

Planning Justification Brief

1279 Branchton Road

Mr. Horacio Sousa

Township of North Dumfries

Zoning By-law Amendment

March 2026



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Prepared for:

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1. Introduction

1.1 Overview

GSP Group (“GSP”) has prepared this Planning Justification Report (“PJR”) in support of a Zoning By-law Amendment Application (“Subject Application”) being made by Mr. Horacio Sousa (“Owner”) for the property municipally addressed as 1279 Branchton Road (“Site”) in the Township of North Dumfries. The Site is shown on **Figure 1**.

The Subject Application is related to Consent Application B-04/25 (conditionally approved on December 8th, 2025) to sever the property at 1279 Branchton Road to create one new rural residential lot with approximately 46.1 metres of frontage onto Branchton Road with a corresponding lot area of 0.63 hectares, whereby a Zoning By-law Amendment was listed as a required condition of consent approval. The purpose and effect of the Subject Application is to facilitate a zone change on the severed portion of the Site from Z.1 – “Agricultural” to Z.2a-XX – “Rural Residential, Site-Specific XX” to satisfy the condition of consent and to allow for the ultimate construction of a new dwelling.

1.2 Purpose and Scope

This Report has been prepared in support of the Subject Application and will provide planning justification for the proposed Zoning By-law Amendment to facilitate the rezoning of the severed portion of the Site from “Z.1 – Agricultural” to “Z.2a-XX – Rural Residential, Site-Specific XX.”

The objectives of this Report are as follows:

- To provide an overview of the Site, including site descriptions and surrounding uses;
- To provide a summary of the Subject Application;
- To provide a summary of existing planning policies and regulations that apply to the Site; and,
- To provide planning justification for the Subject Application.

Figure 1 - Site Location



2. Site Overview and Context

2.1 Site Location and Description

The Site is known municipally as 1279 Branchton Road in the Township of North Dumfries and is legally known as Concession 8, Part Lot 3, Township of North Dumfries. In its current configuration, the Site is approximately 13.38 hectares in area, with approximately 217.80 metres of frontage along Branchton Road and a depth of approximately 494.20 metres. The Site currently contains an existing single-detached dwelling, as well as an existing garage to the rear of the single-detached dwelling. According to the topographic survey and mapping provided by the Grand River Conservation Authority (“GRCA”), the Site is sloped from the west and north toward the southeast portion of the Site, with an approximate 10.5-metre grade change. The Site contains a variety of natural features, including a regulated watercourse, a small, regulated waterbody and various wetland features, including their associated regulation limits.

In the Township of North Dumfries Official Plan, the Site is currently designated:

- Rural Areas and Protected Countryside – Map 7 – The Countryside

On March 9, 2026, Township Council reviewed a Rural Interim Practice that removes the requirement for an Official Plan Amendment for rural lot creation that this consistent with the policy direction of the Provincial Planning Statement 2024. In light of this Rural Interim Practice, it is anticipated that a site-specific Official Plan Amendment application will not be required. By the time of the anticipated approvals of the Zoning By-law Amendment application the rural interim practice will be in place and the Township Official Plan will then be consistent with the PPS 2024.

In the Township of North Dumfries Zoning By-law 689-83, the Site is currently zoned:

- Z.1 – “Agricultural”

2.2 2025 Consent and Minor Variance Applications

On December 8th, 2025, Consent Application B-04/25, being a request to sever the property at 1279 Branchton Road to create one new rural residential lot with approximately 46.1 metres of frontage onto Branchton Road and a corresponding lot area of 0.63 hectares, was conditionally approved. Condition m) states, *“that the Owner/Applicant obtain approval of a Zoning By-law Amendment from the Township of North Dumfries to rezone the proposed severed lot from the Z.1 – Agricultural Zone to an appropriate Rural Residential zone category, and that such Zoning By-law Amendment come into full force and effect prior to the issuance of the Certificate of Consent.”*

Similarly, Minor Variance Application A-14/25, being a request to permit a minimum lot area of 12.72 hectares, and to permit a minimum lot frontage of 171 metres, be approved (applicable to the retained lot at 1279 Branchton Road), and that Minor Variance Application A-15/25, being a request to permit a minimum lot area of 0.63 hectares, a minimum lot frontage of 46 metres, and a Minimum Distance Separation (MDS I) setback of approximately 279 metres from the existing livestock operation at 1333-1429, be approved (applicable to the severed lot adjacent to in between 1279 Branchton Road and 1295 Branchton Road).

2.3 Surrounding Uses and Context

The immediate and surrounding land uses are as follows:

- NORTH:** Rural residential and agricultural uses, as well as natural features (wetland).
- EAST:** Agricultural uses and natural features (wetland).
- SOUTH:** Rural residential and agricultural uses, as well as natural features (wetland).
- WEST:** Rural residential and agricultural uses.

