



# PLANNING JUSTIFICATION REPORT ADDENDUM

**PREPARED FOR:**

**Zoning By-Law Amendment  
Eramosa Farms Ltd.  
8075 Highway 7**

File No. 20360A

**February 2025**

*Your Vision*

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# 1.0 Introduction

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## 1.1 Purpose of the Addendum

McNaughton Britton Clarkson Planning Limited (hereinafter “MHBC Planning”) has been retained by Eramosa Farms Ltd. to assist with a Zoning By-law Amendment application to permit a Transport Establishment for the temporary parking of truck trailers at 8075 Highway 7 in the Township of Guelph-Eramosa (herein referred to as the “subject lands”).

The Zoning By-law Amendment was submitted to the Township on May 21, 2024 and was supported by a Planning Justification Report prepared by MHBC Planning, in addition to other technical reports identified in the pre-application consultation meeting. The application was deemed complete on August 9, 2024.

Planning comments from County staff were received on October 11, 2024 and requested an addendum to the Planning Justification Report to:

- Clarify the proposed operation/use, including providing examples of similar uses in Ontario;
- Discuss changes to the *Planning Act* related to Area of Employment;
- Address the new Provincial Planning Statement;
- Provide additional detail regarding conformity with the County Official Plan related to employment uses;
- Confirm the requested permitted uses and provide additional justification for the holding provision proposed for additional uses;
- Review the Minimum Distance Separation Formulae Guidelines;
- Review ingress and egress as it relates to the Zoning By-law; and,
- Discuss the intent for detailed design including buffering and snow storage.

A site-specific definition of a ‘Transport Establishment’ is no longer requested as the proposed use aligns with the definition of a ‘Transport Establishment’. The ancillary auction use is also no longer requested. Additionally, the holding provision to permit additional uses of the ‘Rural Employment Area’ designation and M1 zone subject to further study is no longer requested. These changes are reflected in this Addendum.

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# 2.0 Proposed Use

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## 2.1 Requested Use

The Zoning By-law Amendment proposes to rezone the lands to the Rural Industrial (M1) zone, which implements the Official Plan designation. Site-specific provisions are proposed to permit an increased maximum driveway width.

The M1 zone permits a 'Transport Establishment', which is defined as:

*the use of land and main buildings, structures or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or unloaded, kept for hire, stored or parked for dispatching as common carriers, or where goods are temporarily stored for further shipment.*

The proposed use of the lands aligns with the definition of 'Transport Establishment' in that:

- The land will be used primarily for the temporary storage and parking of transport trailers serving the transport logistics industry.
- Transport trailers temporarily stored on site are used for the transport of freight to other destinations (common carriers).
- Some of the transport trailers will contain freight that will be stored on a temporary basis before further shipment and some of the trailers will be empty and parked temporarily until required for load assignment.
- There will be truck power units picking up, dropping off, and repositioning highway trailers on site.

The intent is to provide secure parking and temporary storage of transport trailers to serve the trucking industry, specifically those travelling along or proximate to the Highway 7 corridor. Such facilities are used by the industry for transport logistics to coordinate the transfer of trailers between drivers along the transportation route and to temporarily store transport trailers and truck power units until such time as they are required. Demand for such locations is rising as industrial land costs in urban areas continue to increase, reducing the viability of truck and trailer storage within large, populated areas.

For this specific location, portions of the parking area are proposed to be leased to one or more operators providing each of them with exclusive use of their respective leased areas. This provides long-term stability for the lessee(s), simplifying the logistics process and serving the needs of commercial freight transportation within the County of Wellington and Southwestern Ontario. The parking spaces will be leased to transport/freight logistics companies – not individual operators. In this regard, the use will be regulated and generally restricted to a select number of transport/logistics companies that lease parking areas within the site.

As described in Section 2.3, the owners have modified their original proposal to include a security trailer at the entrance of the site and will require that each lessee provide and maintain a trailer with self-

contained washroom facilities and waste receptacles for the use of their drivers. As the entirety of the site will be leased, the individual lease owners will be aware of the space available to them, preventing a surplus of trucks/trailers coming to the site.

The security trailer will be staffed 24/7 and will provide a means to monitor potential sources of nuisance. This will reduce any off-site impacts of the proposed operation of the site, which is necessary to serve the transport/logistics industry as transport trucks often travel overnight to reduce congestion and to meet modern just-in-time delivery supply chain management practices. The security trailer will be maintained by the owner and have self-contained washroom facilities and waste receptacles for the use of security personnel.

The use is distinct from a truck stop and will not include restaurants, showers, or a lounge.

