



February 7, 2025

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 Town of Erin
 5684 Trafalgar Road
 Hillsburgh, ON
 N0B 1Z0

**RE: 5483 TRAFALGAR ROAD, ERIN – PLANNING JUSTIFICATION LETTER
 ZONING BY-LAW AMENDMENT AND SITE PLAN APPROVAL APPLICATIONS
 OUR FILE: 23117A**

MacNaughton Hermesen Britton Clarkson Planning Limited (hereinafter “MHBC”) has been retained by Canadian Addiction Treatment Centres (hereinafter the “Tenant”) to seek a Zoning By-law Amendment (“ZBA”) and Site Plan Approval (“SPA”) to permit the current operation of the rehabilitation treatment centre on the lands municipally addressed 5483 Trafalgar Road, in the Town of Erin (“Subject Lands”) (**Figure 1**). This Planning Justification Letter has been prepared in support of the ZBA application on the Subject Lands.

Existing Use of the Subject Lands

The Trafalgar Residential Rehab Centre has operated on the Subject Lands and provides in-patient treatment for addiction and mental health rehabilitation, with options for 30, 45, 60 and 90 days, including accommodation, treatment therapy, and counseling. The facility is an old mansion style home converted into a treatment centre that offers 21 beds. Details on the number of staff on-site per 8-hour shift are outlined below as follows:

Number of staff per 8-hour shift	6am-6pm: 1 staff 7am-3pm: 3 staff 8am-4pm: 8 staff 10am-6pm: 2 staff 3pm-11pm: 2 staff 11pm-7am: 1 staff
Number of 8-hour shifts / day	3 to 5

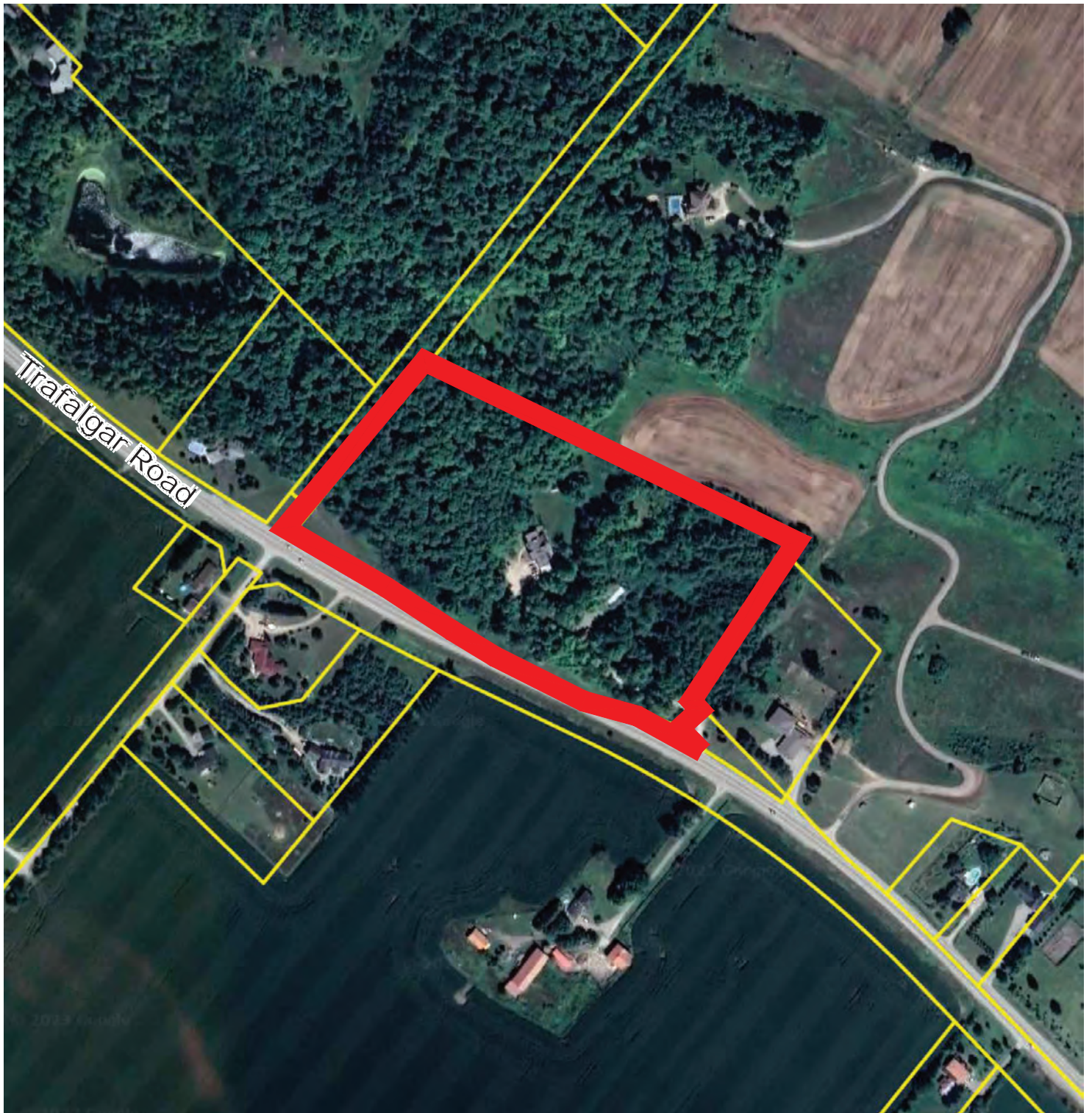


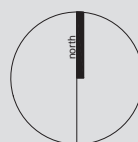
Figure 1
Location Map

LEGEND

Subject Lands

DATE: June 11, 2024

SCALE 1:4000



**5483 Trafalgar Road,
Erin, Ontario**

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About Canadian Addiction Treatment Centres

Trafalgar is part of the Canadian Addiction Treatment Centres ("CATC") group of companies / facilities. CATC operates a network of 80 out-patient opioid addiction treatment clinics / pharmacies across Ontario, British Columbia and New Brunswick, as well as 4 in-patient treatment / medical detox centres. CATC also operates three other similar in-patient facilities and are detailed as follows:

- GreenStone Centre for Recovery
 - 35-bed facility located at 3571 Muskoka District Road 169, Bala, Ontario;
- 1000 Islands Addiction Treatment Centre
 - 50-bed facility located 853 Thousand Islands Parkway, Mallorytown, Ontario;
- Newworld Medical Detox
 - 6 bed facility (offering short stay and medically supervised drug and alcohol detox) located at 13604 6th Line, Limehouse, Ontario

The Need for Rehabilitation Centres and Why a Rural Location is Appropriate

Alcohol and drug addiction is widespread and affects an individual's physical and mental health, regardless of age, race and socioeconomic status. Alcohol and drug addiction is a universal social issue that extends far beyond the individual to affect families, communities, and societal structures at large. This issue notably strains relationships, contributing to family neglect, abuse, domestic issues and increased crime rates. These addictions contribute to stigmatization, which promotes negative stereotypes and social exclusion, hindering effective treatment and social reintegration. Addiction treatment centres play a vital role in addressing the prevalent issue of substance abuse and addiction in our society. These facilities are essential in our society as they provide medical assistance, emotional and psychological support, specialized care and long-term success. By providing targeted medical and psychological support, these facilities help individuals to improve from damaging patterns, fostering healthier, more productive lives and contribute to their overall well-being and long-term recovery. Alcohol and drug addiction are not merely individual concerns but complex social issues that require comprehensive, community-wide interventions such as access to a professional addiction treatment centre.