3. Proposed Development

Conditional approval of Consent Application B-04/25 was granted on December 8, 2025. Conditional approval was provided to sever the Site to create one new rural residential lot with approximately 46.1 metres of frontage onto Branchton Road, with a corresponding lot area of 0.63 hectares. Similarly, GSP Group has obtained approval of Minor Variance Application A-14/25, permitting a lot area of 12.72 hectares and a minimum lot frontage of 171 metres (applicable to the retained lot), as well as Minor Variance Application A-15/25, permitting a lot area of 0.63 hectares, a minimum lot frontage of 46 metres, and a MDS I setback of approximately 279 metres from the existing livestock operation at 1333-1429 Branchton Road.

The purpose of the Subject Application is to facilitate a zone change on the severed portion of the Site from Z.1 – “Agricultural” to Z.2a – “Rural Residential”, which will permit the eventual construction of a single-detached dwelling (the “Proposed Development”).

Figure 3 below illustrates the Site conditionally approved through Consent Application B-04/25.

4. Planning Policy Overview

4.1 Provincial Planning Statement 2024

The Provincial Planning Statement (“PPS”) provides policy direction on matters of provincial interest and guides growth and development in Ontario. The PPS supports land use that contributes to effective and efficient growth and development, long-term economic prosperity, and the well-being of residents.

The PPS is issued under Section 3 of the Planning Act and came into effect on October 20, 2024. The following provides a summary of the key PPS policy considerations for the Site and provides justification for the Proposed Development as it relates to these policies.

Policy 2.1.6 of the PPS states that planning authorities should support the achievement of complete communities by: accommodating a range and mix of land uses, housing options [...], and other uses to meet long-term needs (a). Policy 2.2.1 states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by: permitting and facilitating (b): all housing options required to meet the social, health, economic and well-being requirements of current and future residents [...] (1); and, all types of residential intensification, [...], development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3 (2).

Response: The Subject Application relates to Consent Application B-04/25, whereby a Zoning By-law Amendment was listed as a condition of approval. The Proposed Development will result in the creation of a rural residential lot which will result in the eventual construction of a single-detached dwelling, contributing to the meeting of the social, health, economic and well-being requirements of current and future residents. The Site is currently vacant and will result in the opportunity to introduce new housing that will result in a net increase in residential units within the surrounding area.

Policy 2.5.1 of the PPS states that healthy, integrated and viable rural areas should be supported by: building upon rural character, and leveraging rural amenities and assets (a); and, using rural infrastructure and public service facilities efficiently (d). Policy 2.6.1 states that on rural lands located in municipalities, permitted uses are: residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services (c). Policy 2.6.2 states that development that can be sustained by rural service levels should be promoted. Policy 2.6.3 states that development shall be

appropriate to the infrastructure which is planned or available and avoid the need for the uneconomical expansion of this infrastructure. 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.

Response: The Proposed Development builds upon rural character and leverages rural amenities and assets and includes the creation of one rural residential lot, which has been designed to be compatible with surrounding development. The proposed severed lot has already been proven suitable for residential development and has the ability to accommodate appropriate sewage and water services. Development will utilize private servicing and will not require the provision of infrastructure or expansion of existing infrastructure. The Proposed Development complies with the minimum distance separation formulae, whereby approved Minor Variance Application A-15/25 establishes a 279-metre setback to the existing livestock operation at 1333-1429 Branchton Road.

4.1.1 Provincial Planning Statement Summary

The Proposed Development is consistent with the Provincial Planning Statement as it results in a compatible form of rural residential development that, upon the eventual construction of a single-detached dwelling, will contribute a compatible form of housing. The Proposed Development has been confirmed to have the ability to accommodate private servicing. The Proposed Development complies with the minimum distance separation formulae.

4.2 Region of Waterloo Official Plan

The Region of Waterloo Regional Official Plan (“ROP”) was approved by the Ministry of Municipal Affairs and Housing, with modifications, on December 22, 2010, and approved with amendments by Oral Decision of the Ontario Municipal Board on June 18, 2015.

Regional Official Plan Amendment No. 6, which establishes the planning framework for accommodating forecasted population and employment growth within the Region to 2051, was approved by the Minister of Municipal Affairs and Housing on April 11, 2023. ROPA 6 established a new policy framework with the implementation of Chapter 2 – Where and How to Grow, as well as new housing policies in Section 3.A, among other policy matters.

As of January 1, 2025, the Province of Ontario has removed the Region of Waterloo’s Planning Authority, and the ROP became an Official Plan for each of the area municipalities,

including the Township of North Dumfries. The following is a review of the Proposed Development with respect to the relevant policies of the ROP.

The Site is designated Rural Area and Protected Countryside on Map 7 – The Countryside, in the ROP (**Figure 3**).

