4.3 address “extensions or expansions of services to settlement areas within the Protected Countryside” (No. 3.4.3.2) and the consideration of settlement area boundary expansions during a municipal comprehensive review (No. 3.4.3.3).

**Section 3.1.5** sets out policies for the region’s agri-food network (defined on p. 61 as “a network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors and primary processing; and vibrant, agriculture-supportive communities”), directing that growth management planning “consider opportunities to support and enhance the Agricultural System” (No. 3.1.5.1) and encouraging municipalities to “implement regional agri-food strategies and other approaches to sustain and enhance the Agricultural System and the long-term economic prosperity and viability of the agri-food sector” (No. 3.1.5.2). The proposed development of the Subject Property, which is located within an area designated as a “settlement area” for the purposes of the Greenbelt Plan (2017), will contribute to the long-term preservation of prime agricultural areas in a manner that conforms with these policies.

The policies in **Section 3.2.3** of the Greenbelt Plan (2017) address water resource systems in the Protected Countryside, identifying watersheds as “the most meaningful scale for hydrological planning” (No. 3.2.3.2) and calling on municipalities and other planning authorities to “provide for a comprehensive, integrated and long-term approach for the protection, improvement or restoration of the quality and quantity of water” (No. 3.2.3.1). The approach to stormwater management to be used for the proposed development, as described in the Functional Servicing Report (see Section 4.1 above), will contribute towards the objectives in this section of the Greenbelt Plan (2017) regarding the quality and quantity of water.

**Section 3.2.6** of the Greenbelt Plan (2017) refers to “external connections,” meaning connections between the Greenbelt’s Natural Heritage System and “local, regional and provincial scale natural heritage, water resources and agricultural systems beyond the boundaries of the Greenbelt” (p. 27). These external connections “are generally depicted by a dotted green line on Schedules 1, 3 and 4 and Appendices 1 and 2 but are not within the regulated boundary of the Greenbelt Plan” (p. 27). There are no such “external connections” identified within the County of Wellington.

**Section 3.3** focuses on the “system of parklands, open spaces, water bodies and trails across the Greenbelt” (Section 3.3.1, p. 30), a system that, in addition to its environmental importance, “provides significant economic benefits and opportunities for a multitude of uses and activities compatible with the Greenbelt’s vision and goals” and that “should serve as a base for future decisions on parkland and open space use and trail development” (p. 31). Section 3.3.2 describes the Province’s intended role in encouraging the development of this system, while the policies in Section 3.3.3 are directed towards municipalities and their development of strategies to provide “for a full range of publicly accessible, built and natural settings for recreation” (No. 3.3.3.1).

Finally, **Section 3.4.2** sets out general policies that apply to settlement areas within the Protected Countryside. In addition to stating that settlement areas located outside the Greenbelt “are not permitted to expand into the Greenbelt” (No. 3.4.2.1), the policies in this section require municipalities to “incorporate policies into their official plans to facilitate the development of community hubs” (No. 3.4.2.2), to “collaborate and consult with service planning, funding and delivery sectors to facilitate the co-ordination and planning of community hubs and other public service facilities” (No. 3.4.2.3), and to “integrate climate change considerations into planning and managing growth in settlement areas” (No. 3.4.2.5). Section 3.4.2 also states that municipalities “should collaborate, where possible, to support components of the Agricultural System ... and access to local, healthy food” (No. 3.4.2.4) and “should develop excess soil reuse strategies as part of planning for growth and development” (No. 3.4.2.6). Similarly, Policy No. 3.4.2.7 directs “relevant development proposals” to “incorporate best practices for the management of excess soil generated and fill received during development or site alteration. The FSR prepared in support of the proposed development notes that the “proposed site grading has been designed to mitigate the amount of excess fill generated from the site” (Section 3.1, p. 4).

Overall, the proposed development of the Subject Property conforms with, or does not conflict with (as the case may be), the objectives and policies of the Greenbelt Plan (2017).

### **5.3 Wellington County Official Plan**

The Wellington County Official Plan (“WCOP”) has recently been amended by Amendment No. 119 (“OPA 119”, adopted on May 26, 2022, and approved with modifications on April 11, 2023) and by Amendment No. 120 (“OPA 120”, adopted on February 27, 2023, and approved with modifications on July 11, 2024). Both OPA 119 and OPA 120 were undertaken as part of the County’s ongoing municipal comprehensive review (“MCR”). The primary purpose of OPA 119 is to establish a County Growth Structure that “outlines where growth and development is to occur within Wellington to achieve the objectives, forecasts and targets required by Provincial policy” (from p. 5 of OPA 119, “Summary of Key Changes

Proposed”), while OPA 120 updates the County’s growth forecasts. (The forecasts referred to on p. 46 in Section 5.1 above are the updated forecasts from OPA 120.) OPA 119 has added new mapping as Schedule “A” to the WCOP delineating the County Growth Structure, which within the Urban System consists of the Delineated Built-Up Area, Designated Greenfield Areas, and Employment Areas. According to the new Schedule “A2” (**Figure 11**), the Subject Property is located in the “Designated Greenfield Area”.<sup>10</sup>

