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URBAN DESIGN
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ARCHITECTURE

August 4, 2023

Provincial Land Use Plans Branch
13th Floor, 777 Bay St
Toronto, ON M7A 2J3

Dear Minister Clark:

**RE: ERO 019-6813 - Review of Proposed Policies Adapted from A Place to Grow and Provincial Policy Statement to Form a New Provincial Planning Policy Instrument
Request for Modification
795 Anderson Street, Centre Wellington
OUR FILE 1285Q**

On behalf of our client, Biltmore Homes Ltd., we have prepared the following letter for consideration during the Ministry's review of the proposed new Provincial Planning Statement.

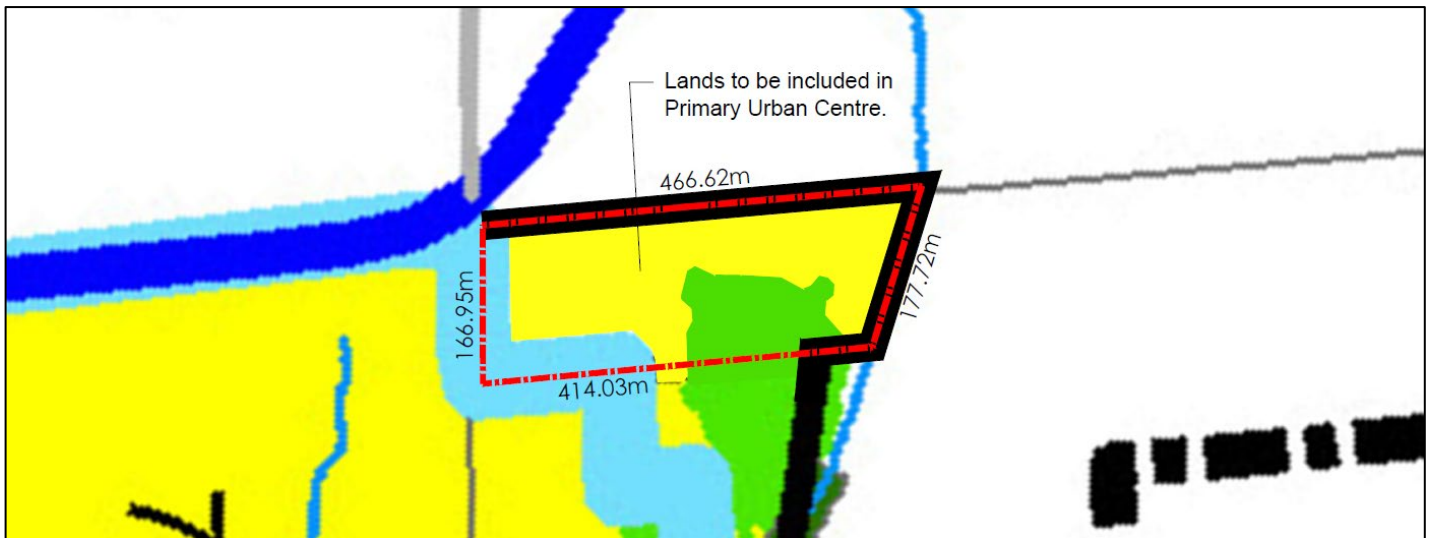
Our client owns the lands municipally known as 795 Anderson Street in the Township of Centre Wellington (the "subject lands"). The subject lands have an area of approximately 7.3 hectares and are currently vacant. They are bounded by the Fergus Primary Urban Centre and residential uses to the east and south, residential uses to the west and agricultural uses to the north. The subject lands are illustrated below:



The subject lands are presently used for private recreation purposes, as they have been constrained for agricultural use through existing zoning, given the proximity to existing residential uses. The lands have not been used for agricultural production more than 50 years. They feature a woodlot at the southeast portion of the property and have significant variations in elevation.

The majority of the subject lands are presently designated *Prime Agricultural* by the County of Wellington Official Plan, with the southwest portion designated *Greenlands*, corresponding with the approximate location of the wooded area. The subject lands are zoned Agricultural (A) and are subject to a site specific zoning provision "A.91.1". The site specific zoning provision prohibits livestock housing facilities on the subject lands.

We request that minor rounding of the boundary of the Fergus Primary Urban Centre, as illustrated below:



The proposal is a minor expansion or rounding out of the settlement area which will facilitate the development of underutilized land, adjacent to the existing Primary Urban Centre and Built Up Area. The proposal would maintain the Greenlands designation for the protection of the woodlot.

An Agricultural Impact Assessment has been undertaken for the subject lands which demonstrates that there will be no impact to the ability of sustaining long term agricultural uses and operations on surrounding lands within the Study Area. The subject lands have not been used for agricultural production for more than 50 years and future agricultural uses are unlikely due to the significant constraints which include the small size of the site, topography, access limitations and zoning prohibitions for livestock. A copy of the Agricultural Impact Assessment is appended to this letter.

We have reviewed Policy 2.3 of the Planning Policy Statement and, in particular, Policy 2.3.4 regarding settlement area boundary expansion. The request addresses the criteria for settlement area boundary expansions for the following reasons:

- The subject lands are not identified as a Specialty Crop Area, based on Provincial Agricultural Mapping.

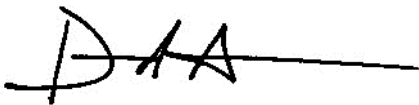
- The proposal complies with the Minimum Distance Separation. Three livestock operations exist in proximity to the subject lands. For two of these operations, residential lots and the Urban Area boundary exist between the operation and the subject lands which results in existing MDS constraints on those operations. The third operation is located more than one kilometre from the subject lands so MDS is not a constraint due to the distance of the operation from the subject lands.
- The Agricultural Impact Assessment concludes there will be no impact on agricultural lands and operations close to the subject lands. The majority of surrounding lands are residential and rural residential with few uses in the agri-food network. The subject lands are buffered from surrounding agricultural operations which limit the potential for trespassing, littering, and complaints related to noise and odor. Mitigation measures are recommended in the Agricultural Impact Assessment.
- The subject lands represent a logical location for urban development as they are adjacent to the built-up area of the Fergus Primary Urban Centre, are bounded by residential development to the south and east and have access to a Township road designed to accommodate residential uses.
- An appropriate servicing strategy will be determined through future application in support of a development proposal.

In our opinion, the minor rounding out to include the subject lands within the Fergus Primary Urban Centre in the County of Wellington Official Plan is appropriate and will facilitate the residential development of lands which are otherwise underutilized and not a viable agricultural property.

Thank you for the opportunity to submit this request. We appreciate your consideration and if you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'DAA', with a long horizontal line extending to the right.

Dave Aston, BSc, MCIP, RPP

cc. Terry Ellery, Biltmore Homes