Policy 6.C.1 of the ROP states that new land uses, including the creation of separate lots, expansion of existing lots and the development of new or expanding livestock facilities, will comply with the minimum distance separation formulae.

Policy 6.E.1 of the ROP states that development applications to create a new residential lot within the Rural Areas designation, or which would otherwise result in the creation of a new residential lot, will not be permitted except in the following circumstances: within the Rural Areas designation, to create new infill lots for residential purposes within an existing grouping of rural residential lots that has not been designated in an area municipal official plan as a Rural Settlement Area, subject to Policy 6.E.10.

Policy 6.E.10 states that within the Rural Areas designation, area municipalities may permit the creation of new lots for residential infill purposes within an existing grouping of rural residential lots that has not been designated as a Rural Settlement Area within the area municipal official plan, provided that: the existing grouping of lots accommodating the proposed infilling lot(s) presently consists of a grouping of four or more non-farm lots, with each unit or lot separated from each other by no more than 100 metres on the same side of an open public road (a); the new lot has a maximum area of one hectare, except where natural features or existing lot patterns justify the inclusion of additional lands (c); the new lot can be appropriately serviced by private wells and individual wastewater treatment systems (e).

Response: The proposed severance received conditional approval on December 8th, 2025 (Consent Application B-04/25) and has thus already been tested against Policy 6.E.10 for conformity. In the December 8, 2025, Staff Report the following guidance was provided:

“While the Regional and Township Official Plans have not yet been updated to reflect the 2024 PPS permission for lot creation within Rural Areas, the underlying intent of both policy frameworks is to allow modest rural residential infill within existing groupings of non-farm lots, subject to servicing feasibility, land use compatibility, and protection of agricultural and environmental functions. In Staff’s opinion, the proposal satisfies the direction of these policies. The requirement for a site-specific Official Plan

Amendment reflects a conformity gap between the 2024 PPS and the existing Official Plan policies, rather than a planning concern with the proposal itself.

Provided that Council approves the required Official Plan Amendment to bring the proposal into conformity with the PPS, or alternatively, an interim practice as a "bridge" is adopted by Council, Staff are of the opinion that the proposed severance represents good planning. It is consistent with the PPS, integrates appropriately into the rural residential character of Branchton Road, protects environmental and drainage features, and supports the Township's evolving approach to accommodating rural residential growth in appropriate locations." (Township Staff Report No. PD-75-2025 pg. 18-19).

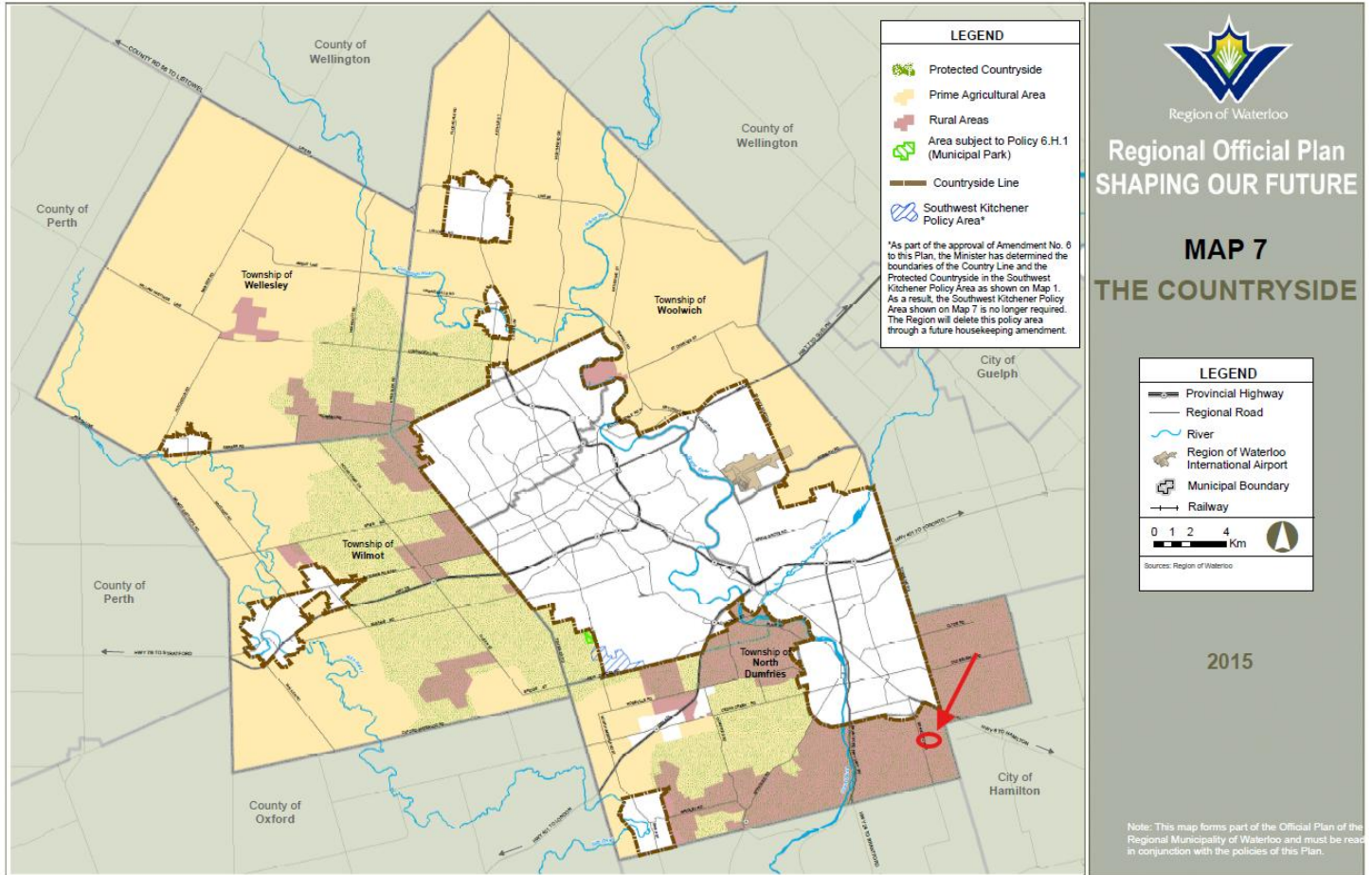
As noted, a Rural Interim Practice is to be reviewed by Township Council to address the above noted consistency issue between the Township Official Plan and the Provincial Planning Statement 2024.