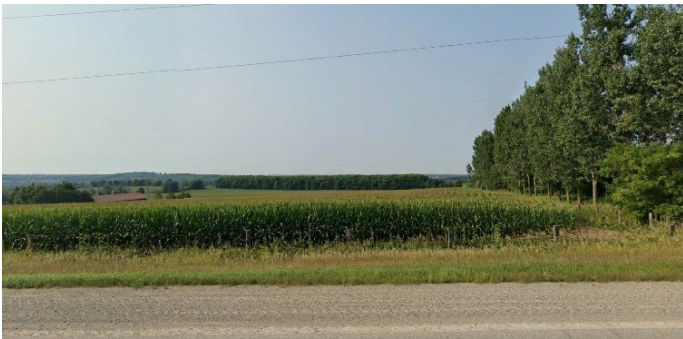
The operation of addiction treatment centres in rural areas is appropriate and offers several advantages. First, rural settings offer fewer distractions; they are generally quieter and may also be further removed from family and friends, potentially enabling individuals to focus solely on their recovery. Secondly, these areas provide enhanced privacy; the seclusion made possible in rural landscapes is harder to achieve in densely populated urban settings. Thirdly, the natural environment in rural areas has therapeutic benefits. Peaceful landscapes can reduce stress, improve mental well-being and provide opportunities for physical activities. Lastly, rural locations enhance accessibility and resource allocation; they distribute healthcare resources more evenly across the region, making treatment more accessible to those living far from major cities and ensuring that more individuals can receive the help and treatments they need.

Proposed Amendment to Town of Erin Zoning By-law 07-67

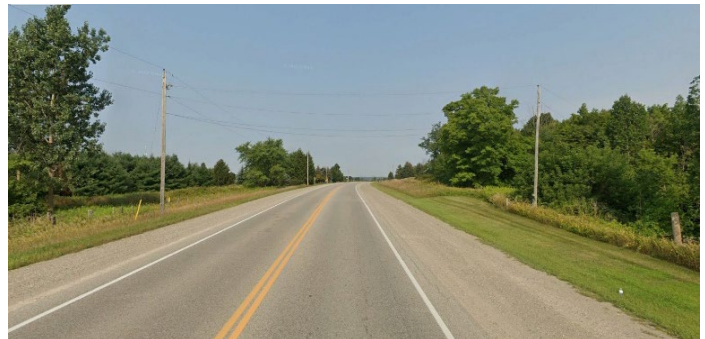
A draft ZBA of the Township's Zoning By-law 07-67 is being submitted with the goal of permitting the current use of the rehabilitation treatment centre on the Subject Lands (**Appendix A**). The current permitted use as a bed and breakfast operation and conference centre (as passed by Council on October 3rd, 1995) is similar in nature but does not cover the full operational nature of the rehabilitation treatment centre. The Subject Lands are zoned in part Rural Commercial (C3-113) and in part Rural Environmental Protection (EP2). The Zoning By-law Amendment to add a treatment centre use only applies to the C3-113 portions of the Subject Lands as this is where the existing buildings containing the facility are located. No changes are proposed on the portions of the Subject Lands zoned EP2.

Site and Surrounding Context

The Subject Lands are located in the Town of Erin in the County of Wellington and front onto Trafalgar Road. The Subject Lands are approximately 5.32 hectares (13.12 acres) in size and currently operates as a 2-storey rehabilitation treatment centre and includes a gravel driveway, two gravel parking lots, a storage shed and landscaped / woodland areas surrounding the Subject Lands.



View from Subject Lands looking north.



View from Subject Lands looking east.



View from Subject Lands looking south.



View from Subject Lands looking west.

Details of the Proposal and Supporting Studies

The Tenant is seeking to permit the current use of the rehabilitation treatment centre through a Zoning By-law Amendment. There will be no modifications to the existing structures on the Subject Lands to facilitate the use.

The existing rehabilitation treatment centre has a total Gross Floor Area ("GFA") of 1,018.03 square metres (10,958 square feet), with 342.07 square metres (3,682 square feet) on the basement level, 344.74 square metres (3,711 square feet) on the ground floor and 326.55 square metres (3,516 square feet) on the second floor. The existing rehabilitation treatment centre has a building coverage of 349.41 square metres (0.65%), 2,505.83 square metres (4.72%) of paved area and 50,223.07 square metres (94.63%) of landscape area.



Figure 2: Site Plan prepared by SRM Architects

The following studies have been undertaken in support of the proposed amendment:

Existing Conditions Report

An Existing Conditions Report has been prepared by Crozier & Associates Inc. ("Crozier") and identified that the Subject Lands is serviced by a water supply well and an onsite sewage system that consists of a septic tank, pump chamber and leaching bed. Crozier concluded that the existing sewage system is sufficient to service the existing rehabilitation treatment centre and should continue to be maintained and operated. Crozier recommends that pump-outs of the septic tank be completed on an as needed basis, the effluent filter be cleaned on a regular basis, and the leaching bed area be maintained. Repairs to existing infrastructure should be made as needed.

Transportation Opinion Letter

A Transportation Opinion Letter has been prepared by Crozier for the Subject Lands. The AutoTURN analysis confirms that critical design vehicles, such as fire trucks can safely maneuver throughout the site. Crozier conducted a review on the sight distance of the Subject Lands' entrance and confirmed it meets all relevant Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads requirements of the site distance analysis. There are no notable operational deficiencies in the road network, therefore the existing use of the treatment centre can be supported from a transportation operations perspective. Further, there are 20 existing parking spaces, including one accessible parking space, on the Subject Lands, meeting the site-specific minimum parking requirement provision for the C3-113 zone.

Planning Analysis

The intention of this section is to review the relevant planning policies to confirm how the proposal is consistent with the intention and goals of the policies. The 2024 Provincial Planning Statement, County of Wellington Official Plan and Town of Erin Official Plan have been analyzed as they are the relevant planning policy documents.

Provincial Planning Statement

The Provincial Planning Statement ("PPS") was issued under Section 3 of the Planning Act and came into effect on October 20, 2024, replacing the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. The PPS provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Policy 2.5.1 states healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- c) accommodating an appropriate range and mix of housing in rural settlement areas;
- 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;
- g) conserving biodiversity and considering the ecological benefits provided by nature; and

Policy 2.6.1 states the following uses are permitted on rural lands located in municipalities:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
- c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;

- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;
- e) home occupations and home industries;
- f) cemeteries; and
- g) **other rural land uses.**

Policy 2.6.2 states development that can be sustained by rural service levels should be promoted.

Policy 2.6.4 states opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

Policy 2.6.5 states that new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

Policy 2.8.1 b) states planning authorities shall promote economic development and competitiveness by 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.

Policy 4.1.8 states 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.

In our opinion, the existing rehabilitation treatment centre is consistent with the PPS for the following reasons:

1. It serves the Town of Erin, County of Wellington and Greater Toronto Area. Given the addiction and mental health issues facing our society, there is an increasing need for rehabilitation facilities. In our opinion, the location in a rural setting is appropriate and beneficial to patients.
2. The current operation of the rehabilitation treatment centre on the Subject Lands is already established and has been operating for approximately 10 years and therefore, there are no constraints on surrounding agricultural land uses.
3. The current operation of the rehabilitation treatment centre provides employment opportunities for local residents, healthcare professionals and administrative staff to promote local economic growth in the Town of Erin.
4. The current operation of the rehabilitation treatment centre will utilize the existing building infrastructure, private water and sewage services, and utilities on the Subject Lands with no need for intensification or expansion. No additional development or site alteration is proposed on the natural features portion of the Subject Lands and therefore policies 2.5.1 and 4.1.8 are not offended.