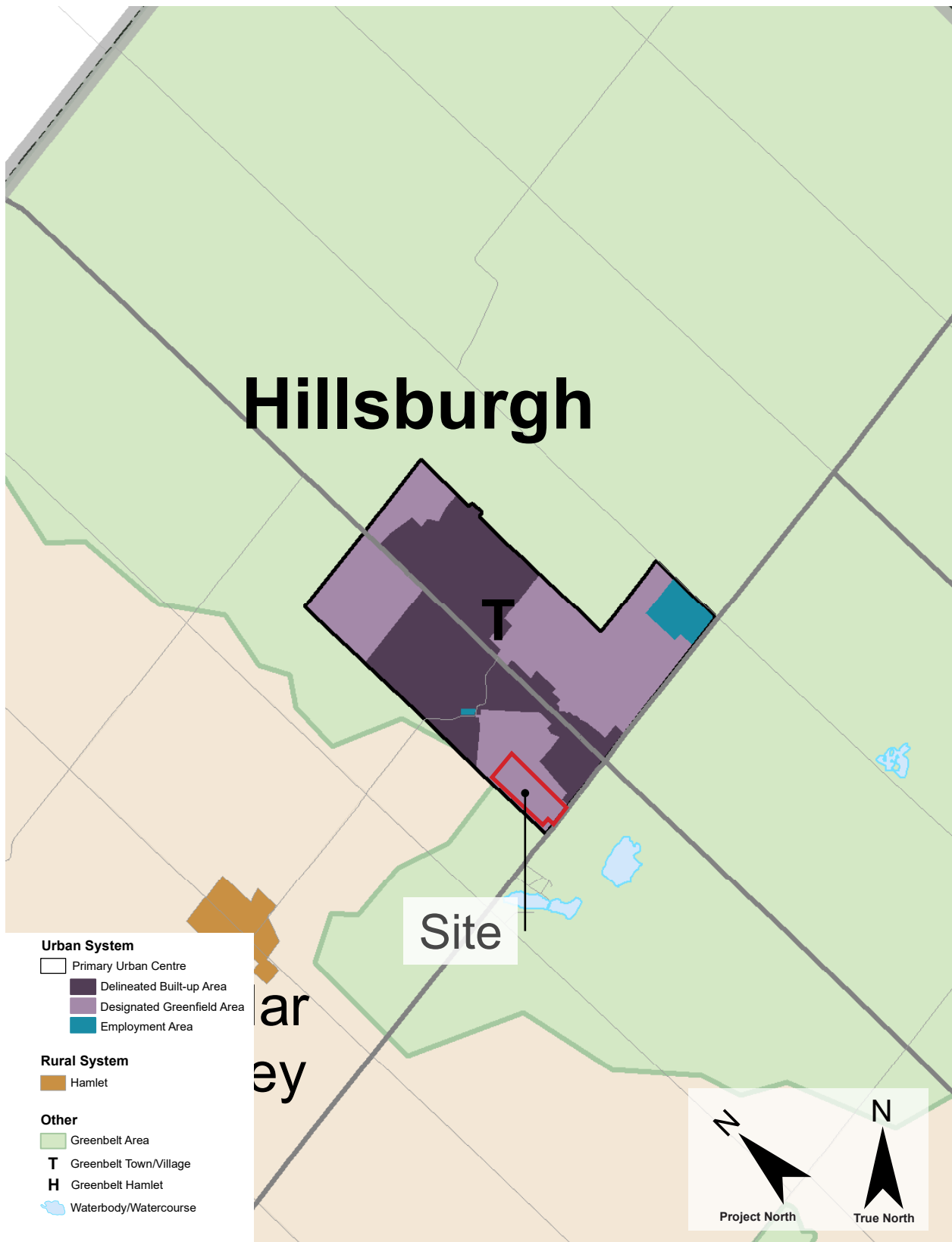
Schedule “B2” to the WCOP, as amended by OPA 119 (**Figure 12**), identifies Hillsburgh as one of two “Primary Urban Centres” in the Town of Erin (the other being Erin Village). As explained in Section 7.3 of the WCOP, “Primary Urban Centres” are recognized as “larger urban places ... which have existing or planned sewer and water services” (p. 80).<sup>11</sup> The priorities for the County’s general growth strategy, set out in Section 3.1 of the WCOP, state that “the majority of growth will be directed to primary urban centres that offer municipal water services and municipal sewage services” (p. 8). According to Section 3.2, this means that Primary Urban Centres are anticipated to accommodate 89% of the County’s population growth over the next thirty years (p. 9). The objectives for growth set out in Section 3.3 include achieving “complete communities through a more compact built form” and through “cost effective development patterns” that “take advantage of capacities in existing and planned water, waste water, utilities and transportation systems,” as well as encouraging “more efficient use of land through increased densities in designated greenfield areas of primary and secondary urban centres” (p. 9). The density target for development in the Designated Greenfield Area is established in Section 3.3.1 as “not less than 40 residents and jobs per hectare” (p. 10).

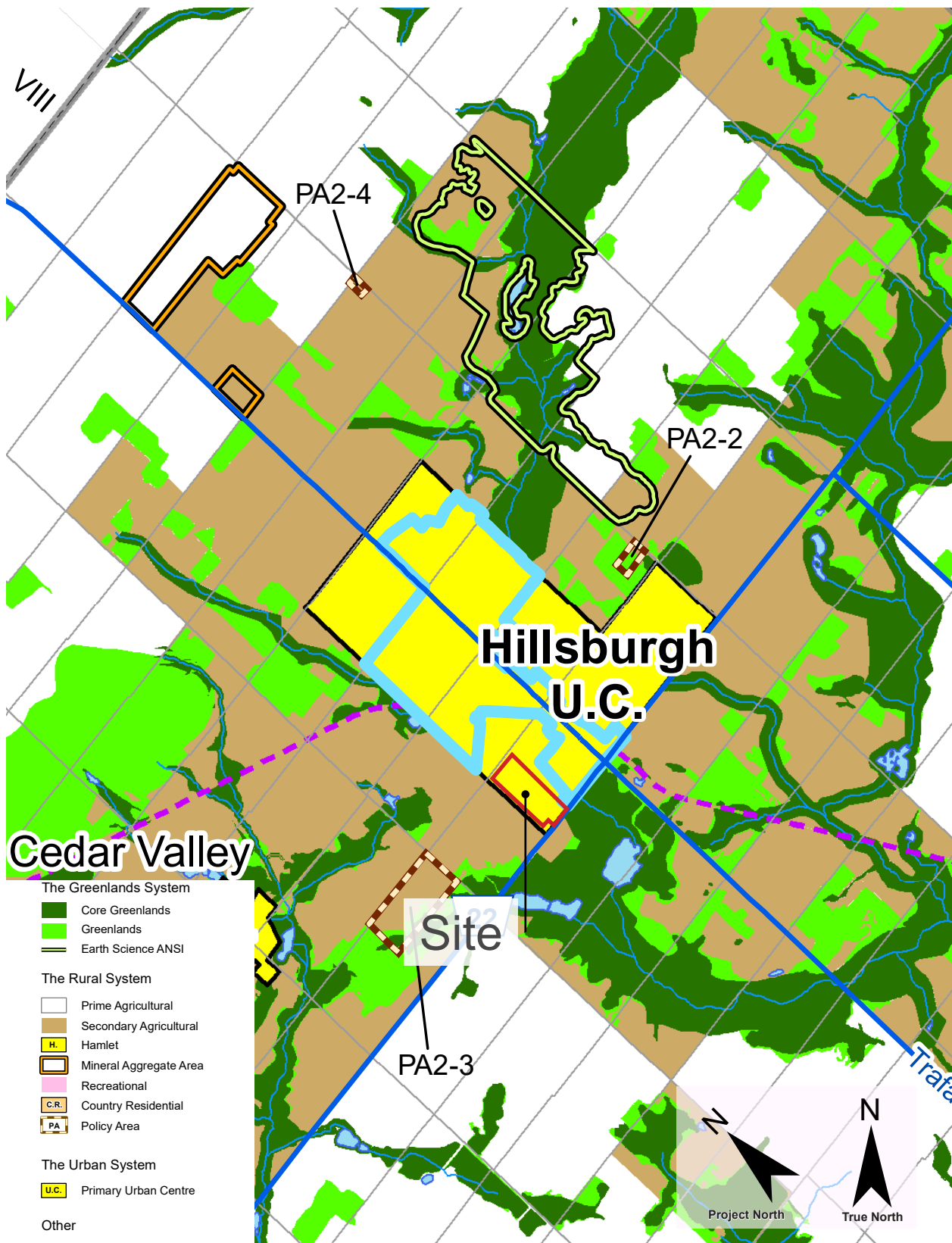
Section 3.5 of the WCOP (as amended by OPA 120) allocates projected growth to the County’s seven local municipalities based on forecasts to 2051, which project that the population of the Town of Erin will grow from about 12,000 people in 2021 to 26,300 people by 2051. The population of the Hillsburgh settlement area is projected to grow from 1,400 people in 2021 to 6,100 people by 2051, which represents growth of 336% over thirty years, an average annual rate of approximately 5.0%. As noted in the “Phase 1 MCR Report: Urban Structure and Growth Allocations” (dated January 31, 2022) prepared for the County