Through the approval of Minor Variance Application A-15/25, the Proposed Development includes a site-specific MDS I setback of 279 metres to existing livestock operation at 1333-1429 Branchton Road.

4.2.1 Regional Official Plan Summary

The Proposed Development conforms to the ROP by contributing a compatible form of rural residential infilling that complies with site-specific MDS I requirements. Through Consent Application B-04/25, policies related to residential infilling compatibility, particularly Policy 6.E.10, have already been tested and confirmed to be compatible.

Figure 3 – Region of Waterloo Official Plan



4.3 Township of North Dumfries Official Plan

On December 16, 2013, the Township of North Dumfries adopted Official Plan Amendment No. 26 to update the Official Plan to bring it into conformity with the ROP, the Growth Plan for the Greater Golden Horseshoe, and to ensure consistency with the Provincial Policy Statement.

The Region of Waterloo approved Official Plan Amendment No. 26, with modifications, on August 21, 2014, under Section 17 and 26 of the Planning Act.

The following is a review of the Proposed Development with respect to the relevant policies of the Township of North Dumfries Official Plan (“Official Plan”).

The Site is designated Rural Area and Protected Countryside on Map 7 – The Countryside, in the Official Plan (**Figure 4**).

Policy 2.10.1 of the Official Plan states that development applications to create a new non-farm related residential lot within the rural areas designation, will not be permitted except in the following circumstances: within the rural areas designation, to create new infill lots for residential purposes within an existing grouping of rural residential lots that has not been designated in this Plan as a Rural Settlement Area, subject to Policy 2.10.3 (b).

Policy 2.10.3 states that within the rural areas designation, the Township may permit the creation of new lots for residential infill within an existing grouping of residential lots that have not already been designated as a Rural Settlement Area in this Plan, provided that: the existing grouping of lots accommodating the proposed infilling lot(s) presently consists of a grouping of four or more non-farm lots, with each unit or lot separated from each other by no more than 100 metres on the same side of an open public road (a); the new lot has a maximum area of one hectare, except where natural features or existing lot patterns justify inclusion of additional lands (c); the new lot can be appropriately serviced by private wells and individual wastewater treatment systems (d).

Response: The proposed severance has already received conditional approval on December 8th, 2025 (Consent Application B-04/25). As noted above within this report, Township Staff noted an existing gap in consistency between the Township Official Plan and the Provincial Planning Statement. To address this consistency gap Township Staff have been working on establishing a Rural Interim Practice with respect to rural lot creation. Further, Consent Application B-04/25 has been conditionally approved based on the direction from Township Staff *“the requirement for a site-specific Official Plan Amendment reflects a conformity gap between the 2024 PPS and the Official*

Plan policies, rather than a planning concern with the proposal itself". As noted, instead of a site-specific Official Plan Amendment the Township is undertaking a Rural Interim Practice Official Plan update to address the consistency on a Township wide basis.