5. A non-agricultural use (bed and breakfast operation and conference centre) has been previously approved on the Subject Lands and therefore, it would be appropriate to continue the existing operation of the rehabilitation treatment centre within a rural environment. Further, given the proposed ZBA does not permit a more sensitive land use, MDS I setbacks are not required in this case. A detailed analysis is discussed further below.

County of Wellington and Town of Erin Official Plans

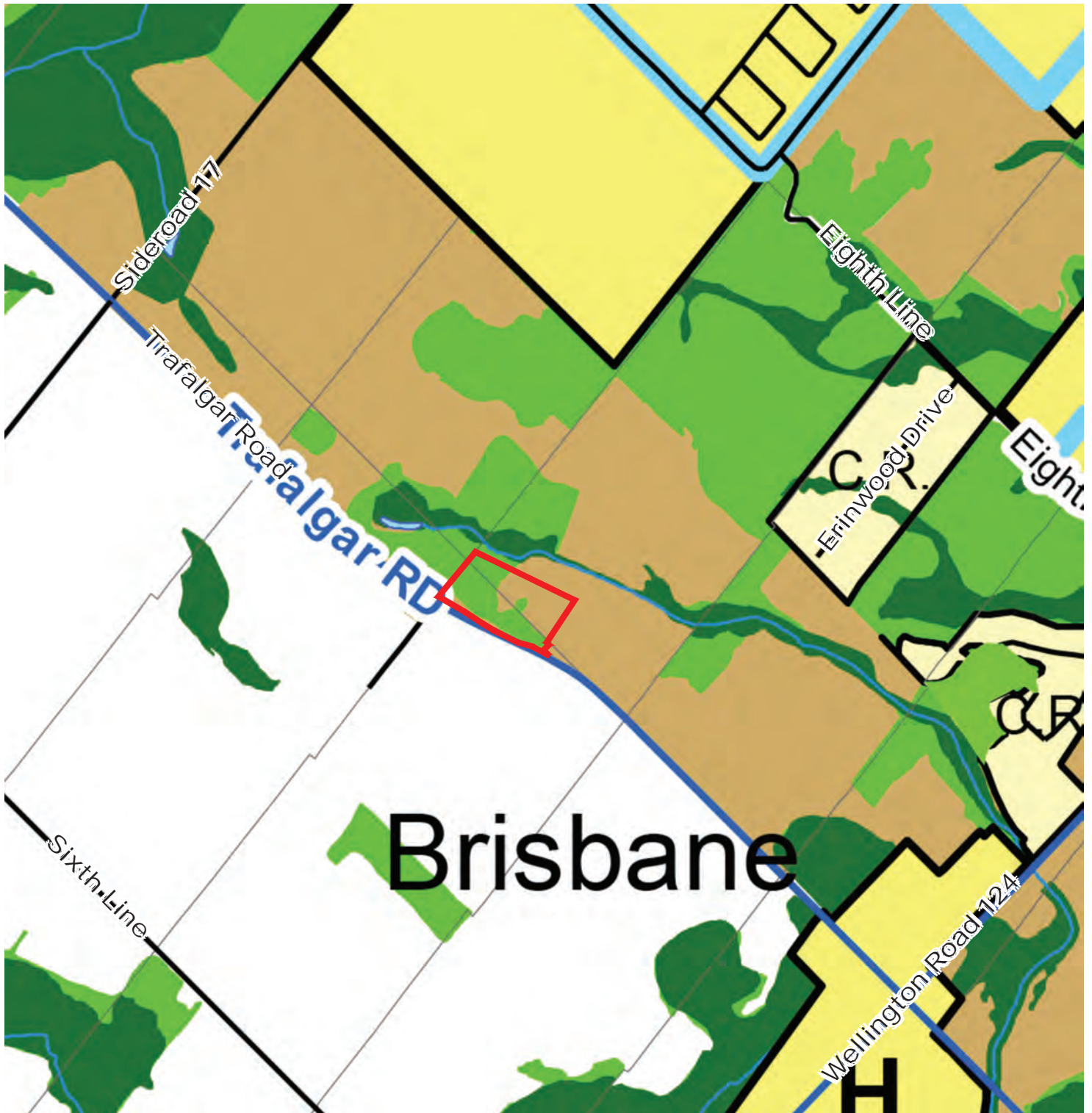
The County of Wellington Official Plan ("County OP") was adopted by Wellington County Council on September 24, 1998, approved by the Ministry of Municipal Affairs on April 13, 1999 and came into effect on May 6, 1999, with several amendments made since. The County OP designates the Subject Lands as **Greenlands** and **Secondary Agricultural** as per Schedule B2 (**Figure 3**) and adjacent to **Provincially Significant Wetlands ("PSW")** as per Appendix 3 (**Figure 4**). The Town of Erin Official Plan ("Town OP") was approved by Wellington County Council on December 14, 2004 and designates the Subject Lands as **Core Greenlands, Greenlands** and **Secondary Agricultural** as per Schedule A-1 (**Figure 5**).

It is noted both the County OP and Town OP designate the Subject Lands as Secondary Agricultural. The Town OP refers to the County OP for Secondary Agricultural policies and is discussed in detail below. Further, the existing structures are located on the portion of lands designated Secondary Agricultural and no changes are proposed for the portion designated Core Greenlands / Greenlands. It is noted the Subject Lands are adjacent to Eramosa River Blue Springs Creek Wetland (PSW) and development is not permitted on lands adjacent to PSW, unless an Environmental Impact Assessment demonstrates no negative impacts, in accordance with policy 5.6.2 in the County OP and policy 3.1.2 in the Town OP. Since no additional development or site alteration is proposed for the Subject Lands, these policies do not apply. Therefore, our analysis will focus on the Secondary Agricultural designation in the County OP and Town OP.

Section 2.1 in the County OP incorporates fundamental beliefs as a framework to establish a long-term planning vision for the municipality, which includes sustainable development and healthy communities. **Section 2.1.2** states sustainable development is a concept that supports development which "meets the need of the present without compromising the ability of future generations to meet their own need." The County of Wellington will make planning decisions which properly balance the following:

- protecting and enhancing the natural environment;
- enhancing economic competitiveness;
- fostering a healthy, safe and socially responsible society.

The rehabilitation treatment centre protects and enhances the natural environment while also benefiting from its direct surroundings on treatment programs for patients. The rehabilitation treatment centre provides employment for local residents, including healthcare professionals, administrative staff and maintenance workers. The rehabilitation treatment centre provides a critical service with effective treatments for addiction in a rural area, which increases healthcare accessibility and ultimately leading to a healthier, safe community. The rehabilitation treatment centre aligns its



Data Source: County of Wellington Official Plan- Schedule B2 Erin (Updated February 2024)

Figure 3

County of Wellington Official Plan

Schedule B2
Erin

5483 Trafalgar Road,
Erin, Ontario

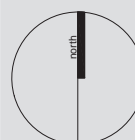
LEGEND

- Subject Lands
- Core Greenlands
- Greenlands
- Prime Agricultural

- Secondary Agricultural
- Country Residential
- Hamlet Area
- County Roads
- Built Boundary

DATE: June 11, 2024

SCALE 1:15000



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Data Source: County of Wellington Official Plan- Appendix 3 (Updated February 2024)