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<sup>10</sup> This terminology has not yet been updated to reflect changes in the new PPS 2024, which has replaced “designated greenfield area” with the term “designated growth area”.

<sup>11</sup> Page numbers for the WCOP refer to the consolidation dated July 2024.





Source: County of Wellington Official Plan, Schedule B2

by Watson & Associates Economists Ltd. (“Watson”), the Town of Erin’s population growth “is anticipated to be significantly higher than historical trends, given anticipated investments and expansions in municipal water and wastewater servicing” (p. 7).

The Vision Statement for Primary and Secondary Urban Centres set out in Section 8.1.3 of the WCOP foresees that, over the next thirty years, “the single-detached home will continue to be the dominant form of housing but a greater variety of housing types will also be available” (No. 8.1.3.b, p. 83). The introduction to Section 8.3 (“Residential”) further acknowledges the need for variety, stating that “new housing types are needed to provide a greater variety of residential accommodation as well as a more affordable housing supply. The Official Plan anticipates that semi-detached, townhouse and apartment dwellings will be developed to respond to this need and that these units may eventually account for at least one quarter of all housing units in most urban centres” (p. 85). The mix of unit types in the proposed development (approximately two-thirds single detached dwellings and one-third townhouse dwellings) aligns with this overall vision, ensuring that a greater variety of housing options is provided while maintaining an appropriate proportion of lower-density housing types. This is consistent with the statement in Section 7.4.5 of the WCOP regarding residential uses in Primary Urban Centres, that “Wellington will plan for a diverse range and mix of housing options, densities, and unit sizes on full municipal services” (p. 80).

With regard to development in Designated Greenfield Areas, Section 4.4.4 of the WCOP states that “the County will encourage increased densities and a broader mix of housing,” including by requiring that new developments “achieve densities which promote the overall designated greenfield area density target” and that “strive to attain at least 16 units per gross hectare” (No. 4.4.4.b, p. 24). As discussed earlier in this Planning Justification Report (see p. 11), it is estimated that the 215 dwelling units in the proposed development will accommodate 604 people and 61 work-at-home jobs, for a gross density of approximately 47.0 people and jobs per hectare, above the target density of 40 persons and jobs per hectare. The proposed development has a gross density of 15.2 units per hectare, just below the benchmark 16 units per hectare that new developments should “strive to attain” per the WCOP. The number of dwelling units included in the proposed development is based on the allocation of sanitary sewer servicing capacity, and thus the gross density achieves an appropriate balance between density targets and the availability of municipal services and infrastructure, in conformity with Section 4.4.2 of the WCOP: “New residential developments will be promoted at densities which efficiently use available servicing and are appropriate to site conditions and existing patterns of development” (p. 23).

Policy No. 4.4.4.b.iv of the WCOP further states that the County will “encourage the introduction of medium density housing types in new subdivisions and other designated greenfield areas” (p. 25), where “medium density housing types” refers to dwellings “such

as townhouses and apartments” (Section 8.3.5, p. 86). Section 8.3.5 sets out criteria for medium-density development in residential areas, which are presented in **Table 9** on p. 63. (No. 8.3.5.e, which applies to development within the built boundary, has been omitted from the table.) As explained in Table 9, the townhouse dwellings in the proposed development meet all of the WCOP’s requirements.

The general policies in Section 10.1 of the WCOP identify a number of items that the County will consider when making a decision about a proposed plan of subdivision. Those matters for consideration are identified in **Table 10** (p. 64), which also provides a response to each item with respect to the proposed development. (Most of the items listed have been addressed in the preceding sections of this report: the “Response” column in Table 10 provides cross-references where this is the case.)

The proposed development of the Subject Property conforms with the policies in the Wellington County Official Plan, as amended.

#### **5.4 Town of Erin Official Plan**

The Town of Erin’s Official Plan (“TEOP”) was approved by the County of Wellington on December 14, 2004. The most recent consolidation available on the Town’s website is dated January 2023 and contains all modifications and amendments to January 10, 2023, up to and including Amendment No. 13 (“OPA 13”), which was approved by the County on December 20, 2022. One important purpose of OPA 13 is to address the fact that the Town of Erin has recently undertaken Class Environmental Assessments for the provision of full municipal services for its two Primary Urban Centres (see pp. 1–2 of OPA 13, under “Basis”). The amendment is also meant to update the TEOP’s growth management policies following the County’s municipal comprehensive review.

As noted in Watson’s “Phase 1 MCR Report” prepared for the County (see p. 61 above), the planned provision of municipal services is a significant factor in the population growth projected for the Town of Erin over the next thirty years, and means that the Town’s Primary Urban Centres will be able to support a greater range of housing types as they continue to accommodate future population and employment growth. The Vision Statements for Residential Growth in Section 2.2.2 of the TEOP reflect this greater range, stating that “low density residential development, consisting of primarily single-detached dwellings, will continue to be the predominant form of housing given the lack of municipal sewers, but a variety of housing types will be encouraged” (No. 2.2.2.a, p. 7).