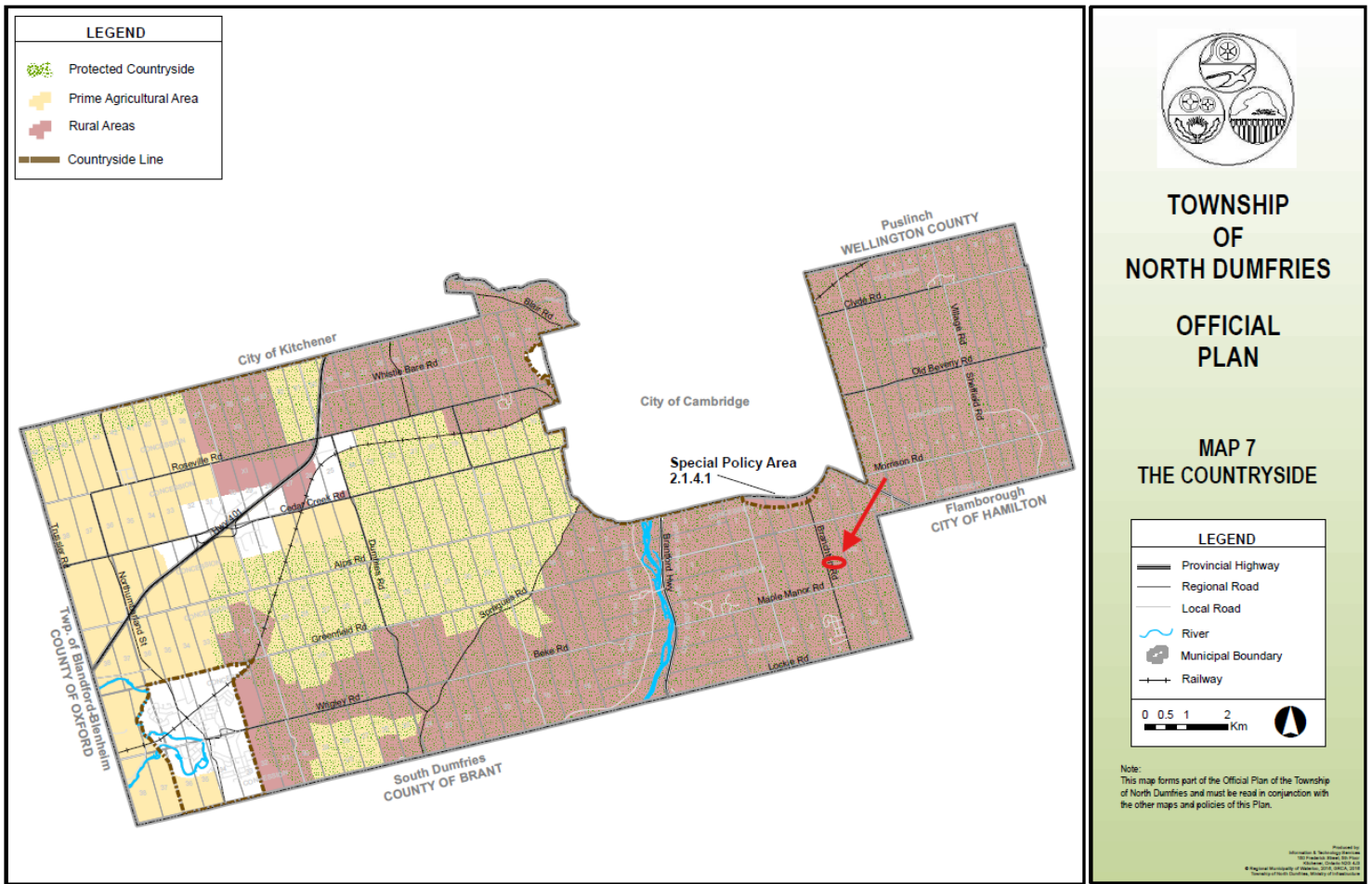
Policy 3.1.3.1 of the Official Plan states that all proposed development, or any new/expanded livestock barns and manure storage facilities will conform with the Minimum Distance Separation (MDS). The MDS will be determined through the Minimum Distance Separation Formulae I and II.

Response: Through the approval of Minor Variance Application A-15/25, the Proposed Development includes a site-specific MDS I setback of 279 metres to existing livestock operation at 1333-1429 Branchton Road.

4.3.1 Official Plan Summary

The Proposed Development conforms to the Official Plan by contributing a compatible form of rural residential infilling that complies with site-specific MDS I requirements. Through Consent Application B-04/25, policies related to residential infilling compatibility, particularly Policies 2.10.1 and 2.10.3, have already been confirmed to be compatible. Further, Township Council support for the Rural Interim Practice for rural lot creation will rectify the consistency gap between the Provincial Planning Statement and Township Official Plan.