Figure 4

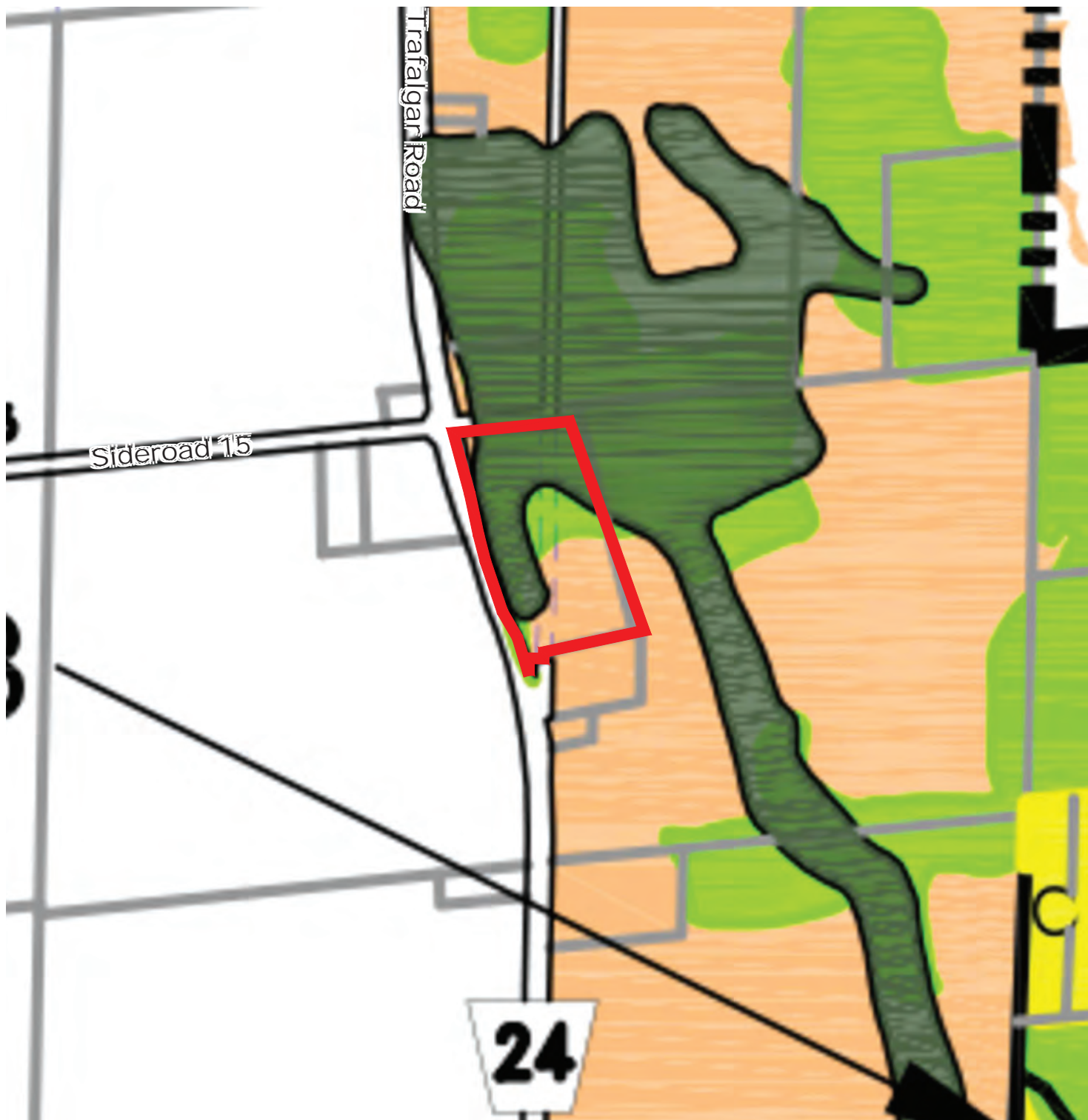
**County of Wellington
Official Plan**

Appendix 3

County of Wellington

**5483 Trafalgar Road,
Erin, Ontario**

<p>LEGEND</p> <p> Subject Lands</p> <p> Provincially Significant Wetlands</p>		
<p>DATE: June 11, 2024</p>	<p>SCALE: 1:15000</p>	
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Data Source: Town of Erin Official Plan- Modified Schedule A-1 (Modified: February 27, 2012)

Figure 5

**Town of Erin
Official Plan
Modified
Schedule A-1**

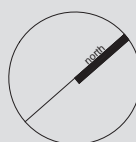
**5483 Trafalgar Road,
Erin, Ontario**

LEGEND

- | | |
|--|---|
| Subject Lands | Greenlands |
| Prime Agricultural | Country Residential |
| Secondary Agricultural | |
| Core Greenlands | |

DATE: June 11, 2024

SCALE 1:7500



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services and operations with these objectives to foster a more sustainable, economically vibrant and socially responsible community.

Section 2.1.4 states healthy communities are those which:

- foster physical, mental, social and economic well being;
- provide residents with a sense of control over decisions which affect them;
- are designed to reduce the stress of daily living and meet the life-long needs of its residents;
- make accessible employment, social, health, educational and recreational opportunities to all segments of the community.

The rehabilitation treatment centre provides balanced meals and nutritional plans to aid physical recovery and overall health. The rehabilitation centre offers counselling services, including minimum three hours of individual therapy per week and three group therapy sessions per day to address underlying mental health issues. The program offers stress management techniques to reduce stress and improve mental well-being as well as personalized treatment plans to give patients agency in their recovery. The treatment centre provides a structured environment with a daily routine to reduce uncertainty and stress. Overall, the treatment centre builds a sense of community among residents, fostering social skills and relationships.

Policy 4.2.5 in the County OP states that the Rural System will also provide employment opportunities. The Rural System can also contribute sites for employment based on the ability to provide larger lots, larger buffers for compatibility, and proximity to rural resources or access to major roads.

Policy 4.2.3 in the Town OP states Secondary Agricultural Areas “consist of lands within the rural area which are determined to be non-prime farmland, generally consisting of Class 4 to 7 and Organic Canada Land Inventory for Agriculture ranked soils, but which can sustain certain agricultural activities.” **Policy 4.2.3** further goes on to say that the use of lands in the Secondary Agricultural Area designation shall be guided by the policies of Section 6.5 of the County OP.

This Report has addressed the relevant considerations required by **Section 4.6.2** in the County OP, which states Planning Impact Assessments may be required to evaluate the following:

- | | |
|---|---|
| a) the need for the proposed use other than for aggregate operations, taking into account other available lands or buildings in the area; | Response: The rehabilitation treatment centre in a rural area is particularly appropriate and beneficial. Rural locations provide an environment conducive to recovery by minimizing distractions, offering privacy, and promoting mental and emotional healing through natural surroundings. The rehabilitation treatment centre provides a vital healthcare service addressing a pressing societal issue. |
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| b) the appropriateness of the proposed site for the use proposed taking into consideration the size and shape of the land and its ability to accommodate the intensity of use proposed; | Response: The site is appropriately sized and all buildings already exist, with the proposal seeking to legalize a use that has been in place for approximately 10 years. The Transportation Opinion Letter and Existing Conditions Report prepared by Crozier have confirmed that the site can adequately accommodate the proposed use. |
| c) the adequacy of the proposed method of servicing the site; | Response: As confirmed in the Existing Conditions Report prepared by Crozier, the site can be adequately serviced. |
| d) the compatibility of the proposed use with consideration given to the height, location, proximity and spacing of buildings; the separation between various land uses; impacts from noise, odour, dust or other emissions from the proposed use and from adjacent land uses; loss of privacy, shadowing or impact on cultural heritage resources and landscapes; | Response: The rehabilitation treatment centre has been operating for approximately 10 years, with no new buildings proposed; the existing setbacks are appropriate and will remain unchanged; and no impacts arise of a planning nature from the use proposed on adjacent lands. |
| e) the impact on natural resources such as agricultural land and mineral aggregate deposits; | Response: The subject lands were previously permitted to operate as a bed and breakfast and conference centre, both of which are classified as Type B (more sensitive) land uses. Since the proposed rehabilitation centre also falls under the Type B category, the introduction of this use does not increase sensitivity beyond what is already permitted. The proposed use does not impact agricultural operations or conflict with established MDS requirements. |
| f) the impact on biodiversity and connectivity of natural features and areas; | Response: The existing buildings on the Subject Lands will be used with no intrusion into adjacent natural heritage features, therefore no impacts are anticipated. |
| g) the exterior design in terms of bulk, scale and layout of buildings and other design elements; | Response: The existing buildings on the Subject Lands will be used, with no changes to bulk, scale or layout of buildings to occur (and no changes proposed except as required by the Ontario Building Code). |

