



## **Planning Justification Report (1066 Syer Line)**

### **Overview:**

The subject property was acquired by the Township of Cavan Monaghan in 2019 for the purpose of exploring the potential to establish Rural Employment permitted uses on a portion of the subject lands. The subject lands are currently designated Agricultural and the proposal of the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) is to change the designation to Rural Employment on a portion of the lands to permit uses associated with that Rural Employment designation and zoning. Those portions of the land that are currently zoned Natural Core and Natural Linkage will not be re-designated through these applications.

Based on a pre-consultation meeting and a follow-up meeting with Township Staff, agencies identified a number of studies (5 in total) that are required to support the proposed OPA and ZBA applications. Three (3) of the studies were identified as key to proceed right away while the other two (2) were originally tied to any proposed development coming forward. No development is being proposed on the subject lands at this time. The applications seek to allow the range of permitted uses under the Rural Employment (M2) zoning.

Throughout 2021 and 2022, a number of consultants have been retained and completed four (4) of the five (5) studies identified. Three (3) of these studies have been submitted and peer reviewed by the County's peer reviewer (Stantec) or the Otonabee Region Conservation Authority (ORCA). The last study (Traffic Impact Study) is currently being reviewed by the Ministry of Transportation (MTO) staff.

While a detailed discussion is outlined in the report below, the studies conducted help support establishing the principle of development on the subject lands based on the assessment that the conversion of the current agricultural lands is minor, is in-keeping with adjacent employment lands uses and that any impacts of future uses can be mitigated. In addition, the reduced developable envelope of land will ensure protection and buffering to any natural heritage features and functions on the property. Furthermore, the subject lands contain viable water source(s) that would permit the establishment of rural employment uses up to and including a factory(ies) of certain size(s) based on potential water consumption. Lastly, any impact from the type of traffic that could be generated from the range of permitted rural employment uses will not result in the need for additional traffic improvements.

Foundational to these applications is the Growth Management Strategy (GMS) conducted by Watson & Associates and adopted by Council in May of 2020. This

Study, provided a comprehensive assessment of growth in the Township to the year 2041. While this Study is now being updated to consider an additional decade of growth through to the year 2051, the current Study included Recommendations and Next Steps with respect to a review of the Rural Employment lands in the Township. This included the subject lands of these OPA and ZBA applications.

This Study not only identified the market need for rural employment lands but by its very nature, examined alternative locations of the current rural employment lands with a recommendation to remove and add these lands while maintaining a balance of the total area for rural employment opportunities.

When Council adopted the GMS in 2020, it also accepted the recommendation of the Rural Employment lands review. This work has not yet begun because of the addition ten (10) year planning horizon (as per the policies of the new Growth Plan) and also these OPA and ZBA applications.

With this in mind, Township Staff are proposing to conduct the land review in a two (2) Stage approach: whereby at first, the subject lands and applications would proceed first with a detailed analysis; and secondly, when the GMS update is completed and adopted, the balance of the lands review will consider removal and addition of other rural employment lands keeping in mind the final decision of the OPA and ZBA on these lands.

The Township currently owns other lands (larger in size) that are currently zoned Rural Employment (M2) which it can “swap” (i.e., de-designate) with these lands as part of the second stage of this lands review. Township Staff commit to “swapping” these two (2) land holdings if the second stage of the land review does not yield any alternative land scenarios.

Based on the studies and the discussion below, Township Staff are of the opinion that the applications conform to the County Official Plan (OP), the Township Official Plan (OP), Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement (PPS). As such, the OPA and ZBA should be approved.

### **Background:**

Growth Management Strategy (GMS 2020 - Watson & Associates)

In May of 2020, Council adopted the Growth Management Strategy (2020) for the Township of Cavan Monaghan prepared by Watson & Associates Economists Ltd. This extensive work included a comprehensive assessment of the Township’s long-term population, housing and employment growth potential within the context of the Township, County and provincial policy framework for the planning horizon of 2021-2041. Shortly after thereafter, the Province changed the timing of the planning horizon to extend to the year 2051. As a result, that work is being updated by Watson &

Associates – building on the extensive work already completed and a final report expected to come back to Council in the second half of 2022.