**Table 9 – Criteria for Medium-Density Development in Wellington County Official Plan**

Criterion <sup>(a)</sup>	Response
a) that medium density development on full municipal services should not exceed 35 units per hectare (14 units per acre) for townhouses or row houses, and 75 units per hectare (30 units per acre) for apartments, although it may not always be possible to achieve these densities on smaller sites;	The proposed development has an overall gross density of 15.2 units per hectare. Although the townhouse blocks themselves exceed the recommended 35 units per hectare, the development has been designed to ensure these blocks will be provided with full services.
b) that the design of the proposed height, setbacks, landscaping and vehicular circulation, will ensure that it will be compatible with existing or future development on adjacent properties;	The townhouse dwelling units have been incorporated into the overall design of the proposed subdivision in a way that will ensure compatibility.
c) that the site of the proposed development has a suitable area and shape to provide:	
i) adequate on-site landscaping to screen outdoor amenity areas both on the site and on adjoining property, to buffer adjacent residential areas and to improve the overall appearance of the development;	The proposed townhouse units have been incorporated into the overall subdivision design in a way that will ensure adequate privacy and compatibility with adjacent uses.
ii) on-site amenity areas for the occupants of the residential units;	On-site amenity areas will be provided as required by the Town’s Zoning By-law.
iii) adequate off-street parking, access and appropriate circulation for vehicular traffic, particularly emergency vehicles; and	Off-street parking will be provided as required by the Zoning By-law. The subdivision design provides for appropriate access and circulation.
iv) adequate grading to ensure that drainage from the property is directed to public storm drainage facilities and not to adjoining properties.	Stormwater management systems have been designed to meet current Municipal and Provincial standards.
d) that adequate services such as water, sewage disposal, storm water, roads and hydro are available to service the development;	Adequate services will be provided for the proposed development.
f) that in greenfield areas, medium density is encouraged to locate on major roadways, and roads designed to serve an arterial or collector function, while street townhouses are allowed on local roads;	Street townhouses in the proposed development are located on local roads. The dwellings on Block 145 will be located adjacent to Wellington Road 22.
g) that a separate zone(s) is established for multiple residential development.	The proposed “UR-1” zoning permits medium-density dwelling types.

<sup>(a)</sup>Source: Wellington County Official Plan, Section 8.3.5 (pp. 86–87).

**Table 10 – Matters for Consideration in Approving Development**

Criterion <sup>(a)</sup>	Response
a) that any new lots will be consistent with official plan policies and zoning regulations;	The lots in the proposed plan of subdivision are consistent with Official Plan policies (see Sections 5.4 and 5.5, including Table 8 and Table 10) and with the Zoning By-law (see Section 3.2).
b) that all lots can be adequately serviced with water, sewage disposal, stormwater management or drainage, fire protection, roads, utilities, solid waste disposal to accepted municipal standards and without undue financial burden on the municipality;	All lots in the proposed development will be provided with adequate services and infrastructure to accepted municipal standards.
c) that sufficient reserve water and sewage plan capacity will be available when lots are created in areas to be serviced by central water and sewage systems;	Sufficient capacity has been allocated for the proposed development.
d) that all lots will have safe driveway access to an all-season maintained public road and that access to a local road will be preferred over county and provincial roads, where practical;	All lots will have safe access to a public road maintained on a year-round basis. Residential lots will have access to internal local roads, rather than to Wellington Road 22.
e) that public streets, spaces and facilities will be safe, meet the needs of pedestrians, and facilitate pedestrian and non-motorized movement, including, but not limited to, walking and cycling;	The proposed subdivision will contain streets designed to an urban profile, with sidewalks on both sides, and in accordance with the Town of Erin’s Engineering Design Standards.
f) that the topography, soils and drainage of the site are satisfactory for the lot sizes and uses proposed;	Site characteristics, including drainage, are satisfactory for the proposed development: see Sections 4.1 and 4.2.
g) that tree loss related to anticipated development be kept to a minimum and, wherever reasonable, be compensated for by new tree planting;	Implementing the recommendations of the EIS will ensure that any vegetation removal is minimized. Details regarding possible compensation are to be determined in consultation with MECP: see Section 4.3.
h) that natural heritage features are not affected negatively;	Implementing the recommendations of the EIS will ensure there are no negative impacts on natural features: see Section 4.3.

<sup>(a)</sup>Source: Wellington County Official Plan, Section 10.1.3 (pp. 157–158).

**Table 9 (cont'd) – Matters for Consideration in Approving Development**

Criterion	Response
i) that lots are not created in areas which would pose a threat to public health or safety;	No lots will be created in area that would pose a threat to public health or safety.
j) that natural resources such as agricultural lands and mineral aggregates would not be affected adversely;	The proposed development will not adversely affect natural resources: see Section 5.1.
k) that the size and shape of proposed lots is suitable, including frontage, area and the proportion of frontage to depth;	The sizes and shapes of the proposed lots are appropriate and suitable for the proposed uses.
l) that the proposed lots and uses are compatible with and designed to minimize adverse impacts on surrounding uses;	The proposed development will have minimal impacts on adjacent and surrounding uses.
m) that all new lots shall have logical lot lines given existing lot patterns in the area, natural and human-made features and other appropriate considerations;	The lots in the proposed subdivision have logical configurations that take into account site characteristics and features.
n) that residential lots will have adequate access to community facilities such as schools, libraries and parks based on reasonable standards for the area;	The proposed subdivision includes a centrally located park. Residents will also have access to community facilities in the Hillsburgh Urban Area: see Section 2.2.
o) that the creation of any lot is necessary, timely and in the public interest;	The proposed lot creation aligns with the Town's Growth Management Strategy and is accounted for in servicing allocations.
p) that provincial legislation and policies are met, including the Greenbelt Plan policies set out in Section 9.9 of this Plan.	The proposed development is consistent with the PPS 2024 and conforms with (or does not conflict with) the Greenbelt Plan: see Sections 5.1 and 5.2 above.

Schedule “A-3” to the TEOP shows the Subject Property as being designated “Residential” (see Figure 2 on p. 8 above). The policies for the “Residential” designation set out in Section 4.7 of the TEOP are very similar to those in Section 8.3 of the WCOP, including the statement that “new housing types are needed to provide a greater variety of residential accommodation as well as a more affordable housing supply” and the expectation that “semi-detached, townhouse and apartment dwellings will be developed to respond to this need and that these units may eventually account for at least one quarter of all housing units in the Town” (TEOP, Section 4.7.1, p. 53: *cf.* WCOP, Section 8.3.1, p. 85). Section 4.7.3 of the TEOP states that “a variety of housing types shall be allowed” in the “Residential” designation, although “low rise and low density housing forms such as single-detached and semi-detached dwelling units shall continue to predominate” (p. 54). The proposed development is consistent with this direction.