In our opinion, the use is consistent with the definition of 'Transport Establishment', which is a permitted use in the Rural Industrial (M1) zone.

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## 2.2 Examples

Transport truck and transport trailer parking facilities are a relatively new use within this part of Ontario. However other operations have been established in recent years – they are generally located along major transportation routes in Ontario. Their operation is generally consistent with that proposed for the subject lands (spaces are leased to transport operators) and access into and out of the site is regulated.

As discussed with County and Township staff, we have reviewed three other examples of the proposed use in the following locations:

- 7551 North Townline Road, Amherstburg (**Figure 1**)
- 7500 Danbro Crescent, Mississauga
- 1790 Provincial Road, Windsor

**Figure 1: 7551 North Townline Road, Amherstburg**

Source: Townline Parking Windsor Inc.



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## 2.3 Design Intent

The purpose of this Section of the Addendum is to provide additional clarity regarding the design of the proposed development.

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### 2.3.1 Washrooms and Security

A security trailer is proposed at the entrance to the subject lands and will be staffed 24/7. This security trailer will monitor the site and ensure all drivers are respecting the requirements of their respective leases.

Washroom trailers will be provided and maintained by each lessee. The washrooms do not require a well or septic system and are intended to be portable – they can be moved around the site as the needs of the individual tenants change from time to time.

The entrance into and out of the site will be monitored and will be operated through a controlled gate that requires an individual security code assigned to each lessee which will enable all ingress and egress to the site to be monitored by both the lessee and owner. The site will be lighted for security and safety purposes. The lighting of the site will be further evaluated through the site plan approval process to ensure there is no off-site light impacting adjacent properties.

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### 2.3.2 Snow Storage

Snow storage will be addressed through detailed engineering design. There is ample space within the site to accommodate snow storage. The functional stormwater management plan proposes a stormwater management facility to properly manage stormwater throughout the year.

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### 2.3.3 Buffering

In accordance with provincial land use compatibility guidelines, 70-metres of separation is proposed from each of the dwellings around the subject lands, as recommended by the Compatibility Mitigation, Air Quality, and Environmental Noise Study prepared by SLR. In addition, landscaped berms (which function as both visual and auditory buffers) with a minimum width of 20 metres are proposed where there is an interface with a sensitive land use.

#### **Summary**

The proposed use is intended to be regulated, monitored and secure. The transport industry plays a significant role in Ontario's economy, supporting all facets from manufacturing, retail and food delivery. It also represents a significant employer in Ontario, including within southwestern Ontario. The proposed Transport Establishment is a key component of this logistics network, allowing for the staged delivery of goods to areas in an around Wellington County. The design intent is to minimize any impacts on adjacent properties, with further detailed evaluation to occur through the site plan approval process.

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# 3.0 Planning Analysis

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## 3.1 Planning Act

On October 20, 2024, the *Planning Act* was amended with a new definition for an “area of employment”. Section 1(1) of the *Planning Act* states:

*“area of employment” means an area of land designated in an official plan for clusters of business and economic uses, those being uses that meet the following criteria:*

1. *The uses consist of business and economic uses, other than uses referred to in paragraph 2, including any of the following:*
  - i. *Manufacturing uses.*
  - ii. *Uses related to research and development in connection with manufacturing anything.*
  - iii. *Warehousing uses, including uses related to the movement of goods.*
  - iv. *Retail uses and office uses that are associated with uses mentioned in subparagraphs i to iii.*
  - v. *Facilities that are ancillary to the uses mentioned in subparagraphs i to iv.*
  - vi. *Any other prescribed business and economic uses.*
2. *The uses are not any of the following uses:*
  - i. *Institutional uses.*
  - ii. *Commercial uses, including retail and office uses not referred to in subparagraph 1 iv; (“zone d’emploi”)*

The proposed use is related to the movement of goods described in 1(1)(iii) and effectively is ancillary to other employment uses, including manufacturing and warehousing. As described earlier, the proposed Transport Establishment is a key component of the overall logistics network that forms a key component of Ontario’s manufacturing and distribution employment base. The proposed development provides temporary storage of transport trailers to meet the needs of operators and logistics companies, facilitating the movement of goods throughout the province.

In our opinion, the proposed use is captured in the definition of ‘employment area’ in the Planning Act.

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## 3.2 Provincial Planning Statement

The Provincial Planning Statement (“PPS”) came into effect on October 20, 2024, replacing the previous Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe. The requested Application is consistent with the new PPS, as described below.



## **Section 2.1: Planning for People and Homes**

Section 2.1.6 states: *"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, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs..."*

The proposed use is an employment use, which is a component of a complete community.