When Council adopted the GMS, it also endorsed the Recommendations and Next Steps which included direction that the Township to begin the local official plan and zoning by-law amendment process required to implement the Rural Employment Lands review. This also included a recommendation that the GMS (2020) be used to inform the development of a marketing strategy to promote the Township's employment lands, develop broad principles for the evaluation of Employment Area conversions and monitor the Township's Employment Area land supply.

Notably, Section 4.2.2 of the GMS – 2020, indicated:

- that if the Township is to offer an adequate supply of vacant employment land over the short- and long- term planning periods, it needs to provide a full range of sites on the market, particularly larger developable sites (greater than 5 hectares) that are serviced or serviceable, can accommodate medium to large-scale businesses and future expansion potential to have access and visibility to highway infrastructure and have limited development constraints.

Current Applications – 1066 Syer Line

On February 4, 2021, Township Staff held a pre-consultation meeting to discuss the requirements to proceed with proposed amendments to the Township Official Plan and Zoning By-law 2018-58, as amended for the Township's property known as 1066 Syer Line (Attachment No. 1). That pre-consultation meeting included staff from: the Township; Peterborough County; Otonabee Region Conservation Authority (ORCA); and the Ministry of Transportation (MTO).

At that meeting, agencies identified five (5) key background studies to be undertaken to support the proposed amendments to the Official Plan (OPA) and Zoning By-law (ZBA) of the subject lands. The proposed amendments would change the current land use designation from Agriculture to Rural Employment and the associated zoning from Agricultural (A) to Rural Employment (M2). The areas on the subject lands that are currently zoned Natural Core (NC) and Natural Linkage (NL) would not be changed through these applications.

The key background studies identified through pre-consultation include:

- Agricultural Impact Assessment (AIA);
- Environmental Impact Assessment (EIA/s);
- Hydro Geotechnical Study (Hydro-G);
- Traffic Impact Study (TIS): and
- Stormwater Management Study (SWM).

During the pre-consultation, three (3) particular studies (AIA, EIA & Hydro-G) were identified as a priority and essential to allow the OPA and ZBA applications to proceed.

The other two studies (TIS and SWM) would still be required but could be completed later when a specific development proposal(s) would come forward for the subject property. At that point and today, there is no specific proposed development(s) for the subject lands. The purpose is to proceed with the necessary OPA and ZBA to permit the range of permitted rural employment uses that may come forward as a development proposal in the future.

In early 2021, Township Staff solicited proposals and retained two consulting firms to conduct the three (3) original studies (i.e., AIA, EIS and Hydro-G). More recently, as a follow-up to the original pre-consultation, a third consultant was retained at the end of 2021 to conduct the fourth study (i.e., TIS) to help inform the OPA and ZBA.

### **Studies & Results:**

#### Agricultural Impact Assessment (AIA)

As noted earlier, an AIA was triggered due to the Township's proposal to change the current land use designations and zoning through the proposed OPA and ZBA. This would, in effect, convert the lands that could be used for agriculture to non-agricultural use(s) by removing roughly 30 ha of prime agricultural land from production.

The AIA study was conducted by Clark Consulting Services in mid-2021 which included a site visit and extensive research to examine the agricultural nature of the subject lands and the surrounding study area. That work concluded in May of 2021.

The AIA revealed that the soils are Class 1 and 2 suitable for agriculture that have historically been used for row crop production and the site also accommodates drainage tile with a drainage outlet. The AIA included: a thorough analysis of the current land uses on the subject lands; a review of uses within 750 m (small area) and 1,500 m (large) area; a review of soils; minimum distance separations (MDS) considerations; as well as an analysis of farm, crop and economic benefits of agriculture.

The AIA also included an assessment of potential impacts of the conversion of the subject lands to a non-farm use. This study indicates that:

- most obvious impact will be the restriction on adjacent agricultural land uses but the impact is viewed as minor;
- any impact would be to the immediate adjacent area to the east and south which will continue as cultivated cropland;
- other potential impacts from cropping operations such as application of fertilizer, pesticides and herbicides will need to be monitored; and
- tillage and harvesting activities may generate issues from noise.