- | | |
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| h) the possibility that site contamination has occurred or the site may contain historic petroleum wells or associated works, and if so, demonstrate compliance with provincial regulations; | Response: Not applicable. |
| i) methods of reducing or eliminating negative impacts; | Response: No negative impacts are anticipated and therefore, no mitigation is proposed. |
| j) other planning matters considered important by a Council. | Response: Any issues raised through the public processing of the application will be addressed at that time. |

Section 5.5.4 in the County OP states significant woodlands will be protected from development or site alterations which would negatively impact the woodlands or their ecological functions. No additional development or site alteration is proposed on the Subject Lands and therefore, Section 5.5.4 is not offended.

Policy 5.6.1 in the County OP states in other Core Greenlands areas, and in Greenlands areas, permitted uses and activities may include:

- a) agriculture;
- b) **existing uses**;
- c) conservation;
- d) forestry;
- e) aggregate extraction within Mineral Aggregate Areas subject to appropriate rezoning, licensing and the policies of this Plan;
- f) open space; and
- g) passive recreation

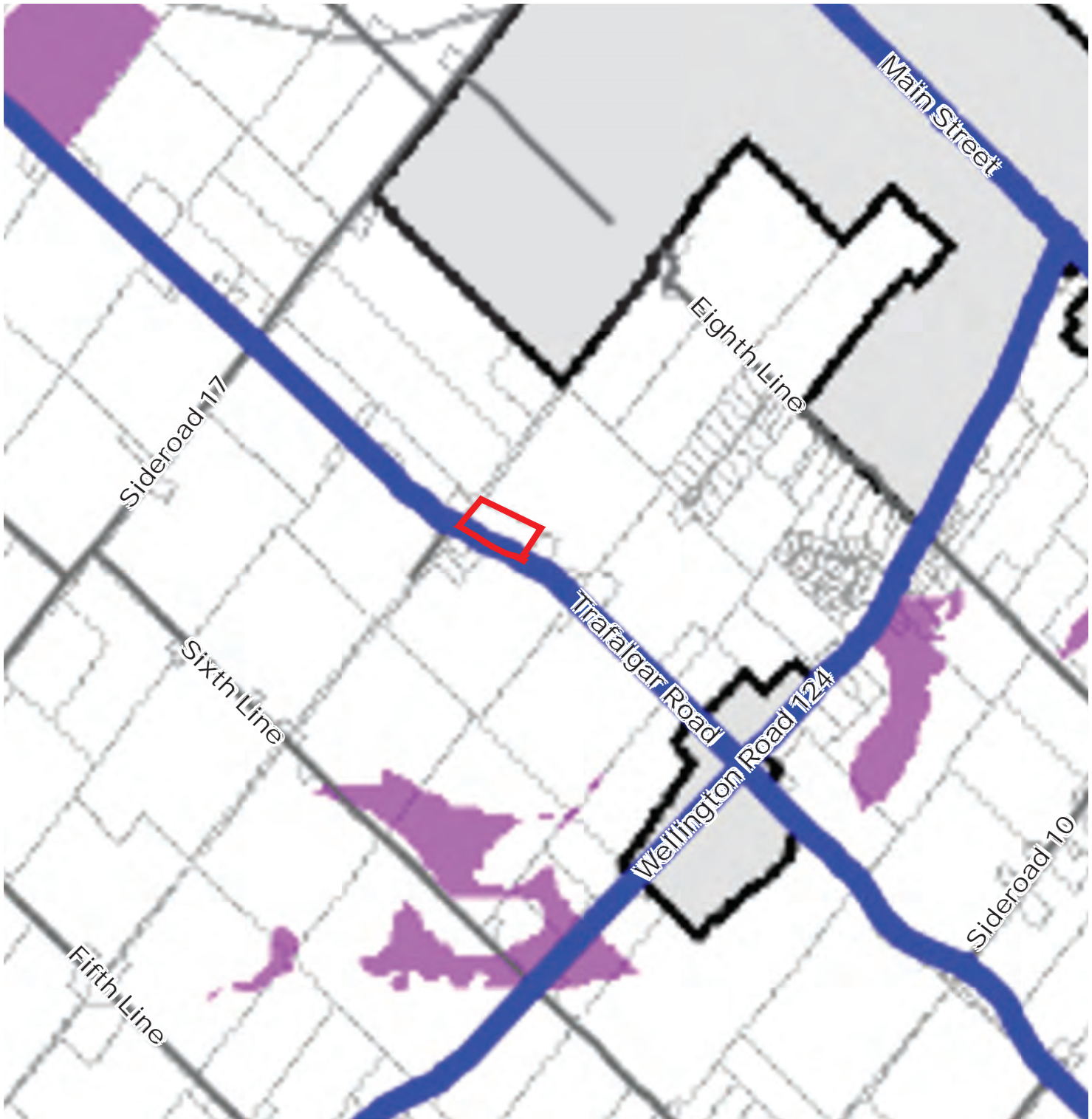
As discussed throughout this Report, the existing rehabilitation treatment centre has been operating for approximately 10 years, with no negative impacts on Greenlands features and no additions proposed. Therefore, Policy 5.6.1 is not offended.

Policy 6.5.1 in the County OP defines Secondary Agricultural Areas as “lands within the Rural System which are determined to be non-prime agricultural areas but which can sustain certain agricultural activities.” **Policy 6.5.3** in the County OP states permitted uses in Secondary Agricultural Areas may include all uses permitted in the Prime Agricultural Area (including existing uses as stated in Policy 6.4.3 d)) and small scale commercial, industrial and institutional uses. Given these policies, it is our opinion that the rehabilitation treatment centre is a permitted use as an institutional use.

Policy 6.5.5 in the County OP states small scale commercial, industrial and institutional uses may be permitted provided that:

- a) *appropriate sewage and water systems can be established;* Response: The Existing Conditions Report prepared by Crozier confirms the existing private sewage system and existing water system (cistern) is appropriate and sufficient to service the rehabilitation treatment centre.
- b) *the proposed use is compatible with surrounding uses;* Response: The existing rehabilitation treatment centre will not interfere with surrounding agricultural uses as there are adequate landscape / natural heritage features and distance, and therefore there is no disturbance to agricultural activities.
- c) *the use requires a non-urban location due to:*
 - *market requirements;*
 - *land requirements;*
 - *compatibility issues;*
Response: The existing rehabilitation treatment centre is located in a rural, private and natural environment. As noted previously the use is needed through southern Ontario, the land is already utilized for non-agricultural uses which are also appropriate for the rehabilitation treatment centre and there are no compatibility issues that arise.
- d) *the use will not hinder or preclude the potential for agriculture or mineral aggregate operations;* Response: The existing rehabilitation treatment centre is located on lands designated Secondary Agricultural, where existing uses and small scale institutional issues are permitted. Agricultural and mineral aggregate operations will not be hindered or precluded by the proposed use addition to the lands. Further, the Subject Lands are not located within sand and gravel resources of primary and secondary significance, as shown in **Figure 6**.
- e) *the use will be small scale and take place on one lot and large scale proposals or proposals involving more than one lot will require an official plan amendment.* Response: The existing rehabilitation treatment centre is a small scale private institutional use situated on an existing single lot of record and therefore, an official plan amendment is not required. There are no additions or alterations proposed on the Subject Lands.