Section 4.7.5 of the TEOP sets out criteria for medium-density residential development that are essentially the same as those in Section 8.3.5 of the WCOP, with some omissions. The responses in Table 9 above thus apply to the criteria in Section 4.7.5 of the TEOP according to the following:

- No. 4.7.5.a: see Criterion “b)” in Table 9.
- No. 4.7.5.b: see Criterion “c)” in Table 9.
- No. 4.7.5.c: see Criterion “d)” in Table 9.
- No 4.7.5.d: see Criterion “g)” in Table 9.

Section 5.15.1 (p. 82) of the TEOP also sets out criteria that must be met before the Town will approve a plan of subdivision. Those criteria are identified in **Table 11** (p. 67) alongside a response with respect to each criterion.

Overall, the proposed development conforms with the policies and requirements of the TEOP.

**Table 11 – Criteria for Subdivision Approval in Town of Erin Official Plan**

Criterion <sup>(a)</sup>	Response
a) The proposed plan of subdivision conforms to the objectives, General Policies of Section 3 and land use designations of this Plan, as well as the Wellington County Official Plan;	The matters contemplated by the General Policies in Section 3 have been addressed in the discussion in Section 5.1 of this Planning Justification Report, regarding consistency with the PPS 2024. The proposed subdivision conforms with the policies for the “Residential” designation and with the County’s Official Plan.
b) Necessary services, utilities, and community facilities, can be provided to the proposed subdivision;	The proposed development will be provided with full municipal services. Necessary community facilities are provided as part of the proposed subdivision (the park block) or are available in nearby downtown Hillsburgh.
c) The proposed plan of subdivision will not negatively affect transportation networks, abutting land uses, and other features of the natural or built environment;	The TIS has concluded that nearby intersections can accommodate traffic generated by the proposed development without impacting operational levels. The implementation of the mitigation measures recommended in the EIS will result in there being no significant impacts on natural features or their functions.
d) The proposed plan of subdivision is not considered to be premature, and is in the public interest;	The proposed subdivision is not premature, as it is located within the preferred growth area identified in the Town’s Growth Management Strategy.
e) The proposed plan of subdivision is compatible with the existing built form of the Town, including adjacent land uses and road patterns; and	The proposed subdivision will be compatible with adjacent land uses, including the future subdivision abutting the Subject Property. The proposed road pattern is consistent with what is shown on Schedule “A-3” to the Town’s Official Plan.
f) The proposed plan of subdivision will not unreasonably impact the financial position of the Town in terms of the cost of providing additional services to the new development.	The proposed development is consistent with the sanitary service capacity allocated by the Town, which has taken into consideration the cost of providing municipal services.

<sup>(a)</sup>Source: Town of Erin Official Plan, Section 5.15.1 (p. 82).

## 6. Conclusion

The applications submitted for the approval of a Draft Plan of Subdivision and for an amendment to the Town of Erin's Zoning By-law will facilitate the development of 215 dwelling units on approximately 14.14 hectares of land in the Hillsburgh Primary Urban Centre. The Subject Property is located in the Designated Greenfield Area and is in an area that the Town's Growth Management Strategy identifies as the preferred location for growth in Hillsburgh. The proposed amendment to the Zoning By-law will implement the "Residential" land use designation of the Subject Property shown on Schedule "A-3" to the Town of Erin's Official Plan.

The proposed development represents the efficient use of land within a designated growth area in a Primary Urban Centre, and will provide a range and mix of dwelling unit types and sizes that is appropriate for the area. The development will be provided with full municipal water and sewage services, with capacity for the latter already having been allocated to the proposed development. With the implementation of the mitigation measures recommended in the Environmental Impact Study, it is expected that the proposed development will have no significant impacts on natural heritage features or their functions.

The proposed Draft Plan of Subdivision will help the County of Wellington achieve its objective of encouraging "increased densities and a broader mix of housing" in Designated Greenfield Areas" and of encouraging medium-density housing types in new subdivisions. The townhouse dwellings in the proposed development meet the criteria established in the County's Official Plan and the similar criteria set out in the Town of Erin's Official Plan. The Draft Plan of Subdivision addresses the matters identified in Section 10.1.3 of the County's Official Plan, as well as meeting the requirements for subdivision approval set out in Section 5.15.1 of the Town's Official Plan.

The proposed development is therefore consistent with the Provincial Planning Statement, 2024 and conforms with the Greenbelt Plan (or does not conflict with it, as the case may be). The development conforms with both the Wellington County Official Plan and the Town of Erin's Official Plan. Overall, we are confident in saying that the proposed development of the Subject Property represents good planning that is in the public interest.

Respectfully submitted on behalf of Thomasfield Homes Limited to the County of Wellington and to the Town of Erin.

A handwritten signature in black ink that reads "Hugh Handy". The signature is written in a cursive style with a large, looped 'H' and 'y'.

Hugh Handy, MCIP, RPP  
Vice President, GSP Group

A handwritten signature in blue ink that reads "Patrick Casey". The signature is written in a cursive style with a large, looped 'P' and 'C'.

Patrick Casey  
Planner, GSP Group

# Appendix “A” – Draft Zoning By-law Amendment

## THE CORPORATION OF THE TOWN OF ERIN

### By-Law #25-XX

**Being a By-law to amend Zoning By-law 07-67, as amended, being the Zoning By-law for the Corporation of the Town of Erin, for lands known as Part of Lot 23, Concession 7 (Geographic Township of Erin)**

**Whereas** the Council of the Corporation of the Town of Erin deems it desirable to amend By-law 07-67, as amended, pursuant to Section 34 of the *Planning Act* (R.S.O. 1990, c. P.13), as amended;

**Now therefore the Council of the Corporation of the Town of Erin enacts as follows:**

1. That By-law No. 07-67, the Comprehensive Zoning By-law, is amended by rezoning the lands legally described as Part of Lot 23, Concession 7 (Geographic Township of Erin), from Future Development ‘FD’ to Urban Residential One ‘UR1’, Urban Residential One Site Specific XXX ‘UR1-XXX’, Open Space Recreation Site Specific XXX ‘OS1-XXX’, and Village Environmental Protection ‘EP1’, as shown on Schedule “A” to this By-law.
2. That Section 14 of By-law No. 07-67 is amended by adding the following:

OPEN SPACE ZONE	SPECIAL PROVISIONS
<b>OS1-1XX</b> <b>By-law 24-XX</b> Hillsburgh Trails (Thomasfield) Pt Lot 23, Con 7 Roll # 09-16600	Notwithstanding the provisions of Section 11.1 or any other provisions of By-law 07-67 (as amended) to the contrary, no building or structure, including an accessory building or structure, shall be constructed on the lands zoned OS1-1XX on Schedule “A” to By-law 23-XX.  All other provisions of By-law 07-67, as amended, shall apply.

3. That Section 14 of By-law No. 07-67 is further amended by adding the following:

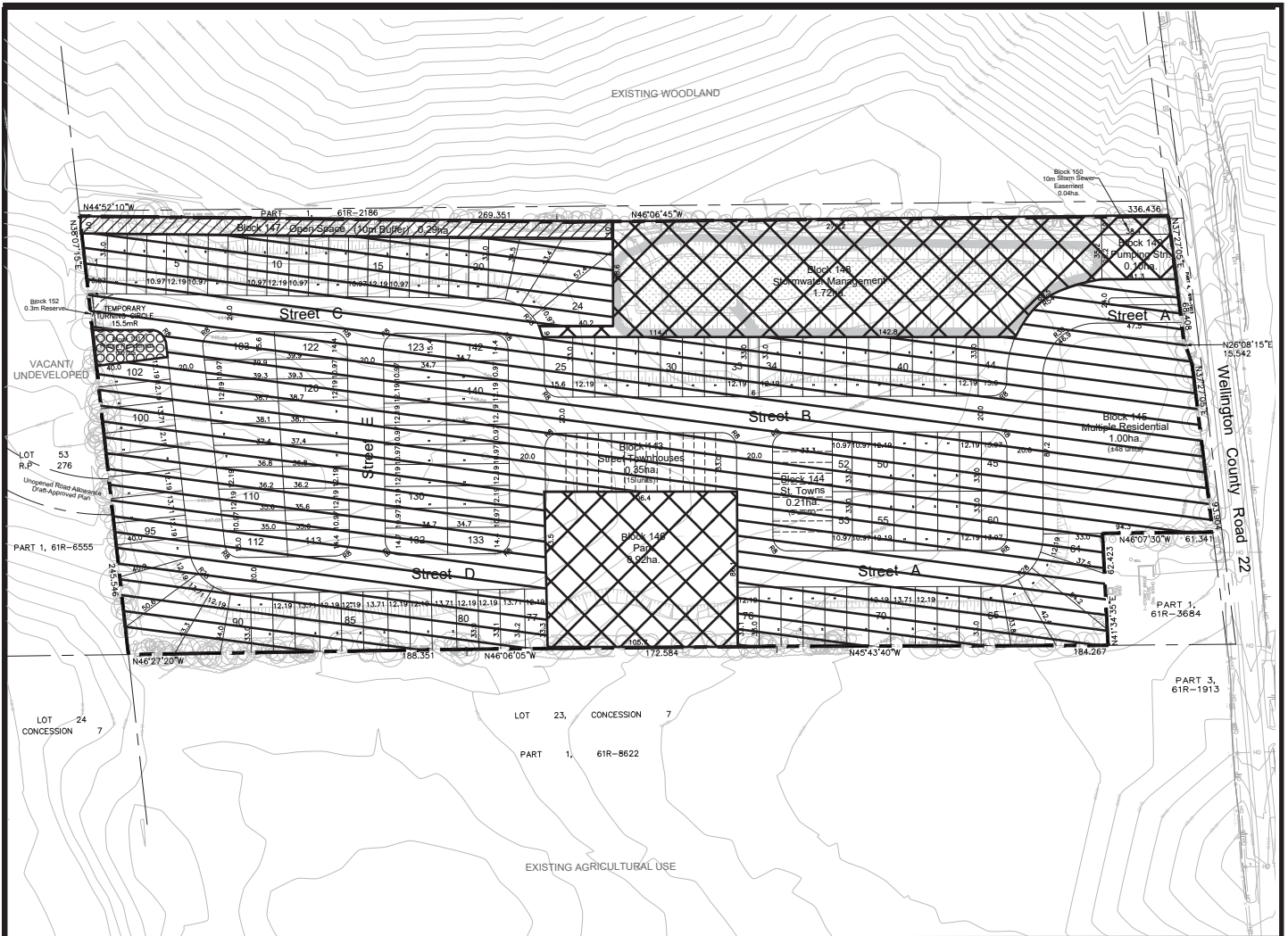
HOLDING & TEMPORARY USE BY-LAWS	SPECIAL PROVISIONS
<p><b>UR1-1XX (H)</b>  <b>By-law 24-XX</b>  Hillsburgh Trails (Thomasfield)  Pt Lot 23, Con 7  Roll # 09-16600</p>	<p>Notwithstanding the provisions of Section 6.5 or any other provisions of By-law 07-67 (as amended) to the contrary, the uses permitted on the land zoned UR1-1XX (H) on Schedule "A" to By-law 24-XX shall be limited to a temporary turning circle until such time as the Holding (H) symbol is removed.</p> <p>The Council of the Town of Erin shall not remove the Holding (H) symbol until it is satisfied that the temporary turning circle that is partially located within the lands subject to said Holding (H) symbol is no longer necessary.</p> <p>All other provisions of By-law 07-67, as amended, shall apply.</p>

4. That the Subject Lands as shown on Schedule "A" to this By-law shall be subject to all other applicable regulations of Zoning By-law No. 07-67, as amended.
5. That this By-law shall come into force on the date it is passed by the Council of the Corporation of the Town of Erin, subject to the applicable provisions of the *Planning Act* (R.S.O. 1990, c. P.13), as amended.

Passed in Open Council on \_\_\_\_\_, 2025.

\_\_\_\_\_  
**Mayor, Michael Dehn**

\_\_\_\_\_  
**Clerk, Lisa Champion**



This Schedule "A" to By-Law No.07-67

Passed the \_\_\_\_ day of \_\_\_\_ 2024

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

### Schedule "A"


Map Forming Part of  
By-law No. \_\_\_\_

to Amend By-law No.07-67


#### Subject Property

Hillsburgh Trails Subdivision

 To be Zoned UR1

 To be Zoned OS1

 To be Zoned UR1-1XX (H)

 To be Zoned OS1-1XX

Scale:  
N.T.S

File Name/Number:

Date:  
May 8, 2024

Prepared By:  
GSP Group

## Appendix “B” – Lot Dimensions

The purpose of this appendix is to identify the relevant dimensions for the single detached dwelling lots (Lots 1–142) in the proposed Draft Plan of Subdivision, as well as the “Future Residential” lot (Block 151), to confirm compliance with the regulations in the Town of Erin’s Zoning By-law No. 07-67, as amended. As indicated in Table 4 (p. 21), the minimum lot area required for detached dwellings in the “UR1” Zone is 280 m<sup>2</sup>, and the minimum required lot frontage is 10 metres. Refer to Figure 5 on p. 14 for lot numbering.

Lot No.	Lot Frontage [m]	Lot Area [m <sup>2</sup> ]	Lot No.	Lot Frontage [m]	Lot Area [m <sup>2</sup> ]	Lot No.	Lot Frontage [m]	Lot Area [m <sup>2</sup> ]
1	11.13	404.6	27	12.19	402.3	53	10.97	362.0
2	10.97	362.1	28	12.19	402.3	54	10.97	362.0
3	10.97	362.1	29	12.19	402.3	55	12.19	402.3
4	10.97	362.1	30	12.19	402.3	56	12.19	402.3
5	12.19	402.3	31	12.19	402.3	57	12.19	402.3
6	10.97	362.0	32	12.19	402.3	58	12.19	402.3
7	10.97	362.0	33	12.19	402.3	59	12.19	402.3
8	10.97	362.0	34	12.19	402.3	60	14.23	455.7
9	10.97	362.0	35	12.19	402.3	61	13.93	554.6
10	12.19	402.3	36	12.19	402.3	62	12.95	808.5
11	10.97	362.0	37	12.19	402.3	63	13.31	857.5
12	10.97	362.0	38	12.19	402.3	64	12.94	626.2
13	10.97	362.0	39	12.19	402.3	65	12.35	461.5
14	10.97	362.0	40	12.19	402.3	66	12.19	402.3
15	12.19	402.3	41	12.19	402.3	67	12.19	402.3
16	10.97	362.0	42	12.19	402.3	68	12.19	402.3
17	10.97	362.0	43	12.19	402.3	69	13.72	452.6
18	10.97	362.0	44	15.97	546.9	70	12.19	402.3
19	10.97	362.0	45	14.23	455.7	71	12.19	402.3
20	10.97	361.9	46	12.19	402.3	72	12.19	402.3
21	11.60	446.4	47	12.19	402.3	73	12.19	402.3
22	11.61	583.6	48	12.19	402.3	74	12.19	402.3
23	11.89	806.9	49	12.19	402.3	75	12.19	402.7
24	12.28	1,062.5	50	12.19	402.3	76	12.19	403.5
25	16.21	512.7	51	10.97	362.0	77	12.19	405.2
26	12.19	402.3	52	10.97	362.0	78	13.72	454.9

Lot No.	Lot Frontage [m]	Lot Area [m <sup>2</sup> ]	Lot No.	Lot Frontage [m]	Lot Area [m <sup>2</sup> ]	Lot No.	Lot Frontage [m]	Lot Area [m <sup>2</sup> ]
79	12.19	403.2	101	12.19	487.6	123	15.83	527.8
80	12.19	402.5	102	12.19	487.6	124	10.97	380.4
81	13.72	452.6	103	16.11	619.3	125	12.19	422.7
82	12.19	402.3	104	11.20	434.1	126	12.19	422.7
83	12.19	402.3	105	12.45	475.3	127	10.97	380.4
84	13.72	452.6	106	12.44	467.7	128	10.97	380.4
85	12.19	402.3	107	12.41	460.6	129	12.19	422.7
86	12.19	402.3	108	12.42	453.0	130	12.19	422.7
87	13.72	452.6	109	12.44	445.2	131	10.97	380.4
88	12.17	401.6	110	12.44	437.7	132	15.00	504.4
89	12.19	402.3	111	11.20	387.4	133	14.68	497.6
90	12.52	470.5	112	15.37	589.9	134	10.97	380.4
91	12.94	638.7	113	14.69	563.2	135	12.19	422.7
92	14.95	910.0	114	10.97	387.4	136	12.19	422.7
93	12.94	815.1	115	12.19	437.7	137	10.97	380.4
94	12.45	584.7	116	12.19	445.2	138	10.97	380.4
95	12.19	487.8	117	12.19	452.7	139	12.19	422.7
96	13.72	548.8	118	12.19	460.2	140	12.19	422.7
97	12.19	487.7	119	12.19	467.7	141	10.97	380.4
98	12.19	487.7	120	12.19	475.2	142	14.69	503.2
99	12.19	487.7	121	10.97	434.1	151	16.24	690.2
100	13.72	548.7	122	14.70	606.4			

## Appendix “C” – Provincial Planning Statement, 2024

This appendix presents the exact wording from the policies in the Provincial Planning Statement, 2024 that are referred to and discussed in Section 5.1 of this report.

### Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

#### 2.1 Planning for People and Homes

- 2.1.1 As informed by provincial guidance, planning authorities shall base population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance and may modify, as appropriate.
- 2.1.2 Notwithstanding policy 2.1.1, municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.
- [...]
- 2.1.4 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:
- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and
  - b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.
- 2.1.5 Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.4 shall be based on and reflect the allocation of population and units by the upper-tier municipality.
- 2.1.6 Planning authorities should support the achievement of complete communities by:
- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
  - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
  - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

## **2.2 Housing**

- 2.2.1 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:
- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
  - b) permitting and facilitating:
    - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
    - 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
  - c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
  - d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

## **2.3 Settlement Areas and Settlement Area Boundary Expansions**

### **2.3.1 General Policies for Settlement Areas**

- 2.3.1.1 Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.
- 2.3.1.2 Land use patterns within settlement areas should be based on densities and a mix of land uses which:
- a) efficiently use land and resources;
  - b) optimize existing and planned infrastructure and public service facilities;
  - c) support active transportation;
  - d) are transit-supportive, as appropriate; and
  - e) are freight-supportive.
- 2.3.1.3 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.
- 2.3.1.4 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

- 2.3.1.5 Planning authorities are encouraged to establish density targets for designated growth areas, based on local conditions. Large and fast-growing municipalities are encouraged to plan for a target of 50 residents and jobs per gross hectare in designated growth areas.
- 2.3.1.6 Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.

[...]

## **2.8 Employment**

### **2.8.1 Supporting a Modern Economy**

[...]

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

[...]

## **2.9 Energy Conservation, Air Quality and Climate Change**

- 2.9.1 Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:
  - a) support the achievement of compact, transit-supportive, and complete communities;
  - b) incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;
  - c) support energy conservation and efficiency;
  - d) promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and
  - e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.

# **Chapter 3: Infrastructure and Facilities**

## **3.1 General Policies for Infrastructure and Public Service Facilities**

- 3.1.1 Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.

Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
- b) leverage the capacity of development proponents, where appropriate; and
- c) are available to meet current and projected needs.

3.1.2 Before consideration is given to developing new infrastructure and public service facilities:

- a) the use of existing infrastructure and public service facilities should be optimized; and
- b) opportunities for adaptive re-use should be considered, wherever feasible.

3.1.3 Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety.

3.1.4 Public service facilities should be planned and co-located with one another, along with parks and open space where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.

[...]

## **3.2 Transportation Systems**

3.2.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs, and support the use of zero-and low-emission vehicles.

3.2.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

3.2.3 As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be planned for, maintained and, where possible, improved, including connections which cross jurisdictional boundaries.

## **3.3 Transportation and Infrastructure Corridors**

3.3.1 Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs.

3.3.2 Major goods movement facilities and corridors shall be protected for the long term.

3.3.3 Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and

should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities.

3.3.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

3.3.5 The co-location of linear infrastructure should be promoted, where appropriate.

[...]

### **3.5 Land Use Compatibility**

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

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

### **3.6 Sewage, Water and Stormwater**

3.6.1 Planning for sewage and water services shall:

- a) accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services and existing private communal sewage services and private communal water services;
- b) ensure that these services are provided in a manner that:
  1. can be sustained by the water resources upon which such services rely;
  2. is feasible and financially viable over their life cycle;
  3. protects human health and safety, and the natural environment, including the quality and quantity of water; and
  4. aligns with comprehensive municipal planning for these services, where applicable.
- c) promote water and energy conservation and efficiency;
- d) integrate servicing and land use considerations at all stages of the planning process;
- e) consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of municipal water services and municipal sewage services to support efficient use of these services to meet current and projected needs for increased housing supply; and

- f) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5.

3.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.

[...]

3.6.7 Planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity.

3.6.8 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
- b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;
- c) minimize erosion and changes in water balance including through the use of green infrastructure;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces;
- f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and
- g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.

[...]

### **3.9 Public Spaces, Recreation, Parks, Trails and Open Space**

3.9.1 Healthy, active, and inclusive communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

## Chapter 4: Wise Use and Management of Resources

### 4.1 Natural Heritage

- 4.1.1 Natural features and areas shall be protected for the long term.
- 4.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.
- 4.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.
- 4.1.4 Development and site alteration shall not be permitted in:
- a) significant wetlands in Ecoregions 5E, 6E and 7E; and
  - b) significant coastal wetlands.
- 4.1.5 Development and site alteration shall not be permitted in:
- a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E;
  - b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
  - c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
  - d) significant wildlife habitat;
  - e) significant areas of natural and scientific interest; and
  - f) coastal wetlands in Ecoregions 5E, 6E and 7E that are not subject to policy 4.1.4(b),
- unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- 4.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- 4.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
- 4.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.
- 4.1.9 Nothing in policy 4.1 is intended to limit the ability of agricultural uses to continue.

### 4.2 Water

- 4.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:

- a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
  - b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;
  - c) identifying water resource systems;
  - d) maintaining linkages and functions of water resource systems;
  - e) implementing necessary restrictions on development and site alteration to:
    - 1. protect all municipal drinking water supplies and designated vulnerable areas; and
    - 2. protect, improve or restore vulnerable surface and ground water, and their hydrologic functions;
  - f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
  - g) ensuring consideration of environmental lake capacity, where applicable.
- 4.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.

[...]

## **4.3 Agriculture**

### **4.3.1 General Policies for Agriculture**

- 4.3.1.1 Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.
- 4.3.1.2 As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.
- 4.3.1.3 Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

### **4.3.2 Permitted Uses**

- 4.3.2.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance.

Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

4.3.2.2 In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

[...]

## **4.4 Minerals and Petroleum**

### **4.4.1 General Policies for Minerals and Petroleum**

4.4.1.1 Minerals and petroleum resources shall be protected for long-term use.

### **4.4.2 Protection of Long-Term Resource Supply**

4.4.2.1 Mineral mining operations and petroleum resource operations shall be identified and protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

4.4.2.2 Known mineral deposits, known petroleum resources and significant areas of mineral potential shall be identified, and development and activities in these resources or on adjacent lands which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed.

[...]

## **4.5 Mineral Aggregate Resources**

### **4.5.1 General Policies for Mineral Aggregate Resources**

4.5.1.1 Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.

### **4.5.2 Protection of Long-Term Resource Supply**

[...]

4.5.2.4 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.

- 4.5.2.5 In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
- a) resource use would not be feasible; or
  - b) the proposed land use or development serves a greater long-term public interest; and
  - c) issues of public health, public safety and environmental impact are addressed.

[...]

## **4.6 Cultural Heritage and Archaeology**

- 4.6.1 Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.
- 4.6.2 Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.
- 4.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.
- 4.6.4 Planning authorities are encouraged to develop and implement:
- a) archaeological management plans for conserving archaeological resources; and
  - b) proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.
- 4.6.5 Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.

## **Chapter 5: Protecting Public Health and Safety**

### **5.1 General Policies for Natural and Human-Made Hazards**

- 5.1.1 Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

### **5.2 Natural Hazards**

- 5.2.1 Planning authorities shall, in collaboration with conservation authorities where they exist, identify hazardous lands and hazardous sites and manage development in these areas, in accordance with provincial guidance.

- 5.2.2 Development shall generally be directed to areas outside of:  
[...]
- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and
  - c) hazardous sites.
- 5.2.3 Development and site alteration shall not be permitted within:  
[...]
- c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
  - d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.
- 5.2.4 Planning authorities shall prepare for the impacts of a changing climate that may increase the risk associated with natural hazards.
- 5.2.5 Despite policy 5.2.3, development and site alteration may be permitted in certain areas associated with the flooding hazard along river, stream and small inland lake systems:
- a) in those exceptional situations where a Special Policy Area has been approved. The designation of a Special Policy Area, and any change or modification to the official plan policies, land use designations or boundaries applying to Special Policy Area lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
  - b) where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
- [...]

### **5.3 Human-Made Hazards**

- 5.3.1 Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
- 5.3.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.