## **Section 2.5: Rural Areas in Municipalities**

Section 2.5.1(e) states: *"Healthy, integrated and viable rural areas should be supported by... (e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources..."*

The proposed development contributes to the economic and employment base of the Township and County by supporting the transportation of goods. The proposed use is better suited to the rural area, as it does not require urban services (including municipal services), and the rural area provides opportunities for larger land parcels that afford greater separation from sensitive land uses.

## **Section 2.8: Employment**

Section 2.8.1.1 states: *"Planning authorities shall promote economic development and competitiveness by:*

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*
- e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses."*

Section 2.8.2.2 states: *"Planning authorities shall protect employment areas that are located in proximity to major goods movement facilities and corridors, including facilities and corridors identified in provincial transportation plans, for the employment area uses that require those locations."*

The subject lands are designated for employment uses in the County Official Plan. The proposed Zoning By-law Amendment would implement the Official Plan designation and facilitate the use of the subject lands for an employment use. Land use compatibility with adjacent sensitive uses has been evaluated and the recommendations will be implemented through the By-law and future site plan application.

### **Section 3.3: Transportation and Infrastructure Corridors**

Section 3.3.3 states: *"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."*

The proposed development is accessed from Wellington Road 29, maintaining Highway 7's planned function (i.e. limited accesses). Furthermore, the proposed use, the transport of goods, aligns with the intent of the provincial highway system.

### **Section 3.5: Land Use Compatibility**

Section 3.5.1 states: *"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."*

Although the proposed development does not meet the PPS definition of a 'major facility', SLR completed a Compatibility Mitigation, Air Quality, and Environmental Noise Study to assess compatibility with surrounding sensitive uses. The Study concluded that the proposed development is appropriate provided the recommended mitigation measures are implemented. As the lands are already planned for employment uses, the proposed Zoning By-law Amendment is not planning a use that was not already contemplated for the lands.

### **Section 5.2: Natural Hazards**

Section 5.2.1 directs that planning authorities and conservation authorities should identify hazardous lands and hazardous sites and manage development in such areas. Section 5.2.2 directs development away from such areas.

The floodplain adjacent to the subject lands is the subject of further analysis being undertaken by MTE. A separate response will be provided in this regard, though we note that the majority of the lands are outside of the floodplain and would not be restricted in that regard.

### **Conclusion**

In our opinion the Zoning By-law Amendment is consistent with the Provincial Planning Statement.

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## 3.3 Wellington County Official Plan

A fulsome analysis of the Zoning By-law Amendment and conformity with the Wellington County Official Plan was provided as part of the May 2024 Planning Justification Report. In response to comments from County staff, we have included the following additional analysis.

The Official Plan defines 'Employment Area' as: "*... those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities [emphasis added]."*

As discussed, the Planning Act and PPS define Employment Area – the proposed use is consistent with the definition in the provincial planning documents. As such, it is considered an employment use. The proposed development will support the manufacturing, warehousing and logistics components of the employment base in southwestern Ontario, including within the County. Furthermore, it will support the employment of transport truck drivers within the County and southwest Ontario, which is a significant source of employment in Canada. According to the federal government, approximately 111,750 people in Ontario are employed as transport truck drivers as of December 11, 2024<sup>1</sup>. Additionally, the proposed development supports employment at large by facilitating the movement of goods within and outside of the County and province, including to other provinces in Canada.

Section 6.8.2 of the County Official Plan, states that Rural Employment Areas are "*... lands set aside for industrial and limited commercial uses which would benefit from a rural location due to the need for a relatively large site; or, the need for access to major transportation routes; or, the need to be close to rural resources.*" The proposed development requires a large site and proximity to a major transportation route. It is best served in the rural area. Furthermore, the use will be consistent the with requirements for a dry use as it does not require water and will not produce effluent.

As both the Planning Act and PPS permit the use and the implementing zone (Rural Industrial) also permit a Transport Establishment, in our opinion, the use is permitted in the Official Plan. The use supports employment by providing a key component of the logistics and distribution chain (which is critical for the warehousing and manufacturing industries) as well as the transport industry, which is a significant employer in Canada.

### Conclusion

It is our opinion that the Zoning By-law Amendment conforms to the Wellington County Official Plan.

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## 3.4 Township of Guelph Eramosa Zoning By-law

### 3.4.1 Revised Amendment

The proposed Amendment would rezone the developable portion (the lands outside of the EP zone) of the subject lands from the Agriculture (A) zone to a site-specific Rural Industrial (M1) zone. The proposed site-specific provision would permit an increased maximum driveway width for two-way traffic

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<sup>1</sup> Transport Driver in Ontario: Job Prospects – Job Bank. Canada.  
<https://www.jobbank.gc.ca/marketreport/outlook-occupation/10552/ON>

for industrial uses of 25 metres, whereas the by-law permits a maximum of 12 metres (discussed in more detail in Section 3.4.2 of this Report).

A site-specific definition of a 'Transport Establishment' is no longer requested as the proposed use aligns with the definition of a 'Transport Establishment'. The ancillary auction use is also no longer requested. Additionally, the holding provision to permit additional uses of the 'Rural Employment Area' designation and M1 zone subject to further study is no longer requested.

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### 3.4.2 Ingress / Egress

As discussed above, Section 5.1.12.3.2 of the Zoning By-law establishes a minimum driveway width for two-way traffic of 6 metres and a maximum of 12 metres. The proposed increase is requested to facilitate the safe access and egress for transport trucks and to align with the drive aisles within the site. As only one access is proposed and the frontage along Wellington Road 29 is approximately 415 metres, the additional 13 metres of driveway width is appropriate in this instance, given the specific planned use of the lands. We proposed that the additional permission for the maximum width be limited to a Transport Establishment use.

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## 3.5 Minimum Distance Separation Formulae

MDS guidelines have been developed by the Ministry of Agriculture, Food and Rural Affairs ("OMAFRA") and are intended to separate incompatible land uses to reduce compatibility concerns resulting from odour from livestock facilities.

OMAFRA provides guidelines for the implementation of the MDS via 'The Minimum Distance Separation (MDS) Document Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks', also known as Publication 853. This Publication applies to all Planning Act applications made after March 1, 2017, and is referred to by the Provincial Planning Statement ("PPS") for implementation of the MDS.

MDS I provides setbacks for new development from existing livestock facilities, while MDS II applies to expanding livestock facilities and anaerobic digesters.

Guideline 33 considers industrial uses outside a settlement area to be a Type A Land Use, which is less sensitive. Guideline 34 addresses Type B land uses, which are more sensitive, and states: "*For the purposes of MDS I, proposed Type B land uses are characterized by a higher density of human occupancy, habitation or activity including, but not limited to: ... a zoning by-law amendment to permit development, excluding industrial uses or dwellings, on land outside a settlement area...*" [emphasis added]. Accordingly, the proposed use and the requested Application are considered a Type A Land Use.

Guideline 10 of Publication 853 states: "*Amendments to rezone or redesignate land already zoned or designated for a non-agricultural use, shall only need to meet the MDS I setbacks if the amendment(s) will permit a more sensitive land use than existed before. In other words, if the proposal is to change an existing Type A land use (e.g., industrial use outside of a settlement area) to a Type B land use (e.g.,*

*commercial) in accordance with Implementation Guidelines #33 and #34, then an MDS I setback shall be required.”*

As the subject lands are designated for non-agricultural use and the requested Amendment would not introduce a more sensitive use (i.e., not a Type B land use), MDS I setbacks do not apply to the proposed development.

#### *MDS II*

The investigation distance for a Type A land use is 750 metres from the boundary of the subject lands (Guideline 6). Two potential active livestock operations were observed within this area:

- 5025 Wellington Road 29, which is constrained from expansion by existing residential uses which are closer to the livestock operation than the subject lands (Guideline 12); and,
- 5151 Jones Baseline, which is constrained from expansion by the Highway 7 Hamlet Area.

# 4.0 Conclusion

This Addendum Report, together with the Planning Justification Report (May 2024) assesses the planning merits of a Zoning By-law Amendment to permit a Transport Establishment for the temporary parking of truck trailers at 8075 Highway 7 in the Township of Guelph-Eramosa. The analysis contained in these reports, as well as within the supporting technical studies, demonstrates that the requested Amendment is in the public interest and represents good planning for the following reasons:

- The proposed use meets the definition of an 'employment area' in the *Planning Act*;
- The proposed development is consistent with the Provincial Planning Statement;
- The proposed development is in conformity with the Wellington County Official Plan;
- The proposed Amendment implements the Official Plan designation and facilitates the use of the subject lands for an employment use;
- The proposal is supported by technical reports which demonstrate that the proposed development is appropriate for the subject lands; and,
- Land use compatibility with adjacent sensitive uses has been evaluated and the recommendations will be implemented through the By-law and future site plan application.

Based on these conclusions, it is our professional opinion that the application for a Zoning By-law Amendment represents good planning and should be approved.

Respectfully submitted,

## MHBC



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