The rehabilitation treatment centre is an existing private sector institutional use that has operated on the Subject Lands for 10 years, with no alterations proposed and maintaining employment opportunities for healthcare professionals and administrative staff to foster local economic growth.



Data Source: County of Wellington Official Plan- Schedule D Mineral Aggregate Resource Overlay (Last Revised February 2024)

Figure 6

County of Wellington
Official Plan
 Schedule D
 Mineral Aggregate
 Resource Overlay

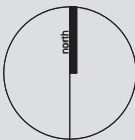
**5483 Trafalgar Road,
 Erin, Ontario**

LEGEND

- Subject Lands
- Sand and gravel resources of Primary and Secondary Significance

DATE: June 11, 2024

SCALE 1:25000



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There have been no conflicts raised by neighbours on the existing rehabilitation treatment centre over the last 10 years. Therefore, the existing rehabilitation treatment centre meets the intent of the underlying designation and its permissions and specifically, policies 6.5.3 and 6.5.5 of the County OP.

Minimum Distance Separation

Policy 6.5.7 in the County OP states the provincial minimum distance formula will be applied to new land uses, lot creation and new or expanding livestock facilities.

The Province introduced minimum distance separation formulae ("MDS") to minimize potential land use conflicts and nuisance complaints from odour within rural and agricultural areas. The MDS formulae and guidelines are provided in the "The Minimum Distance Separation (MDS) Document – Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks Publication 853" ("MDS Document") (OMAFRA, 2016). The MDS Document represents the Provincial standard with respect to the calculation of MDS setbacks. Per the MDS Document, the only circumstances where municipalities may alter the application of MDS is where options are explicitly stated in specific Implementation Guidelines (i.e. Implementation Guidelines 7,9,35, and 38).

Relevant Implementation Guidelines in the MDS Document include:

#2. For What, and When, is an MDS Setback Required?

The MDS I setback distances shall be met prior to the approval of: proposed lot creation in accordance with Implementation Guidelines #8 and #9; rezonings or re-designations in accordance with Implementation Guideline #10; building permits on a lot which exists prior to March 1, 2017 in accordance with Implementation Guideline #7; and as directed by municipalities for local approvals for agriculture related uses or on-farm diversified uses in accordance with Implementation Guideline #35.

#10. MDS I Setbacks for Zoning By-Law Amendments and Official Plan Amendments

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.

The MDS Guidelines recognize two types of land uses: Type A and Type B, as defined:

Type A Land Uses (Less Sensitive)	Type B Land Uses (More Sensitive)
For the purposes of MDS I, proposed Type A land uses are characterized by a lower density of human occupancy, habitation or activity including, but not limited to: <ul style="list-style-type: none"> industrial uses outside a settlement area; 	For the purposes of MDS II, existing Type A land uses are characterized by a lower density of human occupancy, habitation or activity including, but not limited to: <ul style="list-style-type: none"> industrial uses outside a settlement area;

<ul style="list-style-type: none"> • open space uses; • building permit applications on existing lots outside a settlement area for dwellings, unless otherwise specified in a municipality's zoning by-law in accordance with Implementation Guideline #7; • the creation of lots for agricultural uses, in accordance with Implementation Guideline #8; and • the creation of one or more lots for development on land outside of a settlement area that would NOT result in four or more lots for development in immediate proximity to one another (e.g., sharing a common contiguous boundary, across the road from one another, etc.), regardless of whether any of the lots are vacant 	<ul style="list-style-type: none"> • open space uses; and, • dwellings on lots which are located outside of a settlement area and are not recognized through an official plan designation for development; includes dwellings that are located on lots zoned for agriculture uses, residential uses or non-agricultural uses (such as zones for general agriculture, rural residential, estate residential, etc.), provided the lot remains in a prime agricultural area or rural lands type designation.
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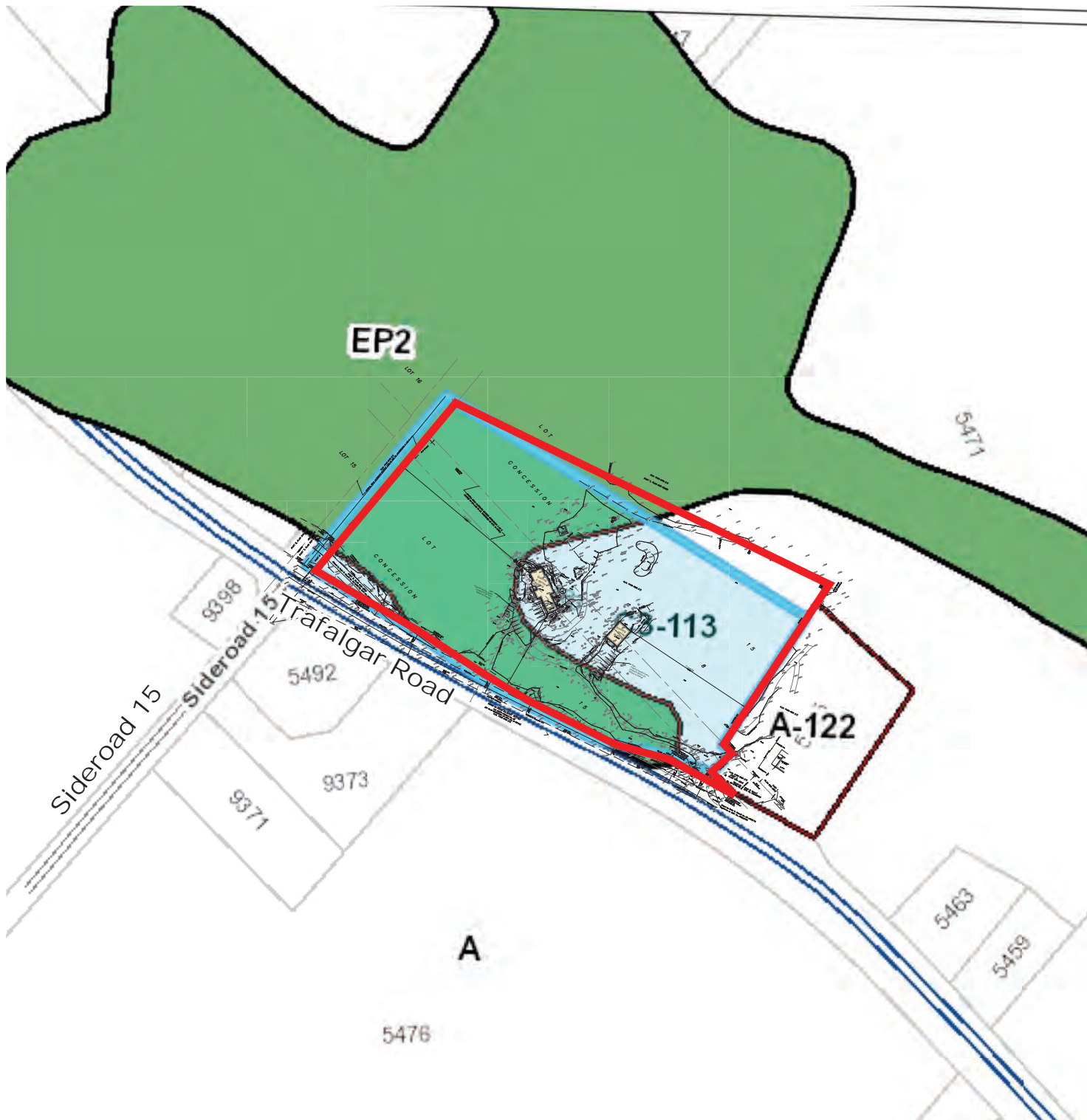
The proposed ZBA seeks to permit a rehabilitation centre within the existing building on the Subject Lands. This building was previously permitted to operate as a bed and breakfast operation and conference centre (as passed by Council on October 3rd 1995). Both the 'rehabilitation centre' and 'bed and breakfast operation and conference centre' uses would be considered Type B uses given the higher density of human occupancy and activity. Provided that a Type B (more sensitive) land use is already permitted on the Subject Lands, then MDS Guideline #10 provides that a MDS I setback is not required in this case. Nonetheless, detailed MDS I calculations are included in **Appendix B** of this Report.

