

# PLANNING JUSTIFICATION REPORT

**143 NORTHUMBERLAND STREET, AYR**

Official Plan and Zoning By-law Amendment Application



## EXECUTIVE SUMMARY

This Planning Justification Report (“Report”) has been prepared as part of the complete Official Plan Amendment and Zoning By-Law Amendment applications for the property municipally known as 143 Northumberland Street, Ayr in the Township of North Dumfries (“Subject Lands”, “Subject Property”, or “Site”).

The Official Plan Amendment and Zoning By-Law Amendment applications are being proposed to permit retail uses on the lands to complement the existing industrial uses on the subject lands and residential uses in the surrounding area. The subject lands are currently used for general industrial uses, including a warehouse that serves as a storage facility, and brewery with a restaurant component.

The applicant intends to retain the current industrial permitted uses of the site while gaining permission for retail uses. While the application seeks to broaden the range of permitted uses on the subject lands, no redevelopment or additional buildings are currently proposed, but rather the application would allow for the use of the existing buildings for retail purposes.

This Report discusses the existing conditions of the subject property, the neighbourhood context of the site, guided by a range of legislation, policies, and plans set out at the Provincial, Regional, Municipal/Township and neighbourhood levels. This includes the *Planning Act*, Provincial Planning Statement, Region of Waterloo Official Plan, the Township of North Dumfries Official Plan and the Township of North Dumfries Zoning By-Law.

This Report was prepared by Up Consulting Ltd., who have been retained as the consulting land use planner for the proposal to provide independent land use planning analysis and opinion. This Report, including the opinions and recommendations set out herein, has been prepared by a member in good standing with the Ontario Professional Planners Institute and the Canadian Institute of Planners.

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## 1. INTRODUCTION

This Report has been prepared as part of the complete Official Plan Amendment and Zoning By-law Amendment applications for the property municipally known as 143 Northumberland Street, Ayr in the Township of North Dumfries.

The Official Plan Amendment and Zoning By-Law Amendment applications are being proposed to permit retail uses on the lands to complement the existing industrial uses on the subject lands and residential uses in the surrounding area. The subject lands are currently used for general industrial uses, including a warehouse that serves as a storage facility, and brewery with a restaurant component.

The applicant intends to retain the current industrial permitted uses of the site while gaining permission for retail uses. While the application seeks to broaden the range of permitted uses on the subject lands, no redevelopment or additional buildings are currently proposed, but rather the application would allow for the use of the existing buildings for retail purposes.

The Report provides an overview of the existing conditions and context of the subject property, the existing land use planning controls applicable to it, the required land use planning applications and land use planning rationale with respect to the same.

This Report provides land use planning opinion that the proposed applications have regard for the matters of Provincial interest as set out in the *Planning Act*, are consistent with the Provincial Planning Statement, and conform to the Regional Official Plan.

This Report was prepared by Up Consulting Ltd., who have been retained as the consulting land use planner and urban design consultant for the proposal to provide independent land use planning analysis and opinion. This Report, including the opinions and recommendations set out herein, has been prepared by a member in good standing with the Ontario Professional Planners Institute and the Canadian Institute of Planners.

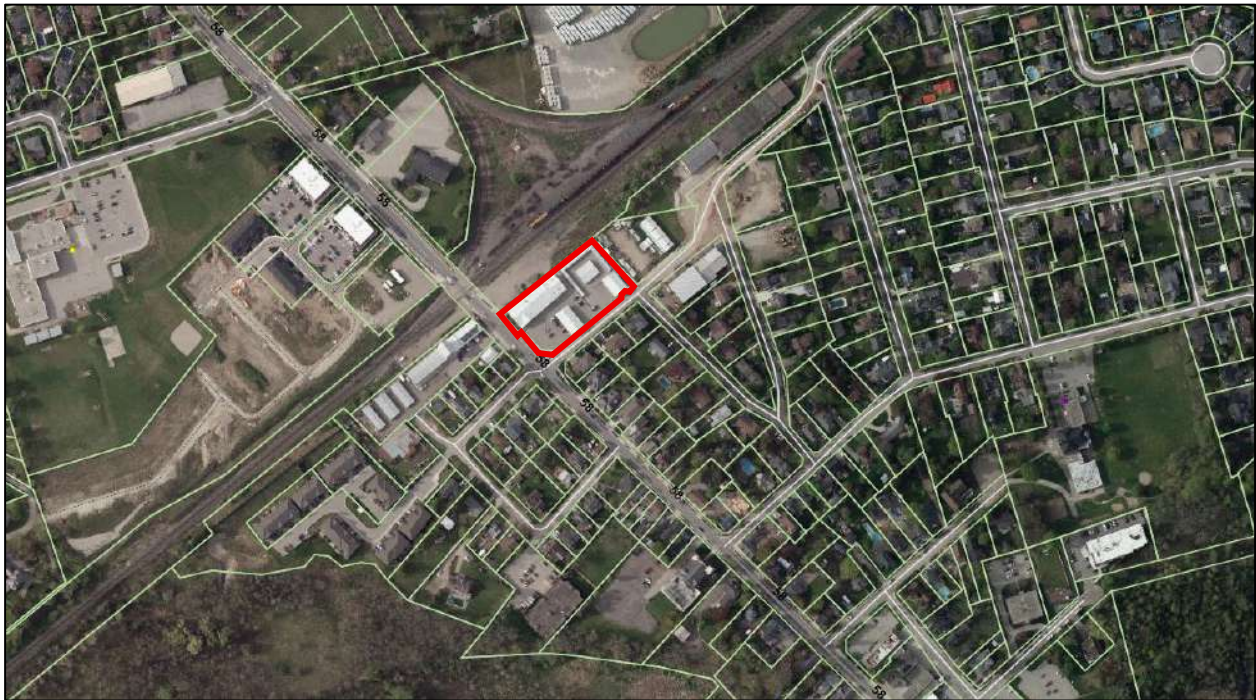


## 2. SITE DESCRIPTION AND CONTEXT ANALYSIS

This section of the Report provides descriptions of the site and neighbouring context of the subject property.

### a) Site Attributes

The subject property is municipally addressed as 143 Northumberland Street, Ayr and is legally identified as PLAN 556 LOT 1 PT LOTS 2 3 AND 5 TO 7. The location of the subject properties is shown in Figure 1 below. The subject property is located east of the Nith River, and south of the railway.



*Figure 1: Location of Subject Property (Source: Region of Waterloo GIS Portal)*

The subject property has a lot area of approximately 5,270.5 square metres (0.53 ha) and approximately 60 metres of frontage along Northumberland Street. As detailed in Section 3 of this Report, the subject property is currently used for industrial and/or commercial purposes, including a self-storage facility and a brewery with a restaurant component (known as Abe Erb). The applicant is not proposing the construction of any new buildings or site works on the site at this time. Access to the site is provided along Inglis Street to the south. Figures 2 to 4 below provide streetview images of the existing buildings.



**Figure 2:** Streetview of the Subject Property from Northumberland Street, Facing North (Source: Google Maps)



**Figure 3:** Streetview of the Subject Property from Inglis Street, Facing Southwest. (Source: Google Maps)



**Figure 4:** Streetview of Subject Property from Inglis Street, Facing Southwest (Source: Google Maps)

## b) Surrounding Context

Commercial uses within Ayr are concentrated within the core area of the community and along Northumberland Street and Stanley Street, including cafes, restaurants, retail shops, a pharmacy, and several professional services, such as dental and medical offices. These amenities support both local residents and visitors to the village core. Northumberland Street itself is a major roadway within Ayr, forming part of Regional Road 58 and facilitating connections to the broader transportation network, including Cedar Creek Road and Highway 401, located approximately 7 kilometres to the south.