Figure 4 – Township of North Dumfries Official Plan



4.4 Township of North Dumfries Zoning By-law

The Site is currently zoned Z.1 – “Agricultural” on “Zoning Map – South” in the Township of North Dumfries Zoning By-law 689-83 (**Figure 5**).

The Subject Application seeks to rezone the Site from Z.1 – “Agricultural” to Z.2a – “Rural Residential.” The following is a summary of applicable zoning regulations from the Z.2a Zone:

Table 1 – Z.2a Zone Requirements (Without Municipal Services)

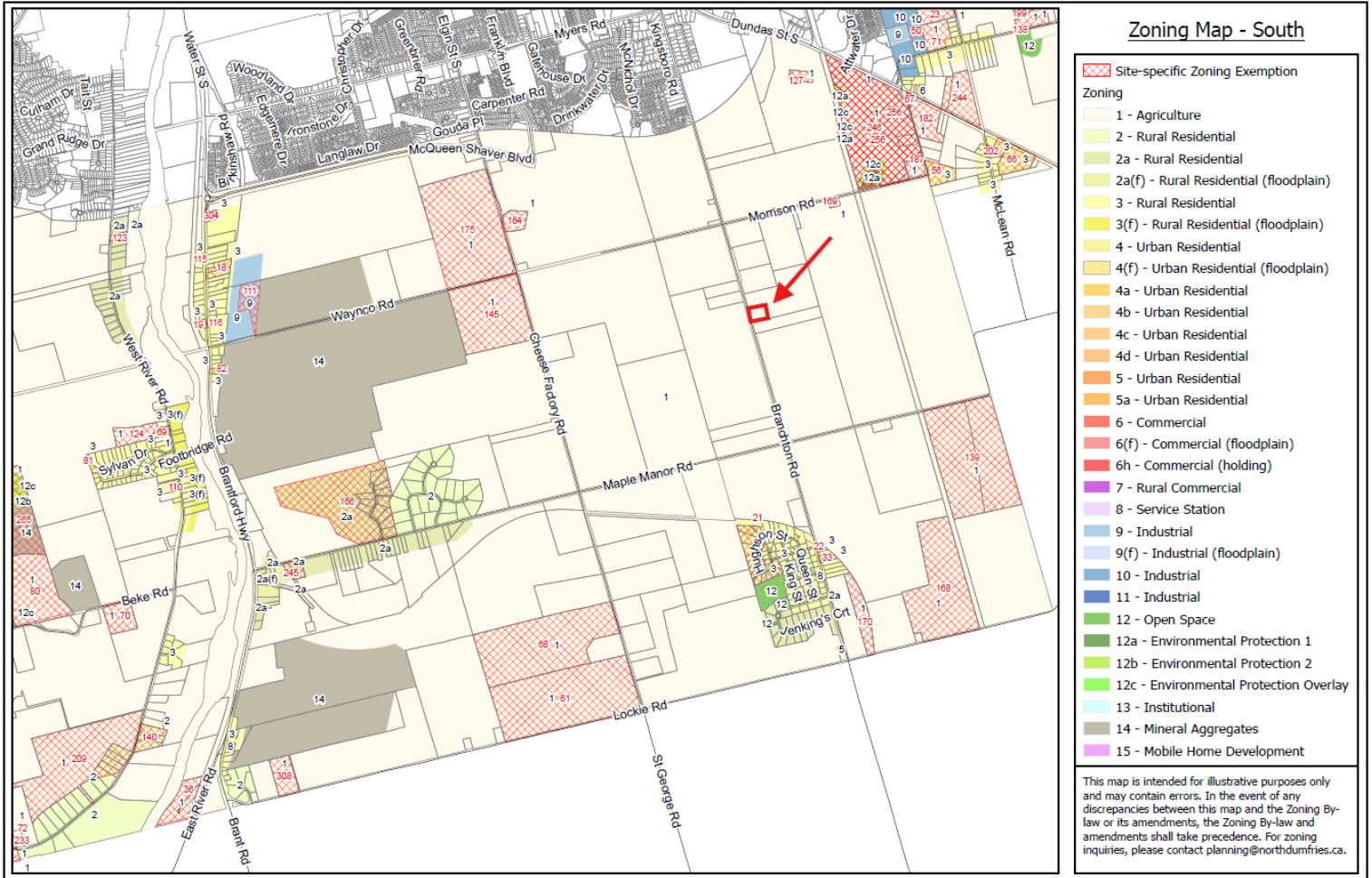
Regulation	Required	Proposed (Z.2a-XX Zone)	Conforms (Y/N)
Min. Lot Area	0.63 hectares (Minor Variance Application A-15/25)	0.63 hectares	Y
Min. Lot Width	46 metres (Minor Variance Application A-15/25)	46 metres	Y