This study then indicates that these impacts are not unlike the existing situation for the existing adjacent employment uses. Mitigation of these impacts would be served

through the establishment of buffers (i.e., fencing, vegetation) that will create a boundary between uses and adjacent areas.

The AIA concludes that the conversion of the subject lands to employment land uses will have a minimal impact due to the location of Natural Heritage features and the current use of the abutting agricultural lands. The study also notes that there is a lack of intensive agricultural uses and livestock facilities on the adjacent lands. In addition, the presence of existing non-farm uses in the immediate area have already initiated a transition in land use to that of being an employment area. Finally, the study concludes that the impact will be limited and can be mitigated through design to include buffers and orientation of the urban land uses.

The peer review of the AIA was conducted by Stantec (on behalf of the County) acknowledges that the study has a good inventory of the characteristics of the subject land and local agricultural area. However, the review indicates that AIA does not identify where additional Rural Employment lands area needed.

This will be discussed elsewhere in this report as the justification and need for additional Rural Employment lands is identified in the GMS (2020) conducted by Watson & Associates and adopted by Council in May of 2020. The OPA and ZBA are not being proposed as additional Rural Employment lands but consistent with the results of the GMS (2020), they are being proposed to be added to the inventory in exchange for others that will be removed at a later date.

#### Environmental Impact Study (EIS)

The EIS was conducted by Cambium Inc. during 2021 with a final report submitted in October of 2021. This study is required to address any potential negative impacts to natural heritage features that may arise during the preliminary development review process.

As outlined in the EIS, the subject lands are approximately 31.8 ha in size, primarily of agricultural lands with barns, silos, outbuildings and a vacant residence located in the centre of the property. The land use in the surrounding area includes commercial, agricultural, rural residential and natural areas. As no development is being proposed with these applications, the EIS will inform those preparing, reviewing and approving site plans when a proposal comes forward.

The EIS involved significant research and field investigations to take inventory of the vegetation on site, delineate the wetland boundary, and conduct surveys for aquatic habitat, grassland birds and amphibian breeding habitat. This work included characterization of natural features and functions as well as identifying any constraints, assessing impacts and proposing mitigation measures.

The EIS concludes that any potential negative impact associated with the proposed development and site alteration can be minimized if adhering to the set of

recommendations outlined in the report. This means that given the existing natural heritage and hydrologic constraints on the site, the potential developable area is 27.63 ha (a roughly 14% reduction of the larger 31.8 ha site). This would be subject to revision based on development constraints as identified through any other studies and the type of development proposal.

ORCA peer reviewed the EIS as part of its service agreement with the County of Peterborough and also in its capacity for providing plan review and permitting. ORCA's comments focused on the protecting the 30 metre vegetation protection zone around reaches of the watercourse on and adjacent to the subject lands. This included a recommendation to keep certain features (i.e. watercourse near Highway 115) as Natural Linkage. Other comments focused on wetland boundary delineation and other considerations if a proposal would include watercourse re-alignment (Note: no such re-alignment is being proposed) and possible impacts and further studies for endangered/threatened bird species.

As noted earlier, the areas on the subject lands that are currently zoned Natural Core (NC) and Natural Linkage (NL) will not be changed through these applications.

#### Hydro-Geotechnical (Hydro-G)

The Hydrogeotechnical Assessment study was conducted by Cambium Inc during 2021 with a final report submitted in October of 2021. This study was identified in the pre-consultation as its findings inform the proposed change from agricultural to employment to allow for alternative uses on the property and help support the principle of development.

This work involved a review of available geological/hydrogeological information, installation of two (2) new supply wells, pumping tests at each new well and water quality analysis of the water supply (in accordance with MECP guidelines).

Pumping test results indicate that Well 1 yielded water at a rate of 32 L/min and Well 2 yielded a water pumping rate of 82.5 L/min. The study noted that given this work was done in mid-summer, the rate does not reflect the peak of water table fluctuations and the water table would be expected to rise in spring months. The study and field work concludes that the groundwater resources available at Well 1 are considered suitable for industrial water supply.