Based on the above, it is our professional opinion that the existing rehabilitation treatment centre conforms to the County of Wellington and Town of Erin Official Plans.

Town of Erin Zoning By-law 07-67

The Subject Lands are zoned **C3-113** and **EP2** in the Town of Erin Zoning By-law 07-67 January 2024 Consolidation (**Figure 7**). The C3 zone permits the following uses:

- | | |
|---|---|
| <ul style="list-style-type: none"> • accessory residential apartment; • accessory single detached dwelling; • antique shop; • auction house; • business or professional office; • convenience store; • craft shop; | <ul style="list-style-type: none"> • existing commercial uses; • farm supply dealer; • farmer's market; • garden centre or commercial nursery; • medical clinic; • personal service shop; |
|---|---|



Data Source: Town of Erin Official Plan Zoning By-Law (2022)

Figure 8

Town of Erin Zoning By-Law

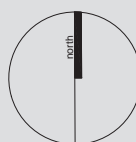
5483 Trafalgar Road,
Erin, Ontario

LEGEND

- Subject Lands
- Natural Environmental/Floodway
- County Road

DATE: June 11, 2024

SCALE 1:4000



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PLANNING
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& LANDSCAPE
ARCHITECTURE

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Data Source: Town of Erin Official Plan Zoning By-Law (2022)

Figure 7

Town of Erin Zoning By-Law

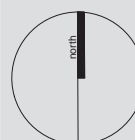
5483 Trafalgar Road,
Erin, Ontario

LEGEND

- Subject Lands
- Natural Environmental/Floodway
- County Road

DATE: June 11, 2024

SCALE 1:4000



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PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 8G7
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- processing, storage and sales of agricultural products;
- uses accessory to a permitted use; and
- veterinary clinic, including companion animal hospital

Notwithstanding the permitted uses of the Rural Commercial (C3) zone, the lands zoned C3-113 may be used for a bed and breakfast operation and conference centre, including accessory dining facilities, subject to the following regulations:

- i. Maximum Lot Size: 4.8 ha
- ii. Maximum Number of Guest Bedrooms: 10
- iii. Maximum Conference Facility Size: 35 people
- iv. Minimum Parking Spaces: 20

The EP2 zone permits the following uses:

- Uses, buildings and structures existing as of the date of passing of this by-law
- Agricultural uses
- Conservation and resource management
- Forestry
- Passive recreation
- Buildings and structures accessory to the foregoing and with the prior written approval of the Conservation Authority having jurisdiction in the area.

The existing structures on the Subject Lands are located on the portion of the lands zoned C3-113 (**Figure 8**). The purpose of the Zoning By-law Amendment will be to add a treatment centre as a permitted use in the C3-113 zone to maintain the current operation.

The structures on the Subject Lands are an existing use and therefore complies with the EP2 zone and no amendment will be required for the EP2 zone. No new buildings or structures are proposed within the C3-113 and EP2 zones. The proposed Zoning By-law Amendment to permit a treatment centre on the Subject Lands is appropriate and compatible with the existing C3-113 zone as it is an existing and permitted use in both the County and Town Official Plans. The existing structure is already integrated into local traffic patterns and will not negatively impact current traffic conditions.

Newworld Medical Detox, an addiction treatment centre located in Halton Hills and operated by CATC, is located adjacent to the Town of Erin and offers a similar rural context. Town of Halton Hills Zoning By-law 2010-0050 provides a definition for a treatment centre use that is appropriate for the rehabilitation treatment centre located on the Subject Lands. It is noted the definition has been slightly modified to better suit the existing use on the Subject Lands and is described as follows:

“a single detached dwelling which is occupied by not less than three or not more than 21 persons exclusive of staff, who live as a single housekeeping unit, and require 24-hour residential, sheltered, specialized or group care, and treatment and rehabilitation for addiction to drugs or alcohol.”

We believe that the above definition is appropriate to add to the Town's Zoning By-law as a site specific use and definition applying to the Subject Lands. A detailed Zoning By-law Amendment is included in **Appendix A** of this letter.

Summary and Conclusion

The proposal to permit the current operation of the existing rehabilitation treatment centre on the Subject Lands municipally addressed as 5483 Trafalgar Road in the Town of Erin represents good planning and is in the public interest for the following reasons:

1. The current operation of the rehabilitation treatment centre is consistent with the Provincial Planning Statement.
2. The current operation of the rehabilitation treatment centre conforms to the County of Wellington and Town of Erin Official Plans. Specifically, the treatment centre meets the intent of Policies 6.5.3 and 6.5.5 in the County OP as it is an existing and permitted use.
3. The current operation of the rehabilitation treatment centre will utilize the existing building infrastructure, private water and sewage and utilities services, which are adequate and available to the Subject Lands.
4. The rehabilitation treatment centre has been operating on the Subject Lands without issue or complaint, is compatible with the surrounding agricultural land uses and does not propose any alterations or additions to the existing structures on the Subject Lands.

For the above reasons, we respectfully submit that the ZBA application is appropriate, and we respectfully request approval.

We certify that this report was prepared jointly by the identified authors and under the supervision of a Registered Professional Planner (RPP) within the meaning of the Ontario Professional Planners Institute Act, 1994.

Yours truly,

MHBC



David A. McKay, MSc, MLAI, MCIP, RPP
Vice President and Partner



Linda Esho, BA
Planner

Appendix **A**

**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 5483 Trafalgar Road.

WHEREAS, the Council of the Corporation of the Town of Erin deems it in the public interest to pass a by-law to amend By-law 07-67 as amended, pursuant to Section 34 of the Planning Act as amended;

NOW THEREFORE, the Council of the Corporation of the Town of Erin hereby enacts as follows:

1. **THAT** By-law 07-67, the Comprehensive Zoning By-law, is amended by adding a *treatment centre* as a permitted use on the lands zoned **Rural Commercial (C3-113)** and legally described as Part Lot 15, between Concessions 7 and 8, municipally known as 5483 Trafalgar Road, Town of Erin as shown on Schedule "A" of this By-law. A *treatment centre* shall be defined as:

"A single detached dwelling which is occupied by not less than three or not more than 21 persons exclusive of staff, who live as a single housekeeping unit, and require 24-hour residential, sheltered, specialized or group care, and treatment and rehabilitation for addiction to drugs or alcohol."

