



FIGHT FOR FARMLAND

The Wilmot Industrial Mega Site

Poor Planning, No Transparency, and Too
Many Unanswered Questions

FOLLOW THE PROPER PLANNING PROCESS

FORWARD

We live in a very special place here in Waterloo Region. Our urban towns and cities are arguably some of the most innovative, dynamic and prosperous municipalities in Ontario. Surrounding this urban footprint, is one of the most fertile, productive, and prosperous agricultural communities in Ontario. This incredible combination of good soil, gentle climate, and innovative farmers allows us to grow a longer list of fruits, vegetables, grains, and livestock than any other jurisdiction in North America, except for California which must rely on water from somewhere else.

In 2023, Agriculture and Food accounted for 6.4% of Ontario's GDP and contributed \$49 billion dollars to the Provincial economy ¹. Last year, Agriculture and Food contributed \$51 billion dollars to Ontario's GDP.

It employed 11% of our workforce and it generated \$26 billion in exports.

Farmland is indeed a strategic resource that benefits everyone in Ontario yet, at the current rate of loss, one half of our irreplaceable farmland will disappear by 2050.

Farmland is a non-renewable natural resource. When it is paved over it's gone forever. If you look after it and protect it, it becomes a perpetual resource in that it can produce food forever. Only 5% of Ontario's landmass is suitable for agriculture and less than 1% is considered prime agricultural land. We are currently losing 319 acres per day to development or 116,500 acres annually – an unsustainable amount that continues to rise due to current provincial government actions.

A culture of good planning, Countryside Lines, the Protected Countryside designation, Environmentally Sensitive Landscapes, an innovative Official Plan, and densities that surpass provincial targets, all contribute to the Region's remarkable success.

The Region of Waterloo's Official Plan and that of the accompanying lower tier plans are responsible for our unique position as a leader in Ontario. Our Municipal Comprehensive Review, with our Land Needs Assessment and the resulting Official Plan, could again be a visionary template for growth, farmland and greenfield protection, and prosperity across the Province.

In 1973, when Waterloo became a Region, we agreed that we would endeavor to build a world class dynamic, visionary, innovative urban community and surrounding that would be an equally dynamic, visionary and innovative agricultural landscape.

We pioneered the Countryside Line to delineate urban and rural and protect agriculture.

We enacted the Environmentally Sensitive Landscape designation to protect the integrity of ecologically essential watershed and major tributaries of the Grand River.

We recognized the importance of clean water, long before the Walkerton crisis sicked more than 2,000 residents and killed seven ². We enacted policies to protect source water areas as 80% of the Region's water supply comes from ground water.

We applied the Protected Countryside designation to protect our moraines and their underlying ground water aquifers.

We built an effective and efficient public transit system including light rail transit and rapid transit, not found in any comparably sized region in North America, to encourage urban intensification to protect rural farmland.

We invented the Blue Box recycling system.

We were amongst the first to recognize the importance of wetlands with Environmentally Sensitive Policy Area (ESPA) designations ³.

We passed a unique, visionary Official Plans that included specific measures to increase urban densities to intensify and protect farmland.

And it has all worked extremely well over the past 50 years and helped propel Waterloo Region to be among the fastest growing, most successful areas in North America attracting new residents and leading businesses from around the world.

Farmers across Waterloo Region have never said no to the need for housing or employment lands because we all need a place to live and work. Instead, we've always participated in the transparent Official Plan process that respects our farmland, ensures our ability to grow food, protects our water, and provides needed space for future growth while ensuring the ability of everyone to express their opinions, collaborate, and have an important role in the final decision.

We ask that this Wilmot prime farmland procurement be stopped and restarted with guarantees to respect our permanent Countryside Line.

We ask that that a proper planning process, which includes public consultation, be implemented to develop criteria for the development of any industrial mega site. This needs to respects the processes already used for years for the land needs analysis and determining the location of new employment lands.

Today, as we contemplate the future of Waterloo Region, we are essentially at a fork in the road. Do we give in to those who think that the solution to growth is urban sprawl, or do we continue our visionary planning process that protects rural lands for agriculture, local food production, groundwater recharge and habitat for biodiversity, respects people's different and changing housing needs, ensures affordability, and is truly sustainable?

The Region of Waterloo Official Plan and the Township of Wilmot Official Plan incorporates the following principles,

- 1) Intensification rates to meet and surpass Provincial objectives.
- 2) Minimal farmland loss.
- 3) A clear focus on sustainable growth including the possibility of inclusionary zoning, the promotion of accessory units and medium densities (the missing middle).
- 4) Effective measures to encourage the incorporation of gentle intensification in our township communities.
- 5) A renewed focus on building affordable, complete walkable communities that include all needed amenities, including public transportation.
- 6) Increased intensification rates in our employment lands.

Our Official Plans recognize and accommodate the need to provide a choice in housing type in the context of livable complete communities. They fully conform with the provincial government's requirements for the necessary land to facilitate growth while at the same time, they protect farmland, our environment, and essential resources such as water while provides a practical, attainable, flexible, and affordable alternative to urban sprawl.

The Wilmot Land Assembly completely ignores and bypasses the Region's Planning Process, our Official Plans, and proper consultation including public meetings, environmental assessments, studies, rationale/justification, and First Nations consultation. If this land assembly goes through, it will destabilize the agricultural industry in Waterloo.

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NOTE: As of January 1st 2025, Bill 23 removed planning authourity from the Region of Waterloo. All municipal Official Plans in the Region must now be rewritten to replace the Region of Waterloo Official Plan.

As of January 1st, 2025 the Province of Ontario has removed Planning Authority from the Region of Waterloo and delegated the Regional Official Plan to the seven area lower-tier municipalities. The Regional of Waterloo Official Plan is now to be interpreted by the municipalities and not by the Region.

It is unclear if the Region of Waterloo has any authority to assemble land for an industrial mega site in the Township of Wilmot since the existing Wilmot Official Plan makes no reference to a mega site.

An updated Township of Wilmot Official Plan is projected to take at least a year to complete.

Until we know how the Official Plans are resolved, this document treats both the Region's Official Plan and the Wilmot Official Plan as interchangeable.

The proposed mega site must be stopped until the residents of the Township of Wilmot decide if the new Wilmot Official Plan will maintain the Countryside Line and protect farmland from development.

1 - EXECUTIVE SUMMARY

This report examines the lack of proper planning processes and the consequences of developing a proposed industrial mega site in Wilmot Township. The findings indicate significant shortcomings in transparency, adherence to planning laws, environmental considerations, infrastructure capacity, and economic justifications.

The site selection process appears to have been conducted with little regard for established municipal and provincial planning policies. Key concerns include:

- **Lack of Transparency and Due Process**
 - Public documentation is almost non-existent
 - There have been no public meetings
 - Municipal planning staff seem not to have been meaningfully involved
 - Wilmot residents have had little opportunity to provide feedback on the project despite potentially massive financial and local impacts.
- **Failure to Follow Planning Laws**
 - The proposal contradicts the Regional Official Plan by developing beyond the Countryside Line.
 - It does not comply with Provincial agricultural land use guidelines.
 - Required assessments, including Agricultural Impact Assessments and Environmental Assessments, along with numerous other required studies for Official Plan Amendments are absent.
 - The entire land assembly is in violation of Section 24 (1) of the Planning Act and the Minister must enforce the provincial laws.
- **Environmental and Infrastructure Risks**
 - The potential impact on groundwater recharge zones, wellhead protection areas, floodplains, and wetlands has not been addressed.
 - The availability of water and sewage capacity remains uncertain.
 - The effects of increased traffic and rail activity have not been evaluated.
- **Weak Economic Justifications**
 - There has been no financial rationale presented and no supporting data, with no clear cost breakdown for the Township, Region, or Province.
 - Claims of previous regional job losses appear exaggerated and are not explained in any way.

- There is no evidence that any perceived job losses can be attributed to the lack of a industrial mega site.
- **Lack of Consultation and Alternatives Analysis**
 - No public engagement has occurred with Wilmot residents, First Nations, nor the Grand River Conservation Authority.
 - There is no evidence that alternative locations have been considered.
- **No Answers**
 - NDA's have prevented elected officials from meeting with and providing information to constituents.
- **Inconsistencies with Provincial Standards**
 - This site meets only 7 of 44 criteria for the Ontario Job Site Challenge, failing 33, with 3 criteria unknown and 1 not applicable.

These findings raise fundamental concerns about the validity of the site selection process and its long-term implications for Wilmot's rural lands and residents' quality of life. Despite reassurances from Wilmot Councillors that the industrial mega site will not impact the township's finances, so many unanswered questions make this claim impossible to verify and it is unclear what data Councillors are using to provide these assurances.

Given these significant gaps and inconsistencies, the **land assembly process must be halted**, and the Region of Waterloo should restart the planning process in accordance with established planning best practices and regulations, ensuring full transparency, public consultation, and proper assessments consistent with Official Plans and provincial planning law.

1.1 - WHO WE ARE

It is easier to say who we are not.

We are not planners, engineers, hydrologists, soil scientists, or economists. We should not be writing documents such as this one, as they should be done by professionals.

The Region of Waterloo and the Township of Wilmot have decided to ignore the normal planning process and acquire land for speculation without any public meetings or proper processes. Furthermore, any studies that may have been done have been kept secret, all meetings have happened behind closed doors, and almost all attempts to learn more have failed.

The secrecy has forced us to try and shed some light on what appears to be a very poorly thought-out scheme to grab land from local farmers and landowners at \$30,000 to \$75,000 per acre and then re-zone it and sell it as industrial lands worth more than a \$1 million per acre.

Who benefits from the land assembly? Certainly not the farmers, the neighbours, or the community.

We have done our best to assemble as much information as possible, however, nothing in this document should be treated as fact as we have been unable to obtain answers from the Region or the Township.

It is your responsibility to confirm everything before using it.

References are provided at the end of the document.

2 - IGNORING THE PLANNING PROCESS

The Region of Waterloo is attempting to assemble an industrial mega site in Wilmot Township by destroying 770 acres of farmland.

On August 15, 2024, Doug Ford said “There has to be a willing host. If they aren’t willing, then just move on” ⁴.

Landowners and residents of the Township of Wilmot have stated they are unwilling hosts, yet the Region of Waterloo persists in trying to force the landowners to sell their land, with the threat of expropriation if necessary.

The Waterloo Region Economic Development Corporation and the Region of Waterloo Innovation and Economic Development department have chosen to ignore the rules. As far as we know, no planning application has been submitted to change the Official Plan or to rezone the property. Any private developer would have to go through a vigorous application process together with numerous studies and reports. Why are the rules different for the Region of Waterloo.

Few Wilmot residents are against expanding industrial land to increase the tax base with the intention of shifting more of the tax burden to industry. However, many Wilmot residents are against assembling land in secret and completely bypassing the planning processes that have made the Region of Waterloo so successful.

Most industrial projects of this size place a substantial burden on local tax payers for infrastructure improvements such as sewers, water, and roads. Residents need to know the financial burden this 770 acres industrial mega site proposal will place on Township and Regional taxes.

The argument has been made that development charges from new developments will help alleviate some of the financial crisis that the Township of Wilmot is facing. However, according to the Association of Municipalities of Ontario:



“Development charges only cover about 80% of the costs of growth-related capital” and “property taxes are currently subsidizing the cost of growth and municipalities are currently falling short of achieving the principle, ‘growth should pay for growth.’” ⁵

3 - BACKGROUND

The landowners were approached in early January 2024 by Vive Developments with an offer to purchase their land at \$58,000 an acre. The land owners unanimously rejected the offer. Because of the Countryside Line protection of this land from development, land speculation has been unheard of here and the offer from Vive was notably unusual. This land was later revealed to be part of the Region of Waterloo's secret plan to assemble land for a mega site.

It remains unknown how some developers knew with such certainty which specific farm parcels to attempt to purchase for tens of millions of dollars in an area in which any sort of development was pretty much impossible at the time.

In March 2024, the Region of Waterloo hired Canacre, an American company who specializes in land assembly, to acquire the land for an industrial mega site in Wilmot Township despite Official Plans clearly indicating that rural townships were to remain rural for the foreseeable planning horizon of several decades.

Canacre, on behalf of the Region, offered to purchase the land at \$35,000 an acre. In some cases, Canacre told the landowners they had 10 days to accept the offer or they would face expropriation proceedings. Farmers were also told "not to even bother planting crops" as the land assembly would be finalized by August 2024. The land owners all rejected this offer.

Three of the smaller residential property owners (total 12.44 acres) eventually sold for an undisclosed amount. One 160 acre farm was sold several months later for purported \$75,000 per acre.

The remaining 8 property owners holding about 80% of the targeted lands have refused to sell.

Update: In May, 2025, the media reported that the Region had purchased two more farms ⁶ but this is not true. The Region has only secured the right to access the farms to do studies.

3.1 – EXPROPRIATION

Expropriation is the forced sale of private property, by a government, for public interest use. Typically, this is used for hospitals, schools, road widening, sewage plants, airports, etc. Expropriation would first go through the Environmental Assessment process which includes extensive studies and public consultations.

Expropriation is not used to acquire land for private companies or private profit.

The Province of Ontario, the Region of Waterloo and the Township of Wilmot have all stated that no company or purchaser for the land assembly has been identified.

The threatened expropriation of the 770 acres is land speculation. The spending of millions of dollars, without public consultation, on the chance that someone will buy the land is hardly for the public use, but it is certain to benefit a private company or developer.

'There's no companies that are waiting to get the land' Doug Ford, April 12, 2024 ⁷

"It is disappointing to see recent events unfold in Wilmot and the Region of Waterloo, particularly the threat of expropriation at the onset of this process," Vic Fedeli, Minister of Economic Development, Job Creation and Trade ⁸

"... the option of expropriation was a requirement put in place, by the province." Karen Redman ⁹

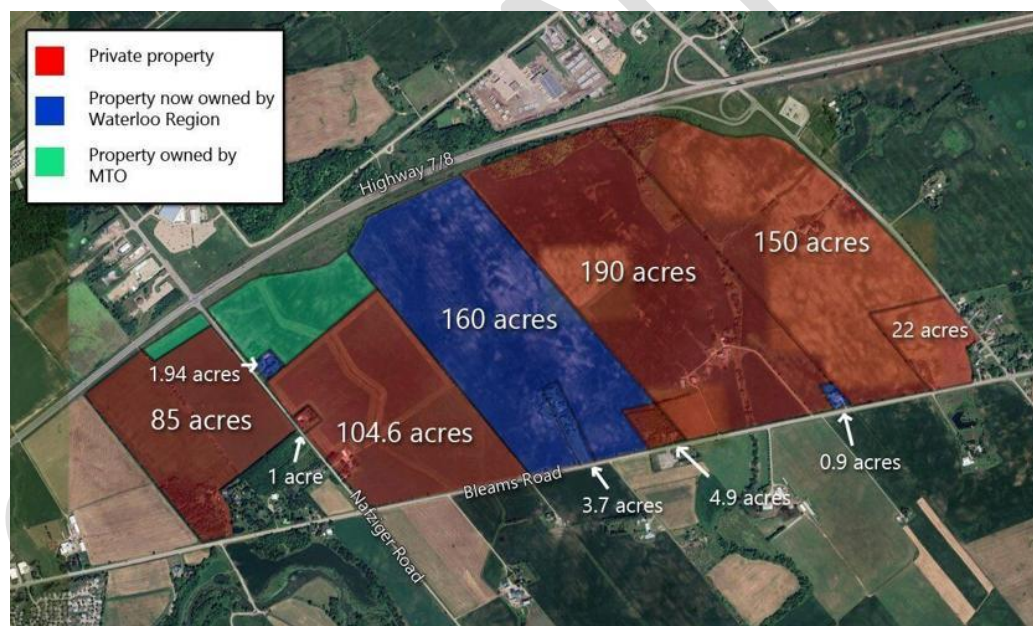


Figure 1: Wilmot Land Acquisition

3.2 - SECRECY

The FightForFarmland group has filed 21 Freedom of Information Requests with the Region. The Region of Waterloo denied access to 19 of our requests. Three requests were returned as non responsive which means that there were no records of any meetings, emails, documents or transcripts that mention:

- Vive Developments and how they became aware of the land assembly
- the impact of the mega site on the Region's commitment to reduce greenhouse gases emissions by 50% below 2010 levels by 2030.
- discussions regarding the Region's Official Plan and the protection of farmland.

The Region did refer us to the "2024 Water and Wastewater Monitoring Report"¹⁰ which we assume was meant to show that a water and wastewater study had been done. However, the report shows the current sewage flow rates in Wilmot Township are almost at capacity even without including the impact of the mega site.

We filed 22 Freedom of Information Requests with the Township of Wilmot. They were the same requests as the Region but also included a request for the Dillon Report.

"Please provide a copy of the Dillon Consulting Report: PDL-ECD-23-011 and minutes of meetings, emails, documents, and transcripts where PDL-ECD-23-011 was mentioned."

The Region of Waterloo paid Dillon Consulting and Newmark \$485,200 to produce a Waterloo Region Employment Lands Shovel-Ready Strategy PDL-ECD-23-011.

The Township of Wilmot denied access to all our information requests.

The Waterloo Region Economic Development Corporation (EDC) is a corporation owned by the Region of Waterloo. One of its services is industrial site selection¹¹. It would be very unusual for the Region of Waterloo and the Township of Wilmot to not have shared information with Waterloo Region EDC.

We have filed an appeal with the Information and Privacy Commissioner and asked that Waterloo Region EDC be included in our search for information.

The Ontario Ombudsman is reviewing the closed meetings at the Region.



Figure 2: I don't know why all the secrecy was going on: Premier Doug Ford:

“I don’t know why all the secrecy going on — I couldn’t figure that one out.” Premier Doug Ford, Oct 2, 2024 ¹²

Catherine Fife, the MPP for Waterloo along with MPP Marit Stiles, Leader of the Official Opposition of Ontario, requested the Auditor General of Ontario to conduct a Value-for-Money Audit.

"The provincial government has mandated that this plan proceed largely in secret, requiring local officials to sign non-disclosure agreements that prevent them from explaining to the public the basis of decisions concerning this land assembly, including why the government would seek to place a new industrial campus in the middle of prime farmland. ¹³.

Since the first offers and threats were made to impacted landowners, elected officials and staff have declared they can not provide any answers, meet with members of the public, or provide any information on this proposed industrial mega site due to a Non-Disclosure Agreement.

Why does the Region of Waterloo and the Province of Ontario continue to hide behind a Non-Disclosure Agreement (NDA)?

4 - WILMOT LAND ASSEMBLY

The Region of Waterloo and the Township of Wilmot have ignored and overridden the Region of Waterloo Official Plan, the Provincial Planning Act, the Wilmot Official Plan, and the need for an Agricultural Impact Assessment. They have denied access to our Freedom of Information Requests, refused to meet, refused to provide any documentation, studies, research or costing, and have refused to hold any public meetings to discuss the land assembly.

We are left guessing what is going to happen to irreplaceable farmland, to our communities, and to our entire Region when so many decisions are made in secret.

What follows is our attempt to shed some light on the land assembly in Wilmot with the little information we have been able to learn.

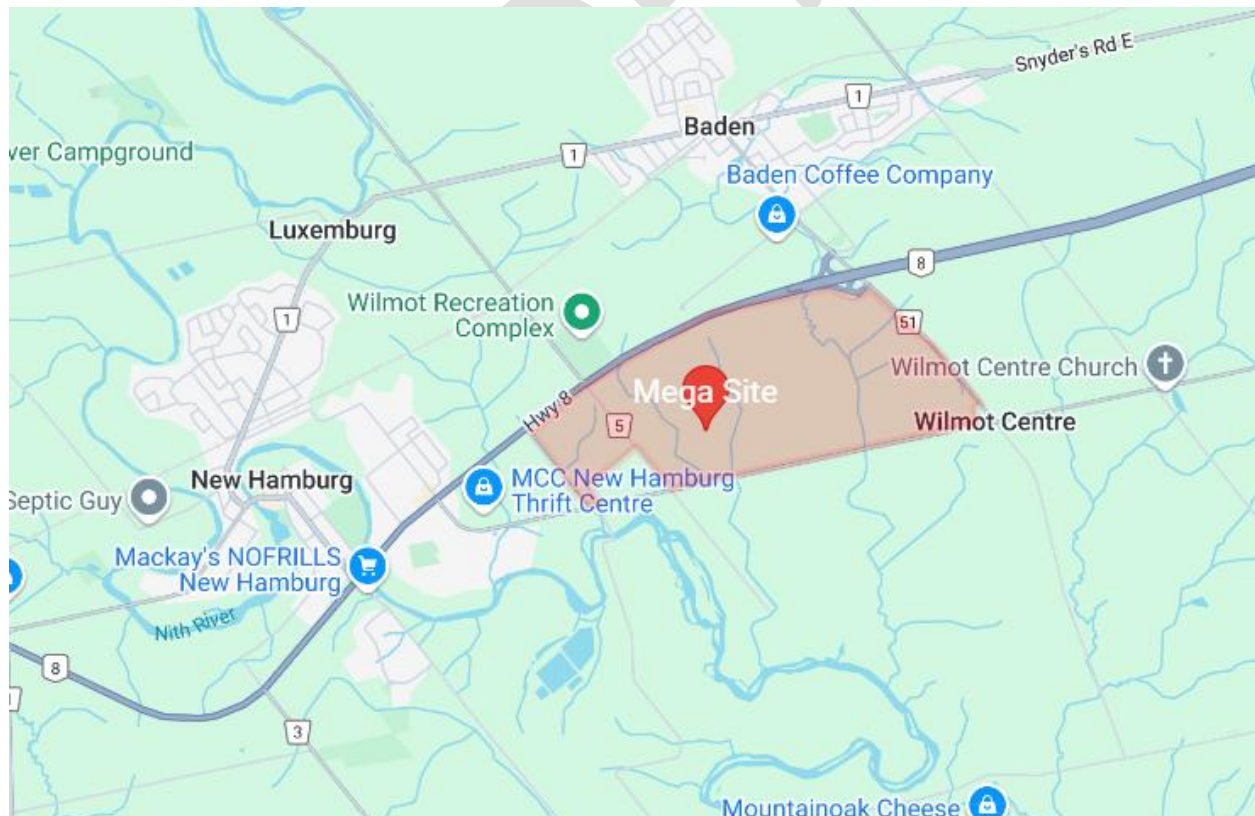


Figure 3: Proposed Mega Site (shown in brown shading)



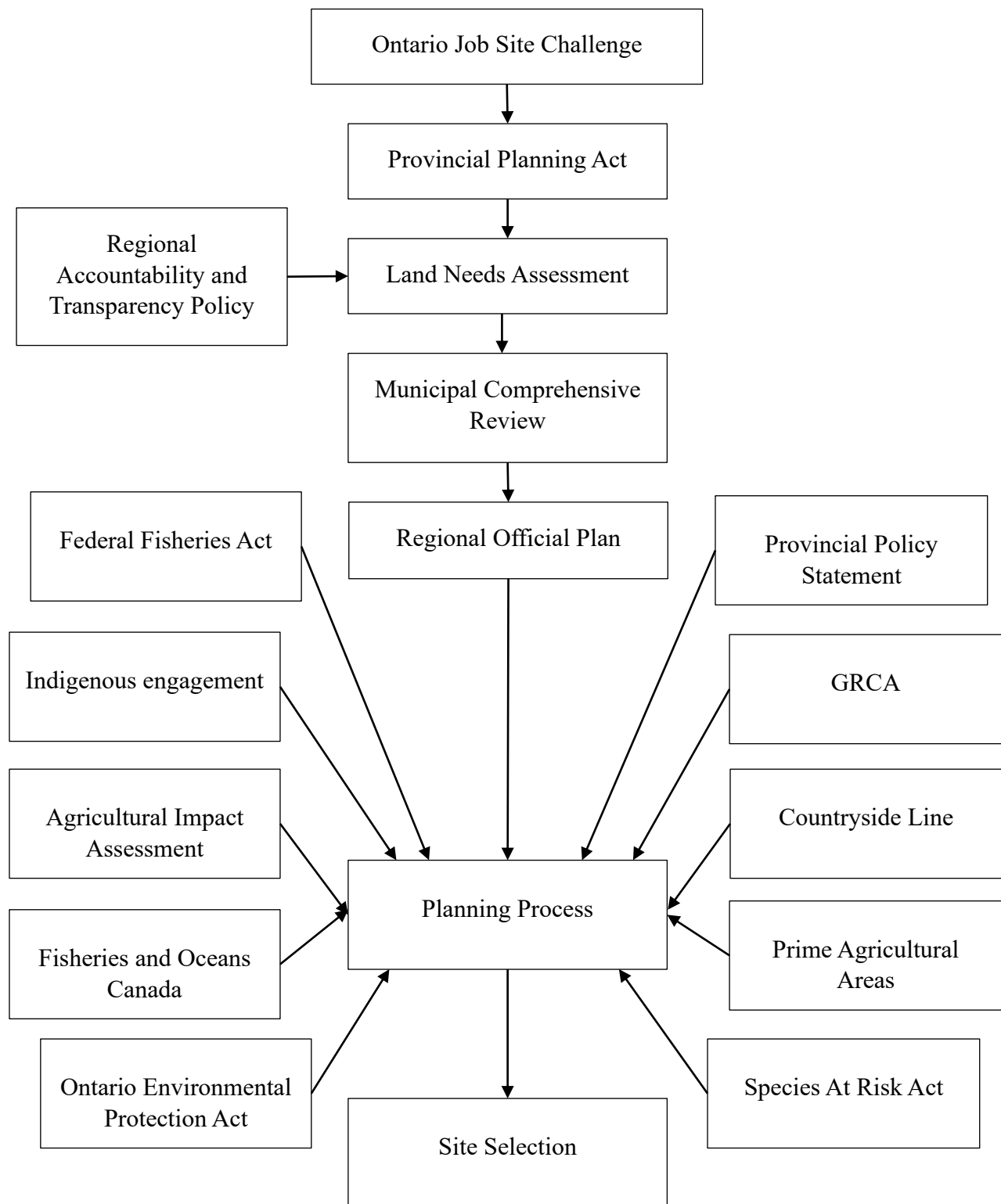
Figure 4: Proposed Mega Site (overlaid on satellite imagery)

Of the Freedom of Information Requests FightForFarmland filed with the Region of Waterloo and the Township of Wilmot, the following pertained to the site selection. We asked for minutes of meetings, emails, documents, and transcripts that mentioned:

- *were the Region of Waterloo Planning Department, or the Township of Wilmot Planning Department consulted regarding this land acquisition.*
- *the types of industries being considered for this site.*
- *the alternative sites evaluated before this site was selected.*
- *the selection criteria used in the evaluation.*
- *the daily water consumption for the type of industries considered for this site.*
- *the list of the ground water studies used to support that the ground water is sufficient.*
- *the daily sewage flow rates for the type of industries being considered.*
- *the requirements for rail access.*

- *the studies that show how the rail line is to be connected to CN North.*
- *how the site's rail line will cross Highway 7/8.*
- *a list of the studies used to show the potential rail line and Highway 7/8 crossing points.*
- *the lands that will be required between Highway 7/8 and CN North to connect the site's rail line to both west bound and east bound CN North.*
- *a list of the traffic studies done for this site.*
- *the building or upgrading interchanges on Highway 7/8 to handle the predicted traffic to and from the site.*
- *the cost of upgrading Bleams Rd, Nafziger Rd and Foundry St to handle the traffic at shift change.*
- *the cost of upgrading the New Hamburg Wastewater sewage plant, or if the treatment plant can not be upgraded, provide the studies and cost estimates to connect the site to the Kitchener sewage system.*
- *the impact of this site on the Region of Waterloo's commitment to reduce greenhouse emissions by 50% by 2030.*
- *the Region of Waterloo Official Plan commitment to protect farmland.*

5 - THE RULES AND REGULATIONS



5.1 - REGION OF WATERLOO – ACCOUNTABILITY AND TRANSPARENCY POLICY

Although the Accountability and Transparency Policy ¹⁴ has not been updated since 2007, it is the latest revision of the policy on the Region of Waterloo website.

The policy states:

The Regional Municipality of Waterloo is an accountable and transparent organization and is committed to:

- Openness and fairness when transacting Regional business,
- Efficient and effective financial management,
- An open, responsive meeting process that ensures citizen have access to and awareness of the Council/Committee business being discussed,
- Providing access to public information consistent with legislative requirements,
- Ensuring staff conduct themselves in accordance with policies, procedures and practices,
- Responding in a timely manner to inquiries, concerns and complaints,

Ensuring delegated responsibilities are documented and include appropriate oversight,

Knowing, understanding and following any legislative mandate approved by the Provincial or the Federal government.

There is nothing in this land acquisition that is open or fair. There have been no public meetings, little information, and no response to our questions.

5.2 - REGION OF WATERLOO OFFICIAL PLAN

NOTE: The Region of Waterloo lost its planning authority as of January 1st, 2025. There is currently little clarity on how planning for on such a massive scale to build one of the largest industrial developments in the North America will be implemented by the Township of Wilmot.

The Province has not provided any additional resources to support the new planning responsibilities and the Township has made it clear that current staff are already overwhelmed. It is also confounding that no resources were allocated nor any budgeting included in the 2025 Wilmot Township budget for this mega site or any of the accompanying significant infrastructure upgrades that will be required.

“To the extent the Regions were responsible for land division matters prior to the removal of their planning responsibilities, subsections 70.13 (8) and (9) of the Planning Act (also added by Bill 23) assign ongoing matters to the relevant lower-tier municipality as well.” ¹⁵

The Township of Wilmot will assume the planning authority. What are the cost implications for Wilmot?

We do not know what this means in practice, however, the Township of Wilmot’s Official Plan is very similar to the Region of Waterloo’s Official Plan. Until we know more, the Official Plans mentioned in this document are interchangeable.

The Region of Waterloo Official Plan ¹⁶ has, since 1976, focussed development in urban areas and promoted robust agriculture in the rural areas. This has been done by setting a Countryside Line which surrounds the settlement areas (cities, towns and villages) and only allows agricultural development on the rural side of the Line. The result is that land speculation has not occurred in the rural lands of Waterloo Region since there is little chance of either residential or industrial development.

The Official Plan defines:

- How and where growth could occur,
- Where/what will be protected, for what reasons, and how,
- How to protect our extremely vulnerable water supply we are totally dependent on, our environment, and plan for climate change.

The Lands Need Assessment for the 2022 to 2051 Regional Official Plan determined that Wilmot would have **a slight shortage of employment lands** and therefore 15 hectares (36 acres) of new employment lands were proposed on the west side of Nafziger Rd immediately north of the CN tracks and to the east of New Hamburg.

This modest employment expansion was included in ROP Amendment No 6 and approved by Regional Council. Based on this small expansion, Wilmot will meet its Provincial employment targets **without these additional 770 acres**.

In April of 2023, the Minister of Municipal Affairs and Housing, approved ROP Amendment No 6 which is now the new ROP in effect.

The 770 acres are not designated for any type of employment use as the ROP did not include these lands as being needed for employment purposes up to the **2051 planning horizon**.

The acts of hiring a consulting firm to initiate farmer/landowner contact, purchasing farm land for employment lands, hiring consultants for soils and archeological studies on former corn fields, hiring farmers to destroy a corn crop are all other undertakings to implement a future employment use that is NOT PERMITTED by the ROP and is thereby in contravention of the Ontario Planning Act – specifically Section 24 (1).

How can the Region undertake these public works when the intended outcome contravenes their own ROP? This entire acquisition/expropriation process contravenes the Planning Act.

Chapter 6 of the Official Plan “Supporting the Countryside” ¹⁷ states:

“This Plan identifies a broad band of **permanently protected** environmental features and **agricultural lands** known as the Protected Countryside. This designation contains a unique concentration of farmlands, woodlands, watercourses, river valleys and wetlands. It also includes several significant Regional Recharge Areas, which sustain some of the richest sources of groundwater in the Grand River watershed and account for a significant share of the region’s water supply. The Protected Countryside will **permanently protect** these critical areas from urban development to ensure the region’s continued environmental and economic health.”
[emphasis added]

5.3 - PRIME AGRICULTURAL AREAS

The Region of Waterloo's Official Plan and the Province of Ontario's Agricultural Impact Assessment limits the non-agricultural development of farmland. In addition, the land acquisition is in contravention of the Provincial Planning Statement (PPS) which states: ¹⁸.

“4.3 Agriculture

4.3.1 General Policies for Agriculture

1. Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.

2. As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.

...

4.3.2 Permitted Uses

1. In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2. In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

4.3.4 Removal of Land from Prime Agricultural Areas

1. Planning authorities may only exclude land from prime agricultural areas for expansions of or identification of settlement areas in accordance with policy 2.3.2.”

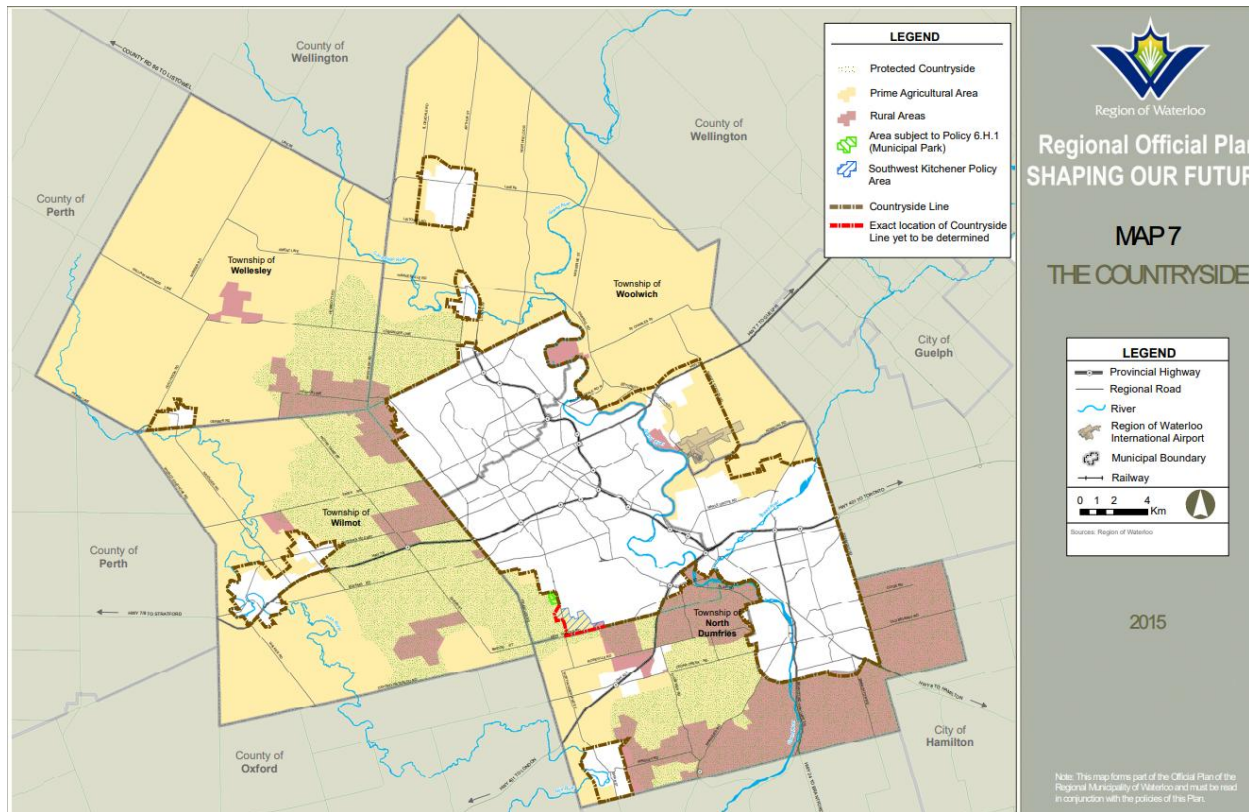


Figure 5: Countryside Line ¹⁹

Chapter 6 of the Region of Waterloo Official Plan makes it very clear that the divide between rural and urban areas must be preserved.

The Official Plan further states:

6.2 Support agriculture as the predominant land use within the countryside and help strengthen the viability of the farm sector.

6.B.2 Land uses within the Protected Countryside will be regulated in accordance with the underlying policies of the Prime Agricultural Area, Rural Areas or Landscape Level Systems designations as shown in this Plan.

6.B.3 Expansions of the Urban Area, Township Urban Areas, Highway 401/Regional Road 97 Employment Area, Rural Settlement Areas or Rural Employment Areas **will not be permitted** into the Protected Countryside, except for minor expansion of existing employment.

6.C.5 **Minor** intensification of existing industrial, commercial, recreational and/or institutional uses, including minor changes to the uses thereof, may be permitted within the limits of the **existing** property.

The Region of Waterloo's Countryside Line is a boundary that protects the cultural, economic and environmental heritage of our rural lands from the pressures of urban sprawl ²⁰.

There is no mention in the Regional Official Plan that the Countryside Line will be violated and employment lands will be created in the Prime Agricultural Area. There are no plans or provisions to create a mega industrial mega site anywhere in the Region on prime agricultural land.

If the Countryside Line is crossed, a precedent will be set for the first time since the establishment of the concept in Waterloo Region. There will be many support industries wanting to build along the south of Bleams Rd, along the east of Wilmot Centre Road and south on Nafziger Rd. Industries such as logistics, trucking, warehousing, parts supplies, and service companies will want to locate next to the mega site. Once the precedence is set, it will be very difficult to deny industrial sites on any farmland in Waterloo Region.

Our Freedom of Information request to:

provide minutes of meetings, emails, documents, and transcripts where ignoring the Region of Waterloo Official Plan commitment to protect farmland was mentioned.

This Request was returned as "no records exist". The proponents of the land acquisition never discussed the restrictions placed on the Protected Countryside, Countryside Line, or prime farmland by the Region of Waterloo Official Plan.

5.4 - GUIDELINES ON PERMITTED USE IN ONTARIO'S PRIME AGRICULTURAL AREAS

According to the Census of Agriculture data, Ontario is losing 319 acres of farmland a day ²¹. This amounts to almost 116,500 acres a year.

This loss is occurring even though the Ontario Government has strict guidelines on permitted use of agricultural land ²².

Permitted Uses are:

- Growing of crops
- Raising of livestock
- Farm related businesses which are limited in size
- Be compatible with surrounding agricultural operations
- Directly related to farm operations in the area.

Municipal policies must be consistent with the Provincial Planning Statement (PPS). ²³

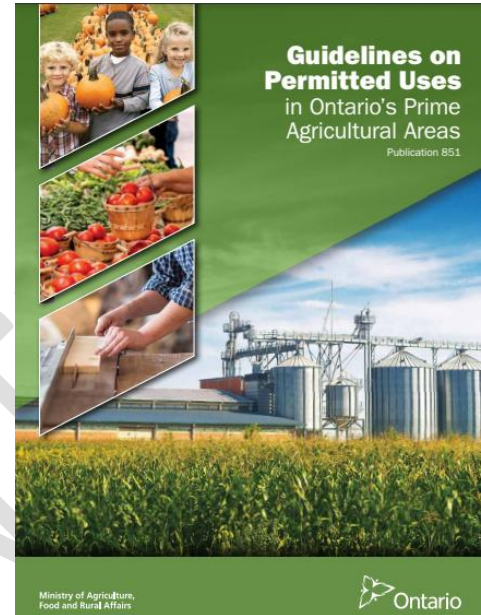


Figure 6: Permitted Uses

5.5 - PROVINCIAL PLANNING ACT

The Ontario Planning Act ²⁴ states:

24 (1) Despite any other general or special Act, **where an official plan is in effect**, no public work shall be undertaken and, except as provided in subsections (2) and (4), no by-law shall be passed for any purpose that does not conform therewith. R.S.O. 1990, c. P.13, s. 24 (1); 1999, c. 12, Sched. M, s. 24.

Subsection 2 refers to amendments.

Subsection 4 refers to by-laws.

There is nothing in the Region of Waterloo Official Plan that allows farmland in the Prime Agricultural Area to be used for anything but agriculture. No amendments to the Official Plan or by-laws have been passed to allow this.

The rezoning of the 770 acres as industrial land contravenes Section 24 (1) of the Provincial Planning Act.

As well, expenditure of funds for anything that is not in the Regional Official Plan is prohibited and the Region is in violation of the Planning Act.

Professional planners have lodged complaints with the Minister and the Ministry of Municipal Affairs & Housing that have been ignored.

Municipalities in Ontario must follow the Official Plan for all land use activities, including spending money on projects. ²⁵

5.6 - AGRICULTURAL IMPACT ASSESSMENT

The Agricultural Impact Assessment is a:

“a study that evaluates the potential impacts of non-agricultural development on agricultural operations and the Agricultural System and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts.” ²⁶

An Agricultural Impact Assessment is required for any development in the Growth Plan Prime Agricultural Areas as set out by Ontario Ministry of Agriculture, Food and Agribusiness ²⁷

Wilmot Township is prime farmland as identified in the Growth Plan Agricultural Areas and an Agricultural Impact Assessment is required since the New Hamburg and Baden Settlement Area boundaries are being expanded and infrastructure is being built.



Figure 7: Prime Agricultural Area

5.7 – WHAT IS PRIME AGRICULTURAL LAND?

Prime Agricultural Lands are defined as Class 1, 2 or 3. Classes 4 to 7 can be included if they contain specialty crops. Classification is not a reliable means of determining the quality of the farmland as different crops require different types of soil. Some crops, such as grapes do better in class 4, 5, or even 6 ²⁸.

Climate, tiling, crop rotation, fertilizer, compaction, topography, and good management practices are better predictors of the quality of the farms.

For example, most of the land in South West Ontario (Essex, Leamington) are class 2 lands but have very productive fruit and vegetable farms because of the climate, amount of sunshine and higher average temperatures. ²⁹

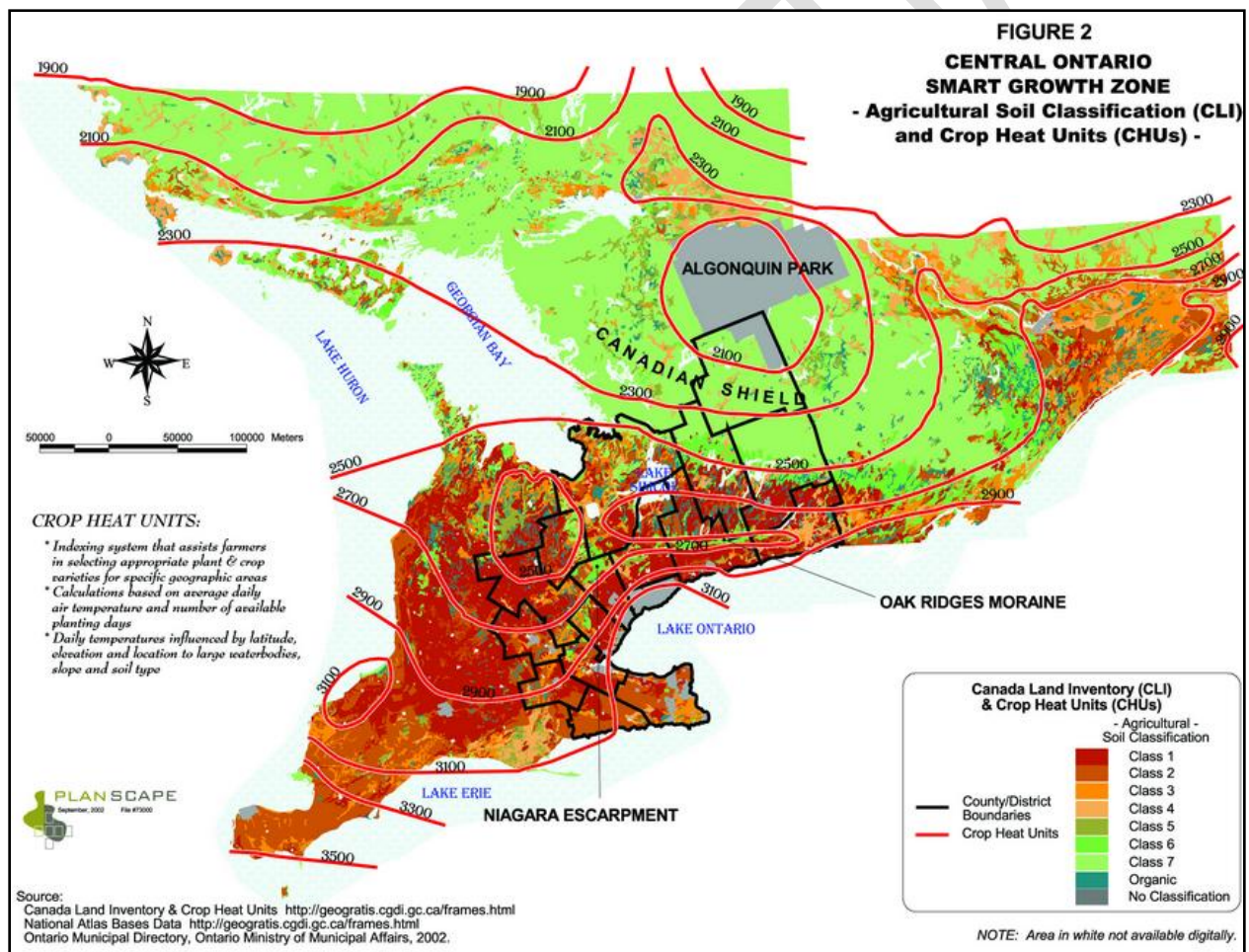


Figure 8: Only 5% of Canada's land mass is made up of prime land, Only 0.5% of it is Class 1

Farms in Waterloo Region are all considered Prime Agricultural Lands no matter what the soil classification is. The farms on the 770 acres have some of the best yields for corn and beans in the Region.

The Region of Waterloo is required to carry out a Municipal Engineers' Association Municipal Class Environment Assessment (EA) under the Environmental Assessment Act³⁰ which requires.

- Consultation with affected parties
- Systematic evaluation of alternatives
- Clear and complete documentation of the planning process
- Traceability of decision making

As far as we know, an Agricultural Impact Assessment has not been done.

The lack of any Environmental Assessments (EA's) is also very concerning.

“Failure to follow the process outlined in this document, however, is a breach of the EA approval under which this Class EA was authorized and therefore places the proponent in contravention of the EA Act.”³¹

Who waived the Agricultural Impact Assessment for a development for which the agricultural impacts are unknown? The agricultural industry is the largest employer and economic driver of our municipality.

5.8 - LAND NEEDS ASSESSMENT, APRIL 2022

The “*Regional Official Plan Review – Land Needs Assessment, April 2022 by Dillon Consulting*”³² presented 3 options for future employment land expansion and density:

1. Minimum growth using land set out in the 2019 review. The minimum number of people / jobs per acre is 20.
2. Compact development with modest boundary expansion. The minimum number of people / jobs per acre is 25.
3. More compact development with no urban expansion. The minimum number of people / jobs per acre is 27.

Under all options, employment in Wilmot is expected to grow from 8,600 jobs in 2021 to 12,100 jobs in 2051. Of the 12,100 jobs in 2051, 2,300 of them will be on employment lands.

1. Option 1 will require an additional 200 acres to provide sufficient employment lands at 20 job per acre by 2051.
2. Option 2 will require an additional 42 acres.
3. Option 3 will require no additional acres.

Councillors were told there would be 2,000 to 3,000 jobs created by the mega site. At the minimum density of 20 jobs per acre, 3,000 jobs should require 150 acres. Not 770 acres.

No where is there a forecast for 10,000 to 15,000+ jobs on 770 acres of prime farmland.

The existing land needs analysis for the 2022 Regional Official Plan determined that any of the three options outlined would be more the sufficient to meet all projected employment needs and demands.

Table ES-23-3: Region of Waterloo, Employment Option 1, 25% Employment Area Land Intensification Scenario, Employment Area Land Demand Allocations and Land Needs by Area Municipality				
Area Municipality	Total Jobs on Employment Areas, 2019 to 2051	Employment Land Demand (Gross ha)	Urban Employment Land Inventory (Gross ha)	Employment Land Surplus/Deficit (Gross ha)
City of Cambridge	26,500	684	552	-132
City of Kitchener	13,000	122	122	0
City of Waterloo	13,700	128	129	0
Township of North Dumfries	2,700	114	36	-78
Township of Wellesley	0	0	0	0
Township of Wilmot	2,300	86	81	-5
Township of Woolwich	12,400	394	152	-242
Region of Waterloo	70,600	1,528	1,072	-456

Note: Employment land demand has been adjusted to account for 25% intensification.

Table ES-24-4: Region of Waterloo, Employment Option 2, 15% Employment Area Land Intensification Scenario, Employment Area Land Demand Allocations and Land Needs by Area Municipality				
Area Municipality	Total Jobs on Employment Areas, 2019 to 2051	Employment Land Demand (Gross ha)	Urban Employment Land Inventory (Gross ha)	Employment Land Surplus/Deficit (Gross ha)
City of Cambridge	13,000	122	122	0
City of Kitchener	129	0	0	0
City of Waterloo	36	-86	0	0
Township of North Dumfries	0	0	0	0
Township of Wellesley	81	-17	0	0
Township of Wilmot	152	-306	0	0
Township of Woolwich	1,072	-659	0	0

Table ES-25-5: Region of Waterloo, Employment Option 2, 25% Employment Area Land Intensification Scenario, Employment Area