4.4.1 Justification for the Proposed Zone Change from Z.1 – Agricultural to Z.2a – Rural Residential

Conditional approval has already been obtained for Consent Application B-04/25, which was submitted in conjunction with Minor Variance Application A-15/25, which establishes the above site-specific regulations. Condition m) of Consent Application B-04/25 requires that, *“the Owner/Applicant obtain approval of a Zoning By-law Amendment from the Township of North Dumfries to rezone the proposed severed lot from the Z.1 – Agricultural Zone to an appropriate Rural Residential zone category, and that such Zoning By-law Amendment come into full force and effect prior to the issuance of the Certificate of Consent.”*

The Proposed Development represents a compatible form of rural residential infilling which will result in the eventual construction of housing that leverages rural amenities and will contribute toward the creation of a complete community. While plans have not yet been finalized, it is anticipated that future development will be limited to the construction of a single-detached dwelling.

Figure 5 – Township of North Dumfries Zoning By-law



5. Proposed Applications

5.1 Zoning By-law Amendment

The purpose of the Zoning By-law Amendment is to rezone the Site from “Z.1 – Agricultural” to “Z.2a-XX – Rural Residential, Site-Specific XX,” with the following site-specific provisions:

Z.2a-XX

Minimum Lot Area: 0.63 hectares

Minimum Lot Width: 46.0 metres

6. Public Consultation

Upon acceptance and circulation of the application package in support of the Proposed Development, the Township requires the posting of Notice of Application sign(s) to inform surrounding property owners of the Proposed Development. GSP Group Inc. and the Owner commit to posting the required signage promptly with a clear, unobstructed view from the street and agree to maintain the sign throughout the duration of processing of the applications by the Township.

The Subject Application requires a Statutory Public Meeting in accordance with the *Planning Act*, R.S.O. 1990, c. P.13. GSP Group Inc. and the Owner will attend the public meeting as scheduled by the Township and coordinate a formal presentation regarding the Proposed Development and associated applications, as well as answer questions from residents, staff, and Councillors. During the public meeting, contact information for GSP Group will be provided to the public to address any follow-up questions or concerns.

Finally, GSP Group will provide direct written responses to comments raised throughout the public consultation process for their review and consideration prior to the preparation of a final staff report and recommendation on the proposed Zoning By-law Amendment.

7. Conclusion

GSP Group has been retained by Mr. Horacio Sousa to provide planning justification in support of the Proposed Development at 1279 Branchton Road, which includes the rezoning of the Site from Z.1 – Agricultural, to Z.2a-XX – Rural Residential. The Site is currently designated Rural Areas and Protected Countryside in the Township of North Dumfries Official Plan and is currently zoned Z.1 – Agricultural in the Township of North Dumfries Zoning By-law 689-83.

The Subject Application is in response to Consent Application B-04/25, which received conditional approval on December 8th, 2025, whereby condition m) states that, *“the Owner/Applicant obtain approval of a Zoning By-law Amendment from the Township of North Dumfries to rezone the proposed severed lot from the Z.1 – Agricultural Zone to an appropriate Rural Residential zone category, and that such Zoning By-law Amendment come into full force and effect prior to the issuance of the Certificate of Consent.”*

This Planning Justification Report has undertaken a policy review and concludes that the proposed Zoning By-law Amendment Application is appropriate and represents good planning for the following reasons:

- The Proposed Development is consistent with the Provincial Planning Statement as it results in a compatible form of rural residential development that, upon the eventual construction of a single-detached dwelling, will contribute a compatible form of housing, utilizes existing rural infrastructure that has been confirmed to have the ability to accommodate private servicing, and complies with the minimum distance separation formulae;
- The Proposed Development conforms with the Region of Waterloo Regional Official Plan by contributing a compatible form of residential infilling that complies with site-specific MDS I requirements, and conforms to policy 6.E.10, as demonstrated through Consent Application B-04/25 and the Townships pending Rural Interim Practice for residential lot creation;
- The Proposed Development conforms with the Township of North Dumfries Official Plan by contributing a compatible form of residential infilling that complies with site-specific MDS I requirements, and conforms to policies 2.10.1 and 2.10.3, as demonstrated through Consent Application B-04/25 and the pending Rural Interim Practice for residential lot creation;

In summary, the Proposed Development contributes a compatible form of rural residential infilling, which will result in the eventual construction of a single-detached dwelling that will contribute toward the creation of complete communities. The Proposed Development is consistent with the Provincial Planning Statement, conforms to the Region of Waterloo Regional Official Plan and Township of North Dumfries Official Plan, and represents good planning.

Prepared by:

Reviewed by:

GSP Group Inc.

GSP Group Inc.