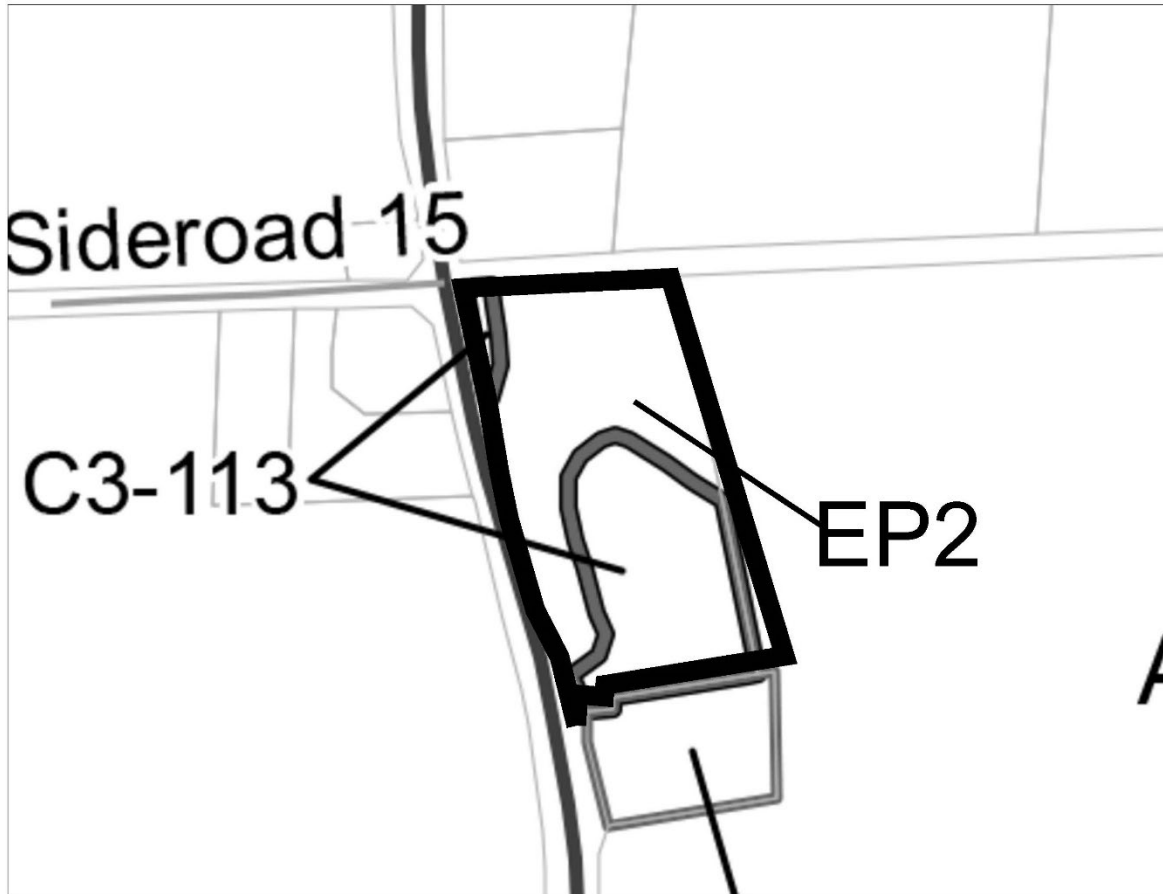
2. **THAT** the Subject Lands as shown on Schedule "A" to this By-law shall be subject to all other applicable regulations of Zoning By-law 07-67, as amended.
3. **THAT** this By-law shall come into force on the date it is passed by the Council of the Corporation of the Town of Erin subject to the applicable provisions of the Planning Act, R.S.O. 1990, as amended.

Mayor, Michael Dehn

Clerk, Nina Lecic

TOWN OF ERIN
ZONING BY-LAW AMENDMENT No. 25-XX

SCHEDULE 'A'



AREA AFFECTED BY THIS BY-LAW

This is Schedule "A" to By-Law # 25-
XX Passed this_day of_____, 20xx

Mayor, Michael Dehn

Clerk, Nina Lecic

Appendix **B**


MDS I - 5483 Trafalgar Rd

General information

Application date
Nov 26, 2024

Municipal file number

Proposed application
Other Type B land use

Applicant contact information 

ON

Location of subject lands
County of Wellington
Town of Erin
ERIN
Concession 8 , Lot 15
Roll number: 2316000004156000000

5476 Trafalger Rd (Unoccupied)

<div>Farm contact information ⓘ</div> <div>ON</div>	<div>Location of existing livestock facility or anaerobic digester</div> <div>County of Wellington</div> <div>Town of Erin</div> <div>ERIN</div> <div>Concession 7 , Lot 15</div> <div>Roll number: 2316</div>	<div>Total lot size</div> <div>35.19 ha</div>
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Notes

Unoccupied livestock barns - two barns appear capable of livestock with two other buildings appearing to be for storage purposes (ex. drive sheds).

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Unoccupied Livestock Barn	598 m²	29.9 NU	598 m²

⚠

Confirm Livestock/Manure Information (5476 Trafalger Rd (Unoccupied))

The livestock/manure information has not been confirmed with the property owner and/or farm operator.

⚠

Unoccupied Barn or Unused Storage (5476 Trafalger Rd (Unoccupied))

The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)		
Design capacity	29.9 NU		
Potential design capacity	89.7 NU		
Factor A (odour potential)	1	Factor B (design capacity)	306.54
Factor D (manure type)	0.7	Factor E (encroaching land use)	2.2

Building base distance 'F' (A x B x D x E)
(minimum distance from livestock barn)

473 m (1552 ft)

Actual distance from livestock barn

NA

Storage base distance 'S'
(minimum distance from manure storage)

No existing manure storage

Actual distance from manure storage

NA

Farm contact information ⓘ

ON

Location of existing livestock facility or anaerobic digester

County of Wellington

Town of Erin

ERIN

Concession 8 , Lot 14

Roll number: 2316000004154000000

Total lot size

34 ha

Notes

Facility appears unoccupied. A review of historic aerial imagery suggests that the front barn was once used to house horses and the rear barn beef cattle. Fencing has since been removed from the paddock area suggesting that there is no livestock.

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Unoccupied Livestock Barn	1045.79 m²	52.3 NU	1046 m²

⚠️ Confirm Livestock/Manure Information (5427 Trafalgar Rd (unoccupied))

The livestock/manure information has not been confirmed with the property owner and/or farm operator.

⚠️ Unoccupied Barn or Unused Storage (5427 Trafalgar Rd (unoccupied))

The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)		
Design capacity	52.3 NU		
Potential design capacity	156.9 NU		
Factor A (odour potential)	1	Factor B (design capacity)	369.64
Factor D (manure type)	0.7	Factor E (encroaching land use)	2.2

Building base distance 'F' (A x B x D x E)
(minimum distance from livestock barn)

570 m (1870 ft)

Actual distance from livestock barn

NA

Storage base distance 'S'
(minimum distance from manure storage)

No existing manure storage

Actual distance from manure storage

NA

Preparer signoff & disclaimer

Preparer contact information
Chelsea Brooks
MHBC Planning
540 Bingemans Centre Drive
200
Kitchener, ON
N2B 3X9
519-576-3650
cbrooks@mhbcpplan.com

Signature of preparer

Chelsea Brooks

Date (mmm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

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MDS I - 5483 Trafalgar Rd



Prepared By:
Chelsea Brooks

Notes: