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FOSTER  
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SOLICITORS

HERBERT T. ARNOLD B.A. L.L.B.  
STEVEN C. FOSTER B.A. L.L.B.  
THOMAS M. ARNOLD B.Com. L.L.B.

Appendix A

Suite 201 - 232A Guelph Street  
Georgetown, Ontario  
Canada, L7G 4B1  
Telephone: (905) 873-0204  
Facsimile: (905) 873-4962  
[www.arnold-foster.com](http://www.arnold-foster.com)

Herbert T. Arnold  
[HTAesq@aol.com](mailto:HTAesq@aol.com)  
Ann Clifford, Assistant (ext. 112)  
[aclifford@arnold-foster.com](mailto:aclifford@arnold-foster.com)

March 11, 2020

**Via Email and Regular Mail**

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

Attn: Nathan Hyde  
CAO/Town Manager

Dear Mr. Hyde:

**Re: Gary Langen property  
Request for Lifting of Deferral #2 – Town of Erin Official Plan  
East Part Lot 17, Concession 8, Town of Erin**

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We act for Mr. Gary Langen with respect to the above noted property (the “Langen property”). The Langen property is located on the west side of Eighth Line, just south of Sideroad 17 and is within the urban limits of the village of Erin as shown in the adopted Official Plan for the Town of Erin.

The purpose of this letter is to request the Town to support a request to remove the deferral on the Langen property known as Deferral Area #2 as shown on Schedule A-2 (Erin Urban Area – Town of Erin) of the Town of Erin Official Plan.

I note that the Town of Erin Growth Management Strategy (Final), dated October 2019. Section 12.1 of that report deals with “Recommendations and Next Steps”. Recommendation 9 states:

*Resolve Deferral Area 2. The Town, in consultation with the County, should remove the Deferral (known as Deferral Area 2) in Erin Village. This is required to be addressed in advance of development proceeding in this area.*

## *Background*

Recent inquiries have been made with Ms. Joanna Salsberg at the Town and Mr. Curtis Marshall in the County of Wellington Planning and Development Department regarding the Deferral Area #2.

A deferral was placed on the Langen property in the original 1998 County Official Plan (May 6, 1999 effective date). At the time Mr. Langen requested the deferral due to his desire that his lands be included in the Erin Fringe Area (i.e. the urban area). That earlier deferral allowed further consideration of including Langen property in the urban area.

That deferral in the County plan ceased to have any effect after the Langen property was brought into the Erin Urban Area through County Official Plan Amendment 40 ("OPA 40") adopted December 14, 2004 (effective date January 4, 2005). The purpose of OPA 40 was, in part, to make changes to the Wellington County Official Plan in order to provide for a new local Official Plan for the Town of Erin and to expand the urban boundary of village of Erin.

Prior to OPA 40 coming into effect, the County had before it for approval the new Town of Erin Official Plan which also provided for an urban area designation of the Langen Property consistent with County OPA 40. Because of the pending approval status of OPA 40, the County in its approval of the Town of Erin Official Plan on December 14, 2004, deferred approval of that portion of the Town of Erin Official Plan related to the Langen property (Deferral Area #2). It would have been appropriate to revisit this deferral after OPA 40 was approved (January 2005) but evidently this was not done.

Based on discussions with County planning staff (Mr. Curtis Marshall) and his consultation with the Ministry of Municipal Affairs and Housing, the recommended process for removing Deferral Area #2 would be that the County would issue a "further decision" (approval) in respect of the Town of Erin Official Plan.

To initiate this process, the County has advised that Mr. Langen should submit a request to the Town of Erin to remove Deferral Area #2. That is the purpose of this letter. The Town would consider and pass a resolution requesting that Deferral Area #2 be removed and that the Town of Erin Official Plan be approved, as adopted, in respect of the Deferral Area #2 lands (Langen Property).

The County would receive and consider the Council resolution and make a further decision to approve that portion of the Town of Erin Official Plan (as adopted) to which Deferral Area #2 applies.

## *Request*

Accordingly, please accept this as a request that Council consider and pass a resolution to the following effect:

***"That the County of Wellington be advised that the Town of Erin supports the removal of Deferral Area #2 to the Town of Erin Official Plan and requests the County to further approve the Town of Erin Official Plan, as adopted, in respect of the Deferral Area #2 lands (Langen Property)."***

We appreciate this being handled in an expeditious manner. Should you have any questions in the meantime or require further information, please do not hesitate to contact me.

Yours truly,

ARNOLD, FOSTER LLP



Herbert T. Arnold

HTA/ac

cc Gary Langen  
Joanna Salsberg, Town of Erin  
Curtis Marshall, County of Wellington  
Hugh Handy, GSP Group