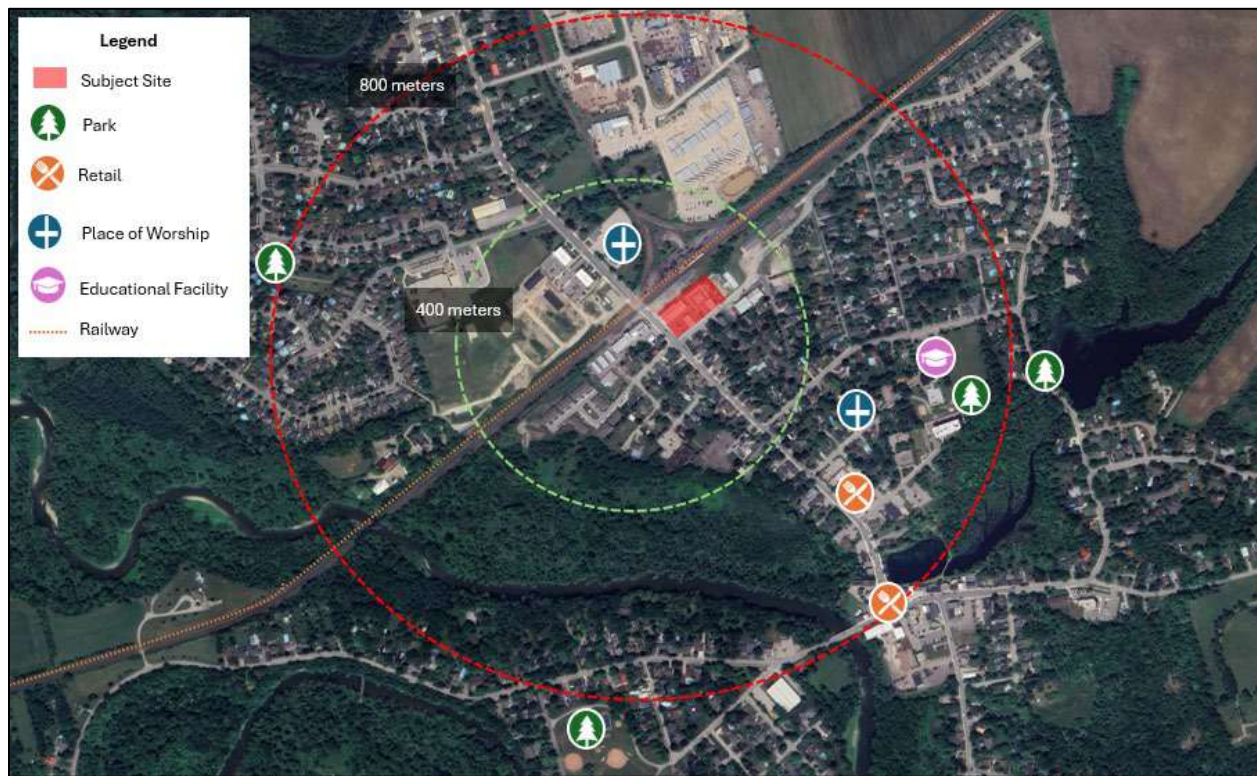
The surrounding area also contains institutional uses in the vicinity, including nearby places of worship, such as Knox United Church and Ayr Baptist Church, as well as educational facilities like St. Brigid Catholic Elementary School and Ayr Public School. A Montessori school also operates in the area.

The surrounding residential fabric includes a range of low-density and medium-density housing forms. Single-detached dwellings dominate the nearby residential streets, while townhouse units and small-scale apartment buildings are also present within walking distance. A recently approved residential development at the south end of Northumberland Street will introduce additional multi-unit housing to the area, reflecting the growing population in Ayr.

In terms of active transportation, the site is well-connected to local sidewalks and cycling infrastructure. Nearby parks (Victoria Park, Centennial Park, and Watson Pond) provide public open space, playgrounds, and walking trails to the surrounding area. The Nith River and its associated natural corridor run to the east of the site, contributing to the village's scenic landscape and offering recreational opportunities.

The following aerial imagery, Figure 5, shows existing buildings located on Northumberland Street, as well as points of interest within proximity to the site.





*Figure 5: Neighbourhood Spatial Analysis Map (Source: Google Earth)*

### 3. OVERVIEW OF PROPOSED DEVELOPMENT

As shown in Figure 6 below, the subject property has been developed to its current condition in accordance with the existing and approved Site Plan. At the western corner of the site, fronting Northumberland Street, is an existing building with a floor area of 279 square metres. This building is currently used as a multi-tenant commercial building, including the Abe Erb brewery with the restaurant component.

Centrally located on the subject property is a larger self-storage facility, with floor area of 1,050 square metres, designed around a square courtyard layout with interior storage units accessed from within. Along the northern portion of the property, adjacent to the railway, is an industrial building occupied by multiple tenants, with a floor area of 840 square metres. Two (2) additional existing buildings front Inglis Street, measuring 279 square metres and 294 square metres, which remain in use.

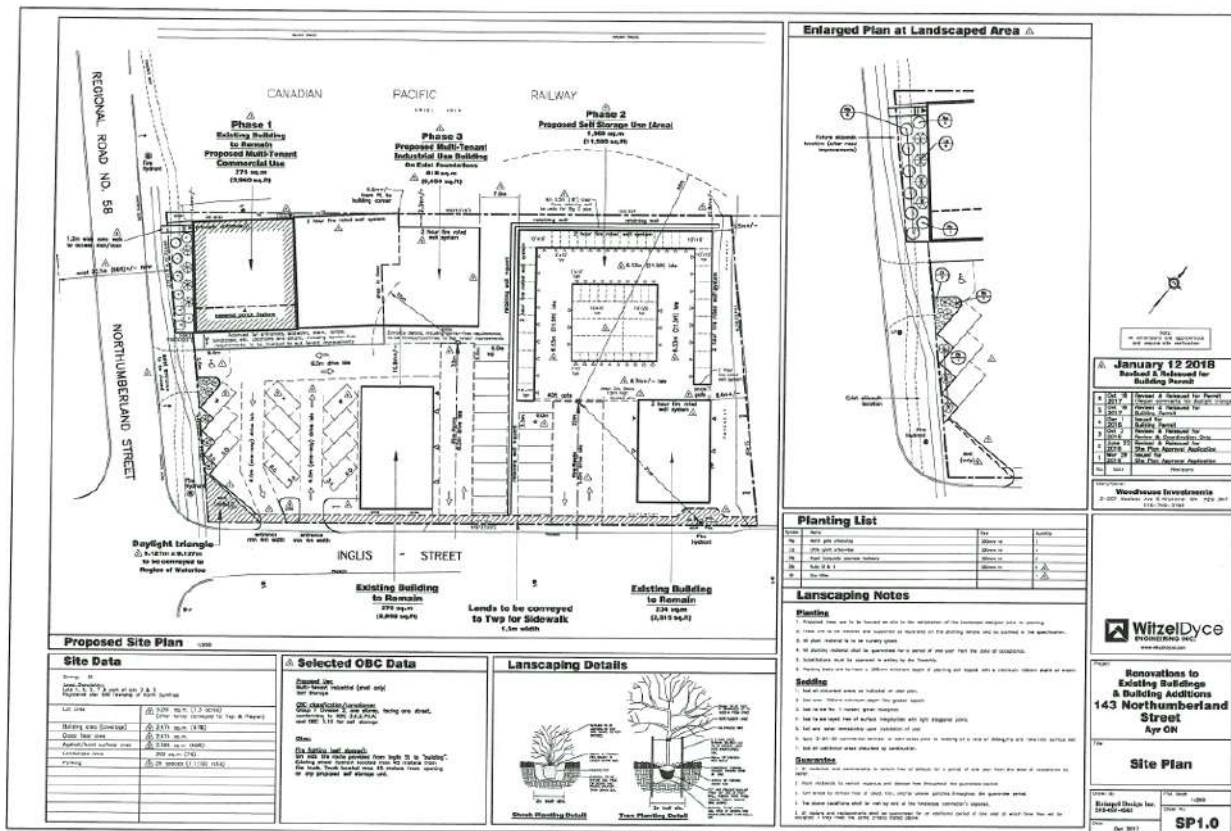


Figure 6: Approved Site Plan of Subject Site (Source: WitzleDyce Engineering Inc.)

Access to the subject property is provided from Inglis Street to the south, where internal drive aisles serve the commercial, storage, and industrial buildings. Parking is distributed along the southern and western edges of the site, with a total of 42 spaces, including accessible parking stalls.

The subject property incorporates landscaped areas along its frontages, including deciduous and coniferous trees and shrub plantings. A daylight triangle at the corner of Northumberland and Inglis Streets has been conveyed to the Region of Waterloo for traffic safety, while a 1.5 metre strip along Inglis Street has been set aside for municipal sidewalk improvements.

As previously noted, the applicant is not proposing the construction of any new buildings on the site at this time. The proposed Official Plan Amendment and Zoning By-law Amendment applications seek to permit retail uses as an additional use to the site in order to accommodate new tenants in existing units. No additional parking is anticipated to be required as a result of the additional retail use. Section 4 below outlines the requested planning approvals.

## 4. REQUESTED LAND USE PLANNING APPROVALS

The following section provides an overview of the request planning approvals, being an Official Plan Amendment and Zoning By-law Amendment.

### a) Official Plan Amendment

An Official Plan Amendment is required to permit retail uses on the subject property. The current 'General Industrial' designation in the Township Official Plan does not contemplate retail uses except as accessory. The amendment to the Official Plan is proposed as a site-specific policy to permit 'retail' as a permitted use on the subject property, within Section 2.6.5.3 of the Township Official Plan.

The proposed amendment aligns with the Township and Regional objectives through the protection of employment lands, and fostering economic diversification. By providing a clear, site-specific framework for permitting retail on the subject lands, the proposed amendments maintain the integrity of the Township's employment land base.

The Official Plan Amendment is scoped to apply only to the subject property. This ensures that the broader intent of protecting employment lands across the Township is maintained while allowing for the adaptive reuse of existing building stock. The amendment represents a balanced approach that strengthens the local economy without undermining long-term employment planning objectives.

No changes are proposed to the built form, site layout, or other Official Plan policies. See **Appendix A** for the draft by-law pertaining to the site-specific Official Plan Amendment.

### b) Zoning By-law Amendment

This proposed Zoning By-law Amendment proposes to add "Retail" as a permitted use within the current Z.9 zone category. The proposed amendment will enable greater flexibility in tenanting the existing building and support local employment and commercial activity.

No changes are proposed to the built form, site layout, or other zoning regulations. See **Appendix B** for the draft by-law pertaining to the site-specific Zoning By-law Amendment.

In summary, the proposed Official Plan Amendment and Zoning By-law Amendment to permit additional retail uses to the subject property reflects good planning principles and aligns with the broader policy framework. The proposal represents good planning for the following reasons:

- The proposal appropriately considers and aligns with the planning objectives and policies of the Provincial Planning Statement (2024) by supporting economic development within an existing settlement area.
- The proposal conforms to the Region of Waterloo Official Plan and maintains the employment function of the site while introducing compatible commercial uses, contributing to the vitality of the local employment area.



- The Region of Waterloo Official Plan allows municipalities to adopt site-specific policies tailored to local needs.
- The proposed Official Plan Amendment maintains the employment function of the lands by retaining 'General Industrial' permissions within Section 2.6.5.3, while introducing retail as a complementary use that enhances the economic vitality of Ayr's Urban Area.
- The site is located within the Ayr Urban Area and is fully serviced, with appropriate access and infrastructure to accommodate the additional retail activity without requiring site expansion or redevelopment.
- The Township Official Plan goals to build a diverse and compatible mix of land uses to support complete communities are maintained through the proposed.
- The proposed amendments provide new commercial opportunities within walking distance of residential neighbourhoods, schools, and institutional uses, while leveraging existing infrastructure.
- The addition of retail use enhances the flexibility and long-term viability of the property while maintaining its core industrial function, representing an efficient and adaptive use of existing building stock.
- The proposed retail use will support local consumer needs and provide additional services or amenities to nearby businesses and employees, furthering the development of a complete and connected employment area.
- The proposal does not require changes to the building footprint, ensuring compatibility with adjacent uses and minimizing potential land use conflicts.
- The site is in proximity to local and regional transportation routes, allowing for convenient access by customers and employees, and supporting multimodal accessibility within the employment area.
- The site-specific amendment retains the intent of the Z.9 'Industrial' zone while introducing complementary retail use, ensuring continued alignment with the Township's long-term employment planning objectives

Overall, the proposal represents a balanced and context-sensitive approach to employment area planning by maintaining industrial capacity while enabling modest diversification. Please see Section 5 of this Report below for detailed analysis of the land use planning framework applicable to the subject property.

## 5. LAND USE PLANNING FRAMEWORK

The following subsections of this Report discuss the applicable planning policies to the subject property and how they have been considered in the proposed development applications.

### a) Planning Act

The *Planning Act*, R.S.O. 1990 establishes the legal framework for land use planning in Ontario and includes legislative direction with regards to Official Plans, Zoning By-Laws and Site Plan Approvals among other planning tools. The Planning Act also provides the Minister of Municipal Affairs and Housing with policy-making authority to issue policy statements and plans to guide land use planning and development in the province, which is the basis for the Provincial Policy Statement.

The following subsections of this report provide an overview of the *Planning Act* as it applies to the proposal and commentary relating to how the proposal adheres to the direction set out therein.

#### i. Matters of Provincial Interest

Section 2 of the *Planning Act* sets out various 'Matters of Provincial Interest'. In carrying out their responsibilities under the Planning Act, decision-makers must have regard to these Matters of Provincial Interest. The following table outlines the Matters of Provincial Interest set out in Section 2 of the *Planning Act* and commentary regarding how each matter has been considered, where applicable.

Section	Provincial Interest	Demonstration of Regard
f)	The adequate provision and efficient use of communications, transportation, sewage and water services and wastewater systems;	The subject lands are serviced by existing sewage, water, wastewater and communication services. No change in servicing is proposed.
h)	The orderly development of safe and healthy communities;	The proposal represents orderly development as it proposes to use existing buildings on-site for retail uses within an existing and established area of the Town.
h.1)	The accessibility of persons with disabilities to all facilities, services, and matters to which this Act applies;	No changes to the existing conditions of the site are proposed. Any future building additions will adhere to the Access for Ontarians with Disabilities Act, 2005 as applicable.
k)	The adequate provision of employment opportunities;	The proposal seeks to increase the range of employment and retail opportunities on site. The

		application seeks to maintain the underlying industrial / employment uses while also providing complementary new retail employment opportunities.
l)	The protection of financial and economic well-being of the Province and its municipalities;	The application will support local economic development by providing new retail opportunities within the Township.
m)	The coordination of planning activities of public bodies;	The proposal aligns with the Township and Regional Official Plans and can be implemented in coordination with relevant public agencies.
n)	The resolution of planning conflicts involving public and private interests;	The proposal balances private investment with public interest by maintaining existing employment permissions and permitting compatible, retail uses.
p)	The appropriate location of growth and development; and	The site is located within the Ayr Urban Area Settlement boundary and is fully serviced, making it a suitable location for the contemplated use. The site is located along Northumberland Street which is a main thoroughfare in Ayr and which contains several other retail uses.
q)	The promotion of development that is designed to be sustainable, to support public transit and be oriented to pedestrians;	The site is accessible by sidewalks, bike routes. The proposal reuses existing buildings, supporting sustainable development.
r)	The promotion of built form that: <ul style="list-style-type: none"> <li>• Is well designed;</li> <li>• Encourages a sense of place; and</li> <li>• Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;</li> </ul>	The proposal enhances the vibrancy of the area by introducing publicly accessible retail use without altering the existing built form.

s)	The mitigation of greenhouse gas emissions, and adaptation to a changing climate.	The applicant is proposing the repurposing of existing buildings for retail purposes, representing the efficient use of existing buildings.
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Based on the foregoing, it is our opinion that the proposal has regard for the matters of Provincial interest as set out in the *Planning Act*.

## b) Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS), 2024 is issued under Section 3 of the Planning Act and came into effect on October 20, 2024, replacing the previous version of the PPS, which was issued in 2020, and the A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019. Approval authorities, including Township of North Dumfries Council, in carrying out their responsibilities under the *Planning Act*, are to ensure that their decisions “are consistent with” the PPS.

The PPS builds upon the policy direction expressed in the *Planning Act* (“Matters of Provincial Interest”) related to land use planning, which supports the Provincial goal of enhancing the quality of life for all citizens of Ontario. This new streamlined province-wide land use planning policy framework builds upon housing-supportive policies from both previous documents.

The focus of the PPS is building a strong and competitive economy by increasing the supply and variety of housing options, prioritizing compact and transit-supportive design, optimizing investments in infrastructure and public service facilities, recognizing the unique role of Indigenous communities, and directing growth and development within existing urban and rural settlements to protect natural resources for the long-term, including natural areas, water, aggregates and agricultural lands.

The PPS is to be read in its entirety, and applicable policies are to be applied to specific situations/applications. The following table provides a summary of relevant policies of the PPS and describes how the proposal is consistent with this policy direction.

### i. Settlement Areas

Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas (2.3.1.1). Land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) efficiently use land and resources (2.3.1.2);
- b) optimize existing and planned infrastructure and public service facilities (2.3.1.2);
- c) support active transportation (2.3.1.2);
- d) are transit-supportive, as appropriate (2.3.1.2)
- e) are freight-supportive (2.3.1.2)

The subject property is located within the Built-Up Area, which is the focus of growth and development. The proposal represents an efficient use of land and resources due to the utilization



of a pre-existing commercial tenant unit on-site. In addition, the subject property is located within proximity to residential uses and various points of interest within Ayr, making the proposed development easily accessible.

Planning authorities are encouraged to establish density targets for growth areas, based on local conditions. Large and fast-growing municipalities are encouraged to plan for a target of 50 residents and jobs per hectare in designated growth areas (2.3.1.5)

The subject property is located within the Region of Waterloo's Delineated Built-Up Area, and the Township of North Dumfries' Urban Area, therefore being located in an area designated for growth. The proposal does not require additional land, and does not propose new development but supports additional employment within the area.

## *ii. Employment*

Planning authorities shall promote economic development and competitiveness by (2.8.1.1):

- a) Providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) Provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of 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.

The proposal aims to create a variety of job opportunities for both the site and the surrounding area, fostering economic growth and employment prospects. It aligns well with the existing environment, as there are different tenants existing on-site engaged in industrial activities, which contributes to a mix of employment uses. The applicant is seeking to maintain the existing employment use permissions applicable to the site while allowing for complementary retail uses on site. This will ensure flexibility with respect to future employment uses of the site in the future, while supporting the creation of new employment opportunities in the near term.

## *iii. Sewage, Water and Stormwater*

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

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle (3.6.8. A);
- b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads (3.6.8.B);
- c) minimize erosion and changes in water balance including through the use of green infrastructure (3.6.8.C);
- d) mitigate risks to human health, safety, property and the environment (3.6.8.D);
- e) maximize the extent and function of vegetative and pervious surfaces (3.6.8.E);
- f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development (3.6.8.F); and
- g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale (3.6.8.G)

The site is located on municipal services (water, wastewater, and stormwater systems). No changes to the existing site services are required in order to facilitate the contemplated development, as no additional buildings or structures are proposed.

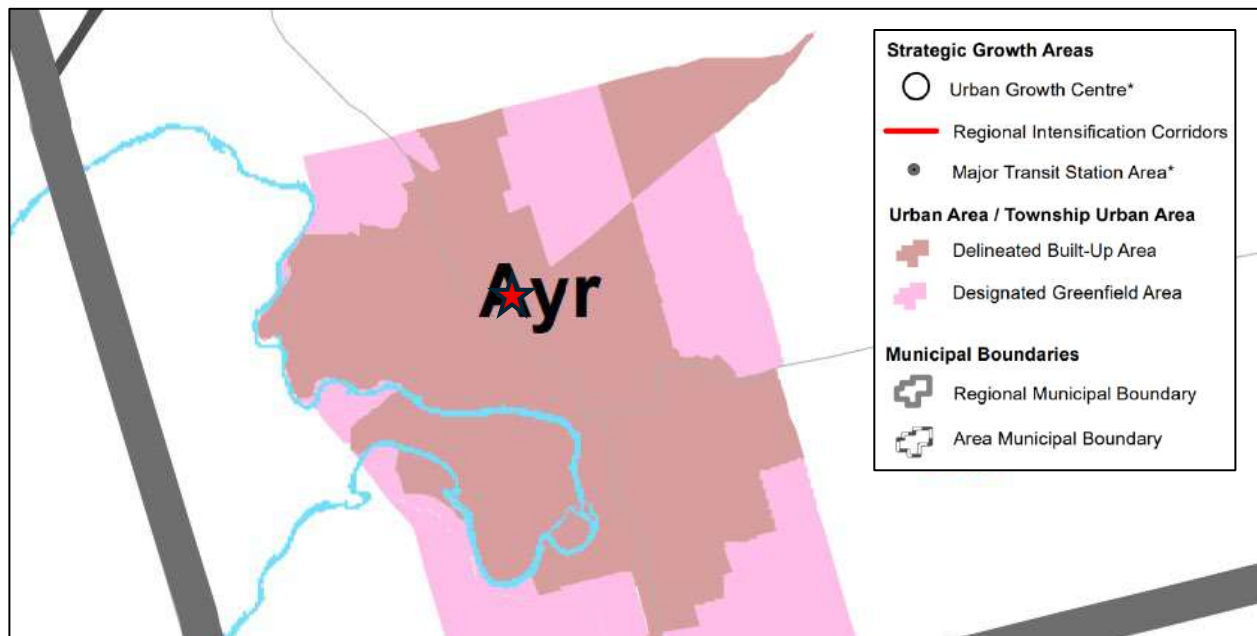
### c) Region of Waterloo Official Plan

The Regional Official Plan (“ROP”) of the Regional Municipality of Waterloo served as a legal framework guiding land use decisions, establishing goals and objectives to manage and direct physical land use change and its effects on the social, economic, and natural environment. It outlined policies to ensure that new developments met the needs of current and future residents, promoting sustainable and livable communities. The ROP was developed in consultation with community groups, area municipalities, First Nations, the general public and other key interest holders.

As of January 1, 2025, the ROP became an Official Plan of each of the area municipalities. This means that until the policies in the ROP are repealed or amended, they will continue to apply and be the responsibility of each Area Municipality to enforce.

#### i. Urban Area and Built-Up Area

The ROP identifies the subject property as within the Ayr Urban Area and Built-Up Area per Map 2 (Urban System), as displayed in Figure 7 below. The Built-Up Area includes all lands within the built boundary of the Region’s Urban Area and Township Areas.



**Figure 7: Region of Waterloo Official Plan – Map 2 (Urban System) with the Subject Property indicated with Red Star**

Section 2.B.1 of the ROP identifies the direction of forecasted employment growth to Township Urban Areas and Employment Areas (2.B.1.1.a) (2.B.1.1.e). By introducing retail uses to the subject property, the proposal contributes to economic diversification while ensuring that employment capacity is maintained. The addition of retail uses will not displace industrial activities but instead broaden the employment base consistent with ROP objectives.

Policy 2.C.2.2. are used in accordance with other planning documents to ensure that development within Urban Areas is planned and developed in a manner that:

Policy Reference	Policy / Objective	Discussion of Conformity
(a)	Implement the Regional urban system.	The proposal supports Ayr's role as a Local Urban Area by introducing retail uses that provide local economic development and serve the surrounding residential area.
(b)(i)	Promote a more compact built form that enables walking, cycling, and rolling.	The proposed retail use supports a walkable environment by enabling local access to goods and services within proximity to existing and future residents.
(b)(ii)	Contribute to 15-minute neighbourhoods.	The existing building provides convenient services within walking or cycling distance. The addition of retail uses to the site will contribute to a variety of accessible uses, leading to a complete community.
(b)(vii)	Meet municipal High Performance Development Standards.	The existing building complies with the Township of North Dumfries' standards,

		and will continue to, as required during detailed design or site plan approval.
(c)	Ensure municipal water and wastewater servicing.	The site is within the Township's Urban Area and is currently serviced by existing municipal water and wastewater infrastructure.
(g)	Avoid land use patterns that pose risks to health/safety/environment.	Retail use is compatible with existing urban uses by adding retail use to an existing building, posing no risk to public health or safety.
(h)	Improve accessibility for all ages and abilities.	Retail uses will be required to meet accessibility standards under the AODA at the building permit stage.
(k)(i)	Expand access to transportation options.	The site is currently accessible to pedestrians and cyclists, and supports multi-modal access in the Ayr community.

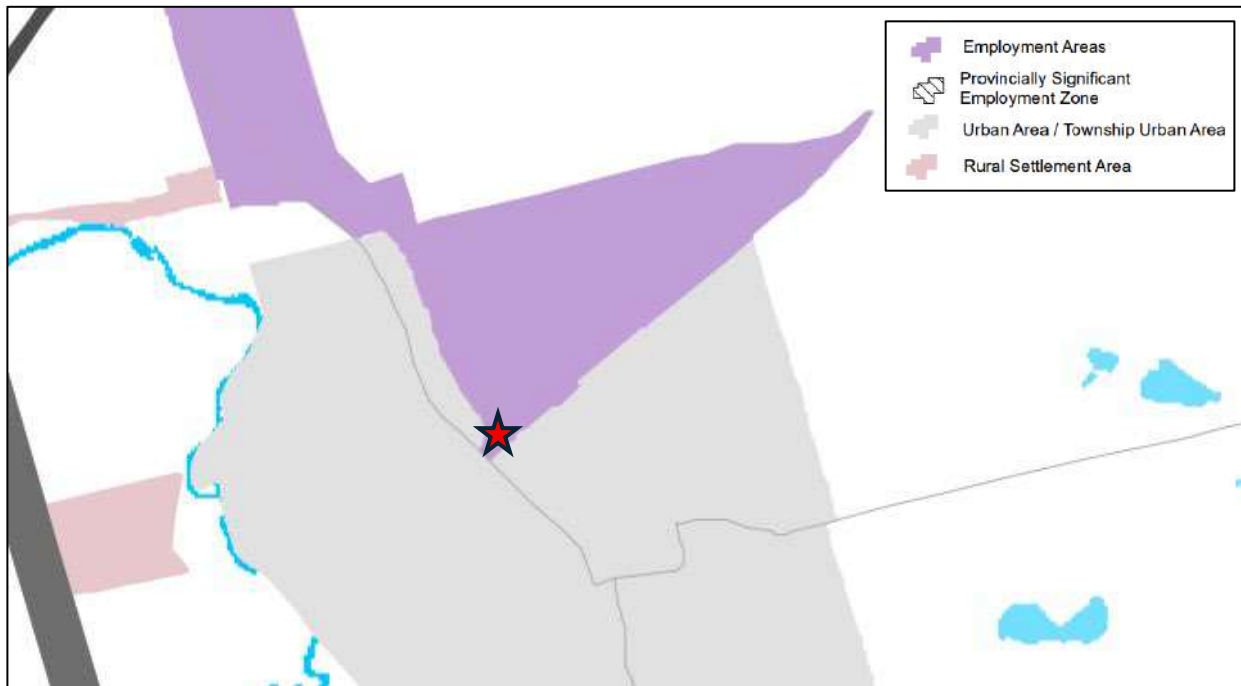
Overall, it is our opinion that the proposal advances the ROP's Urban Area objectives for complete communities by maintaining the existing built form while introducing a broader mix of uses near residential, educational, and community amenities. The addition of new retail services will further enhance accessibility for residents and employees within proximity.

Based on the foregoing, it is our opinion that the proposed development conforms to the policy direction set out in the ROP for its Urban Area and Built-Up Areas.

## *ii. Employment Areas*

The ROP identifies the subject property as within the Employment Areas designation per Map 23 (Employment Areas), as shown in Figure 8 below.





*Figure 8: Region of Waterloo Official Plan – Map 3 (Employment Areas) with the Subject Property indicated with Red Star*

As per Section 2.H of the ROP, the Employment Area objectives seek to accommodate forecasted job growth through a balanced and phased approach to developing employment lands within both the built-up area and designated greenfield areas. They promote a diverse and accessible range of employment opportunities to strengthen economic resilience, support innovation, and maintain the Region's competitiveness in attracting and retaining people, jobs, and investment. The policies encourage intensification and higher employment densities to achieve a more compact, connected, and transit-supportive urban form. In addition, they emphasize the coordinated provision and staging of Regional infrastructure to ensure that employment areas are fully serviced and capable of meeting both current and future employment demands.

It is our opinion that the proposal conforms to these objectives by supporting the continued use and adaptive reuse of an existing employment property within the Built-Up Area of Ayr. By expanding the range of permitted uses to include retail uses, the proposal introduces greater flexibility in the types of employment opportunities that can be accommodated on-site, thereby contributing to a more diverse economy. The proposal enables the subject property to respond to market demand and tenant needs without removing existing industrial and service-oriented functions.

The proposal also advances the Region's goal of promoting intensification within existing employment lands by utilizing existing buildings and infrastructure efficiently rather than requiring new greenfield development. In doing so, it supports a compact urban form, encourages local job creation in proximity to residential uses and community amenities, and aligns with the Region's broader objectives for sustainable growth and infrastructure optimization.

Section 2.H.1.1 of the ROP notes that the Employment Areas designation is intended to identify and protect strategically located areas over the long-term for business and economic activities including, but not limited to, manufacturing, warehouses, offices, research and development and associated retail and ancillary facilities.

The proposed local Official Plan Amendment and Zoning By-law Amendment still maintains the employment function of the subject property by preserving all existing industrial and service-commercial permissions under the current Industrial (Z.9) Zone. The addition of limited retail uses will complement and diversify the range of business activities that can operate within the existing buildings, supporting the continued economic use of the site. This flexibility enhances the long-term viability of the subject property and aligns with the Region's objective to protect and sustain employment-generating uses without removing or converting employment lands.

Section 2.H.1.5 of the ROP states that area municipalities will direct retail and office uses to locations that support walking, cycling, and rolling, and have existing or planned transit.

The subject property is located along Northumberland Street (Regional Road 58), a key arterial corridor that accommodates sidewalks and cycling infrastructure within Ayr. The proposal introduces retail opportunities within an existing, accessible built form that can be reached by active transportation modes from nearby residential neighbourhoods. This supports the ROP's intent to locate employment and commercial uses in well-connected, pedestrian-supportive environments.

Section 2.H.1.8 of the ROP states that area municipal official plans and zoning by-laws will plan for all employment areas designated in this Plan by:

Policy Reference	Policy / Objective	Discussion of Conformity
(a)	prohibiting residential uses and prohibiting or limiting other sensitive land uses that are not ancillary to the primary employment use;	The proposal does not introduce any residential or sensitive land uses. All existing and proposed uses are compatible employment activities that maintain the employment character of the site and surrounding area.
(b)	prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitted and prohibiting any major retail uses that would exceed that threshold;	The proposed retail permissions are limited in scale and intended to accommodate small-format commercial tenants within the existing building. No major retail uses or large-format commercial operations are proposed or would be permitted. This maintains the site's employment focus and ensures the retail component remains secondary in nature, consistent with ROP direction.
(c)	providing an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility;	The subject property is surrounded by a mix of commercial, institutional, and residential uses. The proposal does not involve new construction or site alteration at this time and will operate entirely within the existing built form. As such, no adverse land use compatibility impacts are anticipated. The existing building placement,

		parking layout, and landscaped buffers will continue to provide an appropriate interface between employment and adjacent land uses.
(d)	where an employment area is located within or adjacent to a Major Transit Station Area, planning to accommodate the minimum density targets of this Plan for the Major Transit Station Area while maintaining the long-term viability of any surrounding employment uses within the employment area; and	Not applicable.
(e)	ensuring that development occurring within employment areas will meet or exceed a minimum density target of 35 jobs per hectare to be measured as an average over the entire region-wide employment area designation.	The proposed retail permissions are expected to sustain or potentially increase employment density on the site by attracting additional business within the existing building footprint. This represents a more efficient use of employment lands and supports the achievement of regional job density targets without the need for new land.

Based on the foregoing, it is our opinion that the proposal conforms to the policy direction set out in the ROP for its Employment Areas.

#### d) Township of North Dumfries Official Plan

The Township of North Dumfries Official Plan (“Official Plan”) was adopted by Township Council on June 24, 2013, and was approved with modifications by the Region of Waterloo on June 10, 2015. The following provides a review of the key Official Plan policy considerations for the subject property, as well as justification for the proposed development with respect to these policies.

##### i. Built-Up Area and General Industrial Land Use Designation.

The subject property is located within the Ayr Urban Area Boundary and is designated within the ‘Built-Up Area’ in Map 2 (Planned Town Structure) of the Official Plan. This reflects the existing Built-Up Area designation in the ROP, as previously noted in Section 5.C of this Report. Further, the subject property is designated as ‘General Industrial’ in Map 2.1 (Ayr Urban Area Land Use Designations) in the Official Plan (Figure 9).



**Figure 9: Township of North Dumfries Official Plan – Map 2.1 (Ayr Urban Area Land Use Designations)**

Per Section 2.1.1 of the Official Plan as it relates to the Township's planned structure, development within the Ayr Urban Area will provide for a range of residential, commercial, employment, recreational and institutional uses. Future development within the Ayr Urban Area will be directed predominantly to the Urban Growth Centre and Designated Greenfield Area.

It is our opinion that the proposal conforms to Section 2.1.1 of the Township Official Plan. The subject property is located within the Ayr Urban Area and continues to provide a range of employment and commercial uses, consistent with the Township's vision for a mix of residential, commercial, employment, recreational, and institutional functions. The proposal to permit additional retail uses supports this mixed-use character by introducing commercial activity within the existing built form, without removing or converting lands from their broader regional employment designation. The development efficiently utilizes existing infrastructure and services, aligns with the planned structure of Ayr, and contributes to the vitality and accessibility of the Urban Area.

Section 2.7.2 of the Official Plan provides criteria with respect to the review of development applications in the Ayr Urban Area, which states that in preparing or reviewing planning studies, or in reviewing development applications or site plans, the Township will ensure that development occurring within the Ayr Urban Area is planned and developed to:



Policy Reference	Policy / Objective	Discussion of Conformity
(a)	support the Planned Township Structure described in this Plan;	As noted above, the proposal supports the Planned Township Structure by maintaining and enhancing the existing employment and commercial functions within the Ayr Urban Area. The subject property is located along Northumberland Street, a key corridor within the Urban Area, and the proposal allows for additional retail uses that complement the established employment and service-commercial land uses, consistent with the Township's planned urban structure.
(b)	contribute to the creation of complete communities that take into account the availability and location of existing and planned community infrastructure and human services with efficient and effective development patterns, densities and an appropriate mix of land uses that optimize the use of land, resources and public investment in infrastructure and public service facilities while supporting walkability, cycling and the use of transit;	The proposal contributes to the creation of complete communities by introducing additional retail services within walking distance of surrounding residential areas and other commercial uses. The proposal efficiently utilizes existing infrastructure, supports a mix of land uses within the Urban Area, and enhances accessibility for residents and employees by promoting walkability, cycling, and active transportation.
(c)	protect the natural environment, and surface water and groundwater resources;	Not applicable.
(d)	conserve cultural heritage resources and support the adaptive reuse of historic buildings;	Not applicable.
(e)	respect the scale, physical character and context of established neighbourhoods in areas where reurbanization is planned to occur;	The proposal respects the scale and character of the surrounding area. At this time, the development operates entirely within the existing building footprint, maintains the current built form, and does not introduce any structures or site modifications that would be out of scale or context with the surrounding commercial, institutional, and residential uses.
(f)	facilitate residents' access to locally grown and other	The proposal indirectly supports this objective by permitting retail uses that could include small-scale food or convenience retail services. This

	healthy foods in neighborhoods; and	enhances the availability of goods and services for nearby residents within walking distance, contributing to local accessibility to food and everyday necessities.
(g)	promote building designs and orientations that incorporate energy conservation features and the use of alternative and/or renewable energy systems.	While no new construction is proposed at this time, the use of existing buildings for additional commercial activity represents an efficient use of the built form and resources, supporting the Township's broader sustainability objectives by minimizing energy and material consumption associated with new development.

Section 2.6.5.1 of the Official Plan notes that the 'General Industrial' land use designation provides for a range of light industrial uses and related activities which are compatible with surrounding uses, and do not utilize significant quantities of water or generate significant quantities of wastewater within their processes. Section 2.6.5.2 of the Official Plan further emphasizes the 'General Industrial' designation applies only to lands located within the Ayr Urban Area which have, or will be required to have, access to municipal water and wastewater services

It is our opinion that the proposal conforms to Sections 2.6.5.1 and 2.6.5.2 of the Township Official Plan. The subject property is designated 'General Industrial' and currently accommodates light industrial and service-commercial uses that are compatible with the surrounding urban context. The proposed Official Plan Amendment and Zoning By-law Amendment to permit retail uses will operate entirely within the existing buildings and infrastructure, without introducing processes that require significant water consumption or generate substantial wastewater.

The subject property is also fully serviced by municipal water and wastewater systems, consistent with the designation's requirements for 'General Industrial' lands within the Ayr Urban Area. The proposed additional retail uses do not alter the site's servicing needs or compromise its compatibility with surrounding uses.

Section 2.6.5.3 of the Official Plan specifically states that uses permitted within the 'General Industrial' designation shall not include those uses deemed to be hazardous and/or offensive, but may include:

- a) light manufacturing, assembly and processing industries;
- b) service uses including small equipment and business machine sales and service, printing and/or publishing establishments, rent-all establishments, landscaping and garden centre sales and service, public garages, car washes and sales of automotive parts, sales and servicing of industrial or commercial motor vehicles or motorized equipment,
- c) building contractors yards;
- d) dry cleaning plants;
- e) security and janitorial services;
- f) industrial research and development facilities;
- g) computer based technologies;

- h) training facilities relating to uses such as industrial trades, service industries, computer based technologies; and arts and crafts;
- i) recycling facilities; but not including the recycling of plastics and/or tires;
- j) indoor storage facilities;
- k) courier or delivery services;
- l) restaurants or catering establishments
- m) veterinary offices;
- n) compatible recreational facilities;
- o) retail sales of products manufactured on the same site; and
- p) offices required for the administration of an industrial activity or for the provision of technical and professional services to an industrial activity.

Based on the above listed permitted uses, the proposal to include stand-alone retail uses on the subject property would not conform to Section 2.6.5.3 of the Official Plan. As such, Township Staff confirmed that an Official Plan Amendment is required to permit retail as a standalone use within the existing 'General Industrial' designation. The Official Plan Amendment will add a site-specific policy recognizing that, notwithstanding the general policies of the designation, retail uses are permitted on the subject lands. The policy will be narrowly scoped to apply to the subject property, ensuring the protection of employment land elsewhere in the Township while enabling the adaptive reuse of existing buildings.

## *ii. Land Use Compatibility*

Section 3.1.1.1 of the Official Plan relates to land use compatibility, as the Official Plan directs that the Township will encourage development that is compatible with the location, density and other characteristics of surrounding land uses. Compatibility will address both the impacts of surrounding land uses on the proposed development, as well as impacts of the proposed development on surrounding land uses. Factors that will be used to assess the compatibility of a proposed development include:

Policy Reference	Policy / Objective	Discussion of Conformity
(a)	The density, scale, height, massing, visual impact, building materials and architectural character of surrounding buildings and the proposed development;	The proposal does not contemplate the introduction of new buildings to the site, but rather seeks to increase the range of uses permitted within the existing buildings. The addition of a use to the site will contribute to a variety of uses and increase the rental tenure of the site.
(b)	The preservation of the natural environment and built heritage resources;	Not applicable.
(c)	The continued visibility and viability of adjacent land uses;	The addition of retail uses complements the range of nearby uses and increases site

		activation, without creating adverse impacts on adjacent properties.
(d)	Pedestrian and vehicular movement and linkages, and parking requirements;	The site is located along a major arterial road, with sidewalks and bicycle facilities providing access to the site.
(e)	Landscaping, setbacks, sun and shadow effects, wind effects, signage, lighting and buffering of proposed and existing developments;	No physical changes to the site or building are proposed. Existing landscaping, buffering, and lighting remain appropriate for the existing context.
(f)	Noise, dust, emissions or odours generated by surrounding land uses as well as the proposed development; and,	No new development or heavy industrial uses are proposed. The retail use permissions are not anticipated to generate any noxious noise, dust, air quality or odour impacts on adjacent uses.
(g)	Traffic generated by surrounding land uses and the proposed development.	The proposed retail use, located within the existing buildings, is expected to generate minimal traffic and is compatible with the surrounding road network and existing site access.

Based on the foregoing, it our opinion that the proposal to introduce retail uses to the subject property conforms with the land use compatibility policies of the Official Plan.

### *iii. Economic Development*

Section 4 of the Official Plan relates to economic development and specifies that the Plan is to support the local economy, comprising a range of industries including trucking, manufacturing, aggregate, agriculture, retail and services. The objective of the Township is to facilitate local business retention and growth, promote the township to outside business and industry as a great location/investment opportunity.

Section 4.1.2 of the Official Plan notes that the Township will promote opportunities for economic development and community investment-readiness by (4.1.2):

<b>Policy Reference</b>	<b>Policy / Objective</b>	<b>Discussion of Conformity</b>
(a)	Providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs	The proposal supports an appropriate mix of employment uses by maintaining the existing industrial and service-commercial functions while permitting retail uses. This diversification enhances the long-term utility of the site, ensuring it can accommodate a range of tenants and activities consistent with the Township's economic development objectives.

(b)	Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses that support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses	The proposal contributes to a diversified economic base by expanding the types of businesses that can operate on-site. Allowing retail uses complements the existing employment functions, provides additional options for tenants, and supports a broader spectrum of economic activity within the Ayr Urban Area.
(c)	Planning for, protecting and preserving employment areas for current and future uses ensuring the necessary infrastructure is provided to support current and forecasted employment needs	The proposal preserves and enhances the employment function of the site. No employment lands are being removed or converted; all existing industrial and service-commercial uses remain permitted. The additional retail uses do not compromise the long-term viability of the site as an employment area.
(d)	Designating and preserving lands within the Ayr Urban Area and Rural Employment Areas that are in vicinity of existing highway interchanges or rail facilities as employment areas, where appropriate	The site is within the Ayr Urban Area and benefits from proximity to regional transportation infrastructure. The addition of retail use complements existing employment designations.
(e)	Encouraging business partnership arrangements	Retail uses can create synergies with existing businesses on-site or nearby through shared services or customer draw, fostering local business partnerships.
(f)	Nurturing the growth of small businesses by permitting secondary uses and home occupations in accordance with the policies in this Plan	The proposal allows for commercial retail uses to operate in an existing employment area, offering low-barrier opportunities for local entrepreneurs.
(h)	Collaborating with the Province to identify provincially strategic employment areas to help maintain and enhance the Greater Golden Horseshoe's position in the global economy	The proposal maintains the underlying employment function of the site and is compatible with broader economic goals, without detracting from employment areas designation.
(i)	Support local food and promote the sustainability of agri-food and agri-product businesses by protecting agricultural resources and minimizing land use conflicts	The proposal does not involve conversion of agricultural lands.

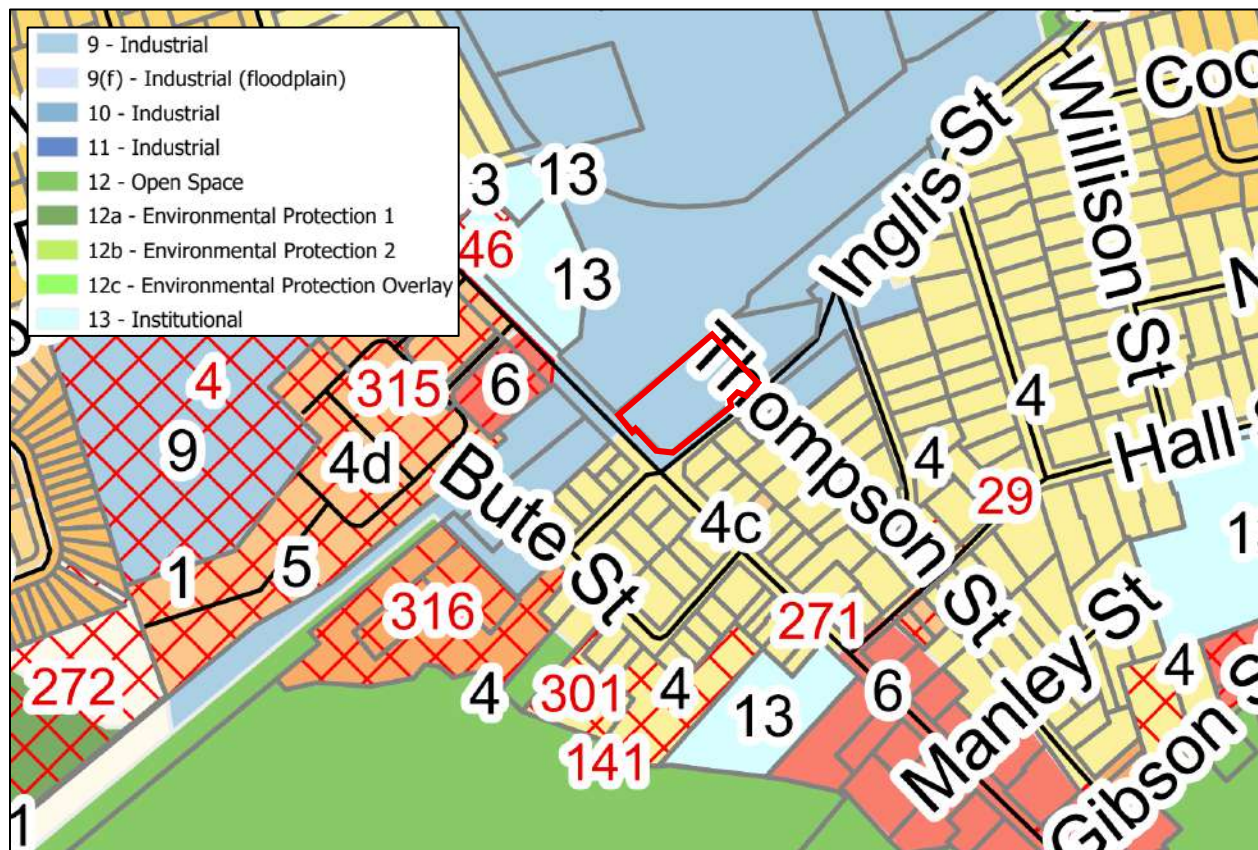


(j)	Promoting energy conservation and providing opportunities for development of renewable energy systems and alternative energy systems, including district energy	The proposal supports sustainable development objectives by utilizing existing buildings and infrastructure efficiently. Operating within the existing built form minimizes energy consumption associated with new construction and supports the Township's broader goals for energy conservation and sustainable urban development.
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Based on the foregoing, it our opinion that the proposal to introduce retail uses to the subject property aligns with economic development policies of the Official Plan.

#### e) Township of North Dumfries Zoning By-law 689-83

The subject property is regulated under the Township of North Dumfries Zoning By-law 689-83. The subject property is currently zoned 'Industrial' (Z.9), as per the Ayr Zoning Map in the Zoning By-law (Figure 10).



**Figure 10: Township of North Dumfries Zoning By-law - Ayr Zoning Map**

As per Section 15.2 of the Zoning By-law, the Z.9 Zone permits a range of industrial and employment-related uses, including manufacturing, warehousing, and limited office and retail

components that support the primary industrial function. Section 15.2.1 of the Zoning By-law specifically notes that in connection with any of the primary permitted uses, a retail or wholesale outlet or showroom may be established as any accessory use so long as such outlet is located within the main building and does not occupy an area exceeding 25% of an area of the ground floor of the main building. Such outlet or showroom shall only display or offer for sale products manufactured, fabricated or processed on the premises. Therefore, retail uses are not listed as a standalone permitted use within the current Z.9 Zone.

The existing Z.9 Zone reflects the subject property's established employment function within Ayr, which historically accommodated a mix of light industrial and service-oriented activities. While this zone has supported the site's current uses, industrial and service-commercial areas in settlement areas are transitioning toward mixed employment environments that integrate light industrial, office, and limited retail functions to serve the surrounding community and support local economic resilience.

In this context, the proposed site-specific Zoning By-law Amendment seeks to modernize the existing permissions by introducing retail uses as a permitted use, rather than accessory to the established primary uses in the Z.9 Zone. The intent of the proposed amendment is to allow for greater flexibility in the uses of the existing building by accommodating small-scale retail tenants, while maintaining the employment permissions currently applicable to the lands.

No new buildings or expansions to current buildings are proposed as part of this application. The retail use would operate within the existing built form, using existing site infrastructure and accesses. Furthermore, the proposal maintains compatibility with the surrounding context. The site is situated within an area characterized by a mix of employment/commercial, residential and institutional uses, and is serviced by appropriate road and municipal infrastructure. Retail activities within the existing building will not result in any physical expansion or intensification of site operations at this time that could create land use conflicts. Details of the proposed Zoning By-law Amendment are provided in Section 4.0 of this Report

## 6. CONCLUSION

This Report provides an assessment of the proposed site-specific Official Plan Amendment and Zoning By-law Amendment applications for the property known municipally as 143 Northumberland Street, which includes a discussion on the existing conditions of the site, its context, as well as details about the proposal.

Based on our assessment of the applications, it is our opinion that the proposed Official Plan Amendment and Zoning By-law Amendment are justified as it has regard to the “Matters of Provincial Interest” set out in the *Planning Act*, and is consistent with the PPS, and conforms to the Region of Waterloo Official Plan.

Moreover, it is our opinion that the development provides for context appropriate intensification, supports the orderly redevelopment of the site, and supports the wise use of existing infrastructure. It is our opinion that this application serves the public interest and represents sound land use planning.

Based on the above and the conclusions of this Report, it is our recommendation that the Township of North Dumfries:

- Deem the Official Plan Amendment and Zoning By-law Amendment applications complete and process the application in accordance with the municipal process;
- Schedule a Neighbourhood Information Meeting to obtain comments from neighbouring residents and interested parties; and
- Circulate the application to internal departments, technical review agencies, and the community in accordance with township procedures and the *Planning Act*.

Respectfully submitted,



**David Galbraith MCIP RPP**  
President, UP Consulting



**Christian Tsimenidis MCIP RPP**  
Senior Planner, UP Consulting

## APPENDIX A – Township Official Plan Amendment

### **AMENDMENT NO.XX TO THE TOWNSHIP OF NORTH DUMFRIES OFFICIAL PLAN**

SECTION 1	TITLE AND COMPONENTS
SECTION 2	PURPOSE OF THE AMENDMENT
SECTION 3	BASIS OF THE AMENDMENT
SECTION 4	THE AMENDMENT

## **AMENDMENT NO.XX TO THE TOWNSHIP OF NORTH DUMFRIES OFFICIAL PLAN**

### **SECTION 1 – TITLE AND COMPONENTS**

This amendment shall be referred to as Amendment No. XX to the Official Plan of the Township of North Dumfries. This amendment is comprised of Sections 1 to 4 inclusive.

### **SECTION 2 – PURPOSE OF THE AMENDMENT**

The purpose of this Amendment is to change the land use designation on the lands municipally addressed as 143 Northumberland Street by amending the existing 'General Industrial' land use designation on Map 2.1 to 'General Industrial with Special Policy Area 2.7.XX'.

### **SECTION 3 – BASIS OF THE AMENDMENT**

The effect of the amendment will be to permit retail uses (stand-alone) on the subject lands, in addition to the existing permitted uses in the 'General Industrial' land use designation.

This Official Plan Amendment is consistent with the applicable matters of provincial interest under the Planning Act and the Provincial Planning Statement. This Official Plan Amendment generally conforms with the intent of the Region of Waterloo Official Plan and Township of North Dumfries Official Plan.

### **SECTION 4 – THE AMENDMENT**

1. The Township of North Dumfries Official Plan is hereby amended as follows:
  - a. Amend Map 2.1 – Ayr Urban Area Land Use Designations by:
    - i. Designating the lands, as shown in Schedule 'A', from 'General Industrial' to 'General Industrial with Special Policy Area 2.7.XX'



## APPENDIX B – Zoning By-law Amendment

### THE CORPORATION OF NORTH DUMFRIES BY-LAW NUMBER XXXX-XX

WHEREAS an application (File XXX) was received from Woodhouse, with respect to lands described as PLAN 556 LOT 1 PT LOTS 2 3 AND 5 TO 7, Township of North Dumfries, Regional Municipality of Waterloo to amend By-law Number 689-83 to change the present Zone 9 Industrial to Zone 9 Industrial with Site-Specific Exemptions.

AND WHEREAS the Planning Act empowers a municipality to pass by-laws prohibiting the use of land and the erection, location and use of buildings or structures, except as set out in the bylaw;

AND WHEREAS the Council of the Corporation of the Township of North Dumfries, under Section 39 of the Planning Act, R.S.O. 1990, c. P. 13, deems it to be desirable to further amend said By-law Number 689-83 for the future development and use of the lands described above;

NOW THEREFORE, the Council of The Corporation of the Township of North Dumfries enacts as follows:

1. THAT Section 20.1 of General Zoning By-law No. 689-83 is hereby further amended with the addition of a new Subsection immediately following 20.1.336 as follows:

“20.1.XXX     143 Northumberland Street

1. Notwithstanding the provisions of Section 15.2 of this by-law the following regulation shall apply:
    - a. Retail Use (not limited to accessory retail to industrial operations)”
2. THAT except as amended by this By-law, the subject lands as shown on Schedule A to this By-law and Section 20.1.XXX to this By-law shall be subject to all other applicable provisions and regulations of General Zoning By-law 689-83, as amended;
3. AND THAT Schedules A attached form part of By-law XXXX-XXX;
4. THAT this by-law shall come into force on the final passing thereof by the Council of the Corporation of the Township of North Dumfries subject to compliance with the provisions of the Planning Act, R.S.O. 1990, c.P.13.

READ a First and Second Time in the Council Chambers of the Township of North Dumfries this XX day of XXX 2025.

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Mayor

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Clerk

READ a third time and Finally Passed in the Council Chambers of the Township of North  
Dumfries this XX day of XXX, 2025.

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Mayor

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Clerk