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Development Planning Manager

Appendix “A” – Draft Zoning By-law Amendment

THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES

BY-LAW NUMBER XXXX-XX

BEING A BY-LAW TO FURTHER AMEND GENERAL ZONING BY-LAW NUMBER 689-83, AS AMENDED, FOR THE TOWNSHIP OF NORTH DUMFRIES

WHEREAS an application (File XXX) was received from Horacio Sousa, with respect to lands described as CON 8 PT LT 3 CL , Township of North Dumfries, Regional Municipality of Waterloo to amend By-law Number 689-83 to change the present Zone 1 Agricultural to Zone 2a Rural Residential 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 by-law;

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 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 By-law No. 689-83, as amended, is hereby further amended insofar as the zoning on these lands, being Concession 8, Part of Lot 3 CL, is changed from Zone 1 Agriculture to Zone 2a Rural Residential as shown on attached Schedule A.
2. THAT Section 20.1 of General Zoning By-law No. 689-83 is hereby further amended with the addition of a new Subsection as follows:

“20.1.XXX 1279 Branchton Road

1. Notwithstanding the provisions of Section 8.3 of this by-law, the following regulations shall apply:
 - a. Minimum Lot Area: 0.63 hectares
 - b. Minimum Lot Width: 46 metres
3. AND 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;
4. AND THAT Schedule A attached form part of By-law XXXX-XXX;

5. AND 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 XXXX 2026.

Mayor

Clerk

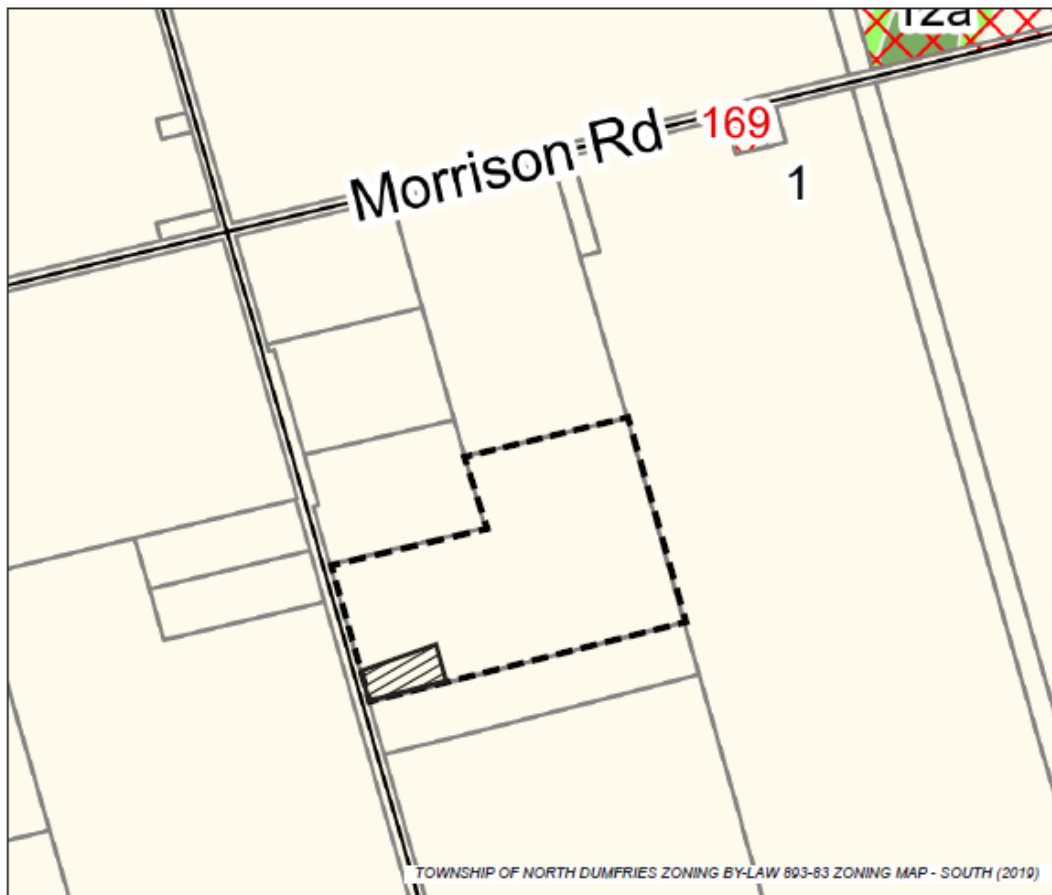
READ a third time and Finally Passed in the Council Chambers of the Township of North Dumfries this XX day of XXXX 2026.


Mayor

Clerk

Appendix “B” – Draft Zoning By-law Schedule

SCHEDULE 'A'
ZONING BY-LAW AMENDMENT
TO THE
TOWNSHIP OF NORTH DUMFRIES
ZONING BY-LAW ___-___



 FROM ZONE 1 AGRICULTURAL TO
ZONE 2a-XX RURAL RESIDENTIAL