Groundwater sampling indicated that turbidity, total coliforms and hardness exceeded Ontario's Drinking Water Quality Safety criteria but only inasmuch as the study recommends to treat the groundwater with appropriate filtration and softened prior to use. The study concludes that both Well 1 and Well 2 could be used as water supply wells. The long term pumping rate is considered sustainable and appropriate for planning purposes and the choice of using which well is dependent on the eventual proposed use and siting on the subject lands.

According to the study, industrial uses such as a factory requires 75 L/day/employee (factory without showers) and 125 L/day/employee (factory with showers). Based on the pumping tests performed by Cambium for Well 1, this well could conceivably support a factory with up to 613 employees without showers or 368 employees with showers.

As a result, the study concludes that there is ample supply of water for industrial uses that do not require process or washing across the site. In addition, the study indicates an additional and isolated water supply potential that could support either non-process water industrial development or industrial uses that require process water up to 144,000 L/day. Further future testing would provide water quality and quantity information.

Stantec peer reviewed the Hydrogeotechnical study on behalf of the County in anticipation of investigating potential employment uses that would be developed on private on-site services. Based on its review of the assessment study, Stantec agrees that there is sufficient water to support some industrial uses that do not require process or washing water (i.e., dry industry uses). In addition, if demand goes beyond the 32 L/min as a result of development, a further water supply evaluation will be needed to be completed to support that additional use.

The peer review also indicated that additional assessment work will be needed to identify constraints such as installing monitoring wells, adhering to the Source Water Protection vulnerable zones, a pre- and post- development water balance as well as potential constraints associated with construction of on-site sewage systems.

#### Traffic Impact Study (TIS)

In November of 2021, the Township retained JD Northcote to complete a Traffic Impact Study (TIS) for the subject lands in support of the proposed OPA and ZBA. A final report was submitted in March of 2022.

The TIS reviewed the overall impact that any proposed rural employment permitted uses (M2 Zoning) might have on the traffic along Syer Line, County Road 10 and Highway 115 on and off ramps for the existing year (2022) and horizon years (2027, 2032 and 2037). This study looked at the proposed range of possible uses on the subject lands and considered the local transportation infrastructure/improvements and the impact of other development within the Study Area.

The TIS concluded that there are no further infrastructure improvements recommended for the 2027, 2032 or 2037 time scenarios within the study area. This study has been finalized and submitted to the MTO for review and comment. As of yet, no comment or correspondence has been provided by MTO in this regard but is anticipated shortly.

## **Discussion:**

The GMS (2020) Study undertaken by Watson & Associates and adopted by Township Council in May of 2020 concluded that although there was no foreseeable need for additional Employment Area expansion in the Township's Rural Area at that time. However, the Study did recommend to remove and add lands to the Township's Rural Employment Area inventory. Implementing this particular recommendation would not increase the Township's net supply of designated Rural Employment Areas but would improve the competitive position with respect to the future development of these areas.

As noted earlier, the GMS is being updated by Watson & Associates to reflect the change on the planning horizon in the Growth Plan for the Greater Golden Horseshoe which was 2041 to 2051 (an additional ten (10) years). It is reasonable to assume that this update will recommend either maintaining the inventory of lands (subject to removal and addition) or more likely, increase the need for more rural employment lands. The subject lands were identified and remain a candidate site to be added to the Rural Employment inventory and considered in the review of Rural Employment lands.

The GMS (2020) Study recommended that the removal and addition of lands would require a detailed review to refine the land areas such that the total land area of existing designated Rural Employment Areas remains the same. Figure 9-1 in the GMS (2020) study (Attachment No. 2) provides a preliminary review of the lands which would be subject to the detailed exercise of adding and removing to the Rural Employment inventory. In the GMS (2020) Study, the subject lands (Attachment No. 3) are specifically identified as Rural Employment addition lands because of their proximity to the Highway 115 and County Road 10 interchange.

The Township is proposing to conduct the Rural Employment lands review in two (2) stages:

### **Stage 1**

The GMS (2020) findings established the market demand for not only the one site under consideration in these applications but also a series of removals and additions to enhance an inventory of viable rural employment lands. The studies for the subject lands establish the principle of development with a series of in-depth analyses that will go beyond the scope of analysis done for the balance of the removal and addition of employment lands inventory through the GMS (2020).

The studies conducted for 1066 Syer Line provide a detailed understanding of not only the subject lands but the type of considerations involved in changing land use designations and zoning for other candidate sites in the Township as part of the Rural Employment lands review. While the Township remains committed to undertaking the Rural Employment lands review, the GMS is being updated and a final report is not expected until the second half of 2022.



As a result, Township Staff will be proceeding with the proposed OPA and ZBA for these specific lands in the inventory with the remaining lands to be completed in a separate exercise once the GMS has been updated. It would be premature for the Township to complete this larger review until that work has been finalized and submitted for Council's adoption.

At this point, the Township does not have the capability to conduct individual and scoped consultant-based studies for each candidate site to be rationalized through the more fulsome review of rural employment land inventory.

However, the Township has other land holdings in the Township of equal or larger size that are currently zoned rural employment (M2) which to date have not been viable and are not likely to be viable for future rural employment. Through this PJR, the Township commits to "swap" these lands for those or other such lands through the re-allocation that will result from the addition and removal (de-designate) exercise directed by Council as part of the GMS (2020) Study. This commitment and subsequent work supports the planning rationale and justification for the proposed OPA and ZBA.

## Stage 2

Once the GMS has been updated and adopted by Council, the Township will follow through on its commitment to conduct the detailed for the balance of the lands identified in Figure 9-1 and any revision in the GMS update.

However, the exact timing of this next stage detailed review be dependent on receiving the updated report as well as considering the official plan review that the Township is undergoing as part of the County OP Municipal Comprehensive Review.

## **Analysis:**

### **County of Peterborough Official Plan**

According to the County Official Plan (OP), lower tier municipalities shall designate a sufficient supply of land for residential, industrial, commercial recreation/open space and institutional uses in their municipalities to accommodate their projected growth over a minimum twenty (20) year time-frame. The County OP identifies growth areas as identified in the local official plans and further that changes to those areas will require amendments to the local official plan and the County OP. All land areas beyond these settlement areas will be regulated and directed by policies in Section 4.3 Rural & Cultural Landscape.

The subject lands are identified within the Rural and Cultural Landscape as described in the County OP and is subject to the policies therein. This designation represents all land areas outside of an identified settlement area that are not shoreland areas, significant natural heritage features or other natural resources utilized for transportation

purposes, physical service and utilities, or used for recreation and open space purposes. The goal of these areas is to preserve and enhance the rural character of the County as a cultural resources and ensure viability of the agricultural industry.

The objectives of the Rural and Cultural Landscape include:

- permitting an amount and type of development in the rural area consistent with maintaining its rural and cultural landscape;
- reinforcing the historical relationship between settlement area and the surrounding farm community to which the settlement areas provide basic services ensuring that the agricultural industry remains viable;
- to encourage compatible economic diversification including greater flexibility for on-farm activities, home based businesses and agri-tourism; and
- to preserve the farm community as an important social resource.

Rural areas are generally the focus of resource activity, resource based recreational activity and other rural land uses. The County will permit non-agricultural related uses in the rural community outside prime agricultural areas and other agricultural areas that reflect the cultural and rural character of the area, promote a variety of living and employment opportunities for the rural community and do not negatively impact on the natural environment and that cannot be located in a settlement area. New land uses must comply with the MDS.

The County OP recognizes the need for growth on a limited basis and will permit non-agricultural related uses in the rural community outside prime agricultural areas and other agricultural areas designated in local plans in accordance with Section 4.3.3.2. In these cases, the uses should reflect the cultural and rural character of the area, promote a variety of living and employment opportunities for the rural community and do not negatively impact on the natural environment that cannot be located in settlement areas.

According to Section 4.3.3.2 (Agriculture) agriculture shall be encouraged, protected and designated on map schedules. In instances where a local plan is amended (or proposed to be amended) to remove a prime agricultural area for limited non-residential uses:

- there must be a demonstrated need within the planning horizon for additional lands to be designated to accommodate the proposed use;
- there are no reasonable alternative locations to avoid prime agricultural areas; and
- there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.

The GMS (2020) Study demonstrated the need for Rural Employment lands across the Township with a recommendation that there should be lands that are added and removed from rural employment. The balance of rural employment lands is to remain the same.

With that in mind, the subject lands were identified as one of those candidate sites that could have the lands re-designated and re-zoned accordingly as part of that broader review. The studies conducted reinforce the suitability of the subject lands to accommodate the proposed use and based on the GMS, are seen as a viable alternative to other areas. The proximity of the lands to other rural employment lands, Highway 115 and County Rd 10 interchange further reinforce the success of these lands to change to permit rural employment.

Section 4.3.3.2 of the County OP echoes the requirements of Section 2.3.6 of the PPS for any non-agricultural use in prime agricultural areas. Furthermore, Section 4.6.3.4 of the County OP states that the County will “protect prime agricultural areas from incompatible activities”.

The subject lands are currently designated as agricultural land in the County OP and there are a number of criteria that needs to be met under the Official Plan and the PPS. This will be discussed in more detail later in this report.

Township Staff are of the opinion that the Applications conform to the policies of the County Official Plan.

### **Township of Cavan Monaghan Official Plan**

The Official Plan provides detailed policies to govern development in the Township.

The subject lands are currently designated as a mixture of Agricultural, Natural Core Area and Natural Linkage Area within the Township of Cavan Monaghan Official Plan (OP). The proposed OPA and ZBA only seeks to only change the designation for that portion of the lands which are currently designated Agricultural and will not change the designation on those lands designated as Natural Core Area and Natural Linkage Area.

The Agricultural designation is one of the designations in the Countryside Areas. Countryside Areas are those areas outside of defined settlement areas and the Natural Heritage System. The Agricultural designation applies to lands that have a high capability for agriculture and predominantly used for agricultural purposes. This term is consistent with the Provincial Policy Statement (PPS) and the permitted uses under the PPS.

The Rural Employment designation is another designation within the Countryside Areas. The Rural Employment designation is intended to provide opportunities for those uses which, by their nature, may involve outdoor operations and generally goods and services to the rural community and businesses. These are usually space intensive that require limited water and sanitary services or can be transportation related uses in the vicinity of Highway 115 and the Peterborough Airport. This designation also includes a range of permitted uses that include manufacturing, warehousing, wholesale distribution centres and transportation terminals among other uses.

The OP also includes General Development Policies that set out the primary guidelines for considering all development proposals and public works projects. These established criteria are considered when development proposals are considered by the Township.

The OP also includes policies focused on Employment Targets and Economic Development. Employment targets promote economic development and employment opportunities by targeting an employment to population ratio of 1 job for every 3 people, encouraging development of privately serviced Employment Area in the vicinity of major transportation facilities and continued employment in agricultural and resource sectors by promoting diversification.

Economic Development OP polices encourage development that provides opportunities for economic growth that is compatible with the character and environment of the community. This is in part achieved by:

- providing a sufficient supply of employment lands for development at all times;
- provide opportunities for rural employment uses that utilize the transportation infrastructure (e.g., including Highway 115 and the Peterborough Airport) while operating sustainably on private services; and
- Establishing Employment Areas that provide a range of job opportunities and a broad range of commercial and service facilities geared specifically to meet the needs of residents of the Township.

#### Special Study Area 1 (SSA1)

The subject lands are also situated within the Special Study Area No. 1 of the OP as identified on Schedule A of the OP. This set of policies focuses on the Official Plan review process (Section 8.1) and consideration of the expansion of Settlement Area boundaries as the time of a comprehensive review of the OP. These specific policies outline the studies to be conducted in two phases and focuses on expansion of settlement areas. The proposed OPA is not an expansion of a settlement area boundary and would be considered a small-scale official plan amendment (with an associated zoning by-law amendment).

The proposed amendments satisfy all the objectives of the designation as well as meeting the permitted uses and general development policies that apply to this proposed development.

Staff is of the opinion that the applications conform to the Township of Cavan Monaghan Official Plan.

#### **Provincial Policy Statement, 2020**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS requires that land requirements and land use patterns be based on the provision of sufficient land for a full

range of land uses in areas with existing or planned infrastructure to accommodate them.

Section 2.3.6.1 of the PPS indicates that planning authorities may only permit on-agricultural uses in prime agricultural areas subject to requirements outlined in Section 2.3.6.1. Specifically, Section 2.3.6.1 b) states that “limited non-residential uses, provided the following are demonstrated:

1. The land does not comprise a specialty crop area;
2. The proposed use complies with the minimum distance separation formulae;
3. There is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use; and
4. Alternative locations have been evaluated, and
  - i. There are no reasonable alternative locations which avoid prime agricultural areas; and
  - ii. There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural land

In addition, Section 2.3.6.2 states that impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

The studies conducted to support the applications address the above policy. The GMS (2020) Study provides an analysis and through review of alternative potential sites for rural employment across the Township which clearly identifies the need for viable rural employment lands across the Township. This Study even goes so far as to include Recommendations and Next Steps that outline a review of rural employment lands including the lands that are the subject of these applications.

The GMS (2020) Study examined and evaluated a number of alternative sites within the Township for the specific purpose of rural employment uses. This included an analysis of the viability of lands currently designated for rural employment and possible candidate lands which would be more viable. In this case, the subject lands were one of many lands identified and in this case could not avoid these prime agricultural lands due to siting and location criteria. For these subject lands, no reasonable alternative on lower priority agricultural lands would be equally viable for rural employment purposes.

Other alternative sites are either be constrained by natural heritage features are not of sufficient size for rural employment. The need for a range of lands of various sizes made this site a unique development alternative. The studies conducted for the subject lands not only provide the technical reasons for viability for this use but the lands proximity to the Highway 115 and County Road 10 interchange allow access to primary market areas for such uses.

In addition, the AIA did not identify the areas as a specialty crop area and the proposed use will conform to the MDS formulae and any impacts mitigated in accordance with the

study findings. The AIA goes further to identify that the adjacent land uses are already in a transition to rural employment which makes the changes to these lands consistent with that transition. The AIA also concludes that the subject lands can be mitigated so that there is no impact on those adjacent land uses.

The Applications are consistent with the PPS.

### **A Place to Growth - Growth Plan for the Greater Golden Horseshoe, 2020 (GPGGH)**

The Growth Plan for the Greater Golden Horseshoe (GGH) was enacted by the Province of Ontario in 2006 and recently updated in 2020. The document builds on the PPS to establish a land use planning framework for the GGH that supports the achievement of complete communities, a thriving economy, a clean and healthy environment, and social equity. The Plan informs decision-making regarding growth management and environmental protection in the GGH through policies that identify where and how to grow.

Both the PPS and the GGH promote complete communities, protecting agriculture, water resources and natural areas. Growth is directed to built-up areas where the capacity exists to best accommodate the expected population and employment growth. Municipalities must plan for community infrastructure to support growth. Sustainable water and wastewater services must be available to support the future growth.

Section 2.2.1 of the Growth Plan directs development to settlement areas, except where the policies of the Plan permit otherwise. In accordance with Section 2.2.9 of the Plan, Municipalities are encouraged to plan for a variety of cultural and economic opportunities within rural settlement areas to serve the needs of the rural residents and area businesses. These subject lands are not in a settlement area.

The Plan permits development outside of settlement areas on rural lands for:

- a) the management or use of resources;
- b) resource-based recreational uses; and
- c) other rural land uses that are not appropriate in settlement areas provided they:
  - i. are compatible with the rural landscape and surrounding local land uses;
  - ii. will be sustained by rural service levels; and
  - iii. will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.

The OPA and ZBA for the subject lands are for other rural land uses that are not appropriate in settlement areas in that they will include uses that are compatible with the rural landscape, will be on rural service and will not adversely affect protection of agricultural uses.

Section 4.2.6 of the Growth Plan provide polices for an Agricultural System “Where agricultural uses and non-agricultural uses interface outside of settlement areas, land

use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System”. The Growth Plan policies also state “Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed. Where appropriate, this should be based on an agricultural impact assessment”.

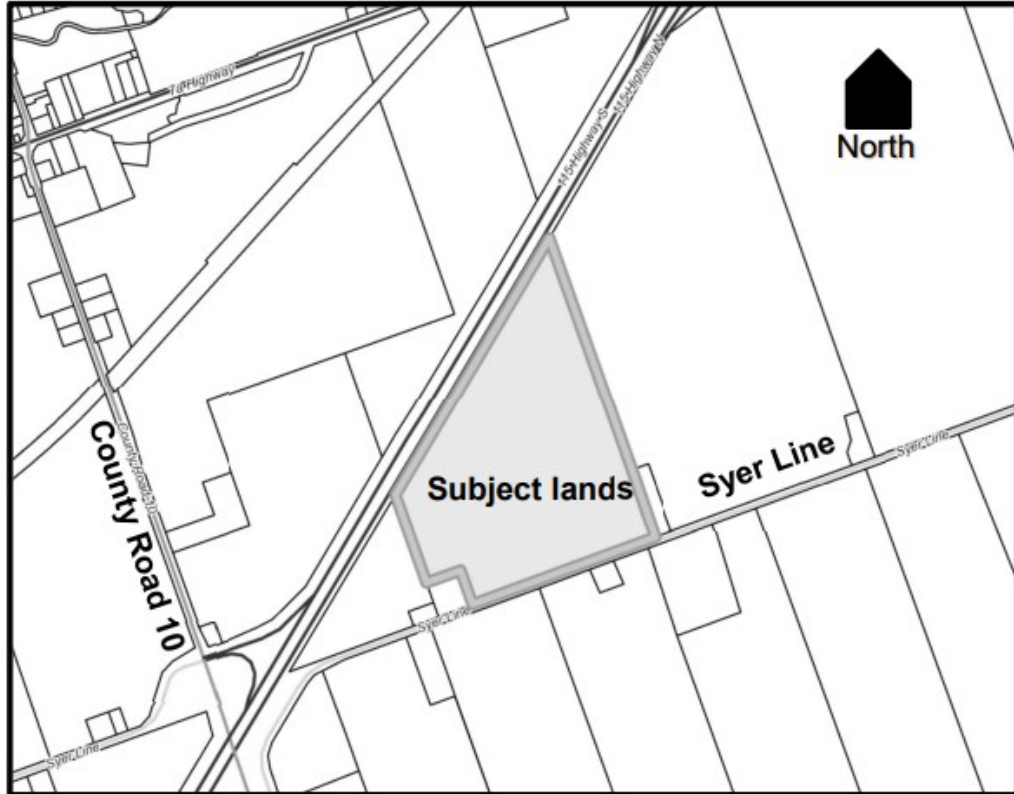
The subject lands are not identified as part of any agricultural system and the AIA identifies a number of areas where mitigation of impacts is required. The AIA also indicated that any impact from conversion of the lands to non-farm are use are minor and the establishment of buffers in the form of fencing and vegetation are recommended to provide an obvious boundary and to mitigate impacts. Impacts from cropping operations will also need to be monitored over time to ensure land use compatibility.

Township Staff are of the opinion that the Applications conform to the Growth Plan.

John F. Connolly, RPP MCIP  
Executive Director, Planning & Development  
Township of Cavan Monaghan

**Attachment No. 1 – Key Map – Subject Property**

**Key Map**



**1066 Syer Line, Part of Lot 14, Concession 8, Cavan Ward, Township of Cavan Monaghan**





**Attachment No. 3 – Close-up of Figure 9-1 GMS (2020) Study: Subject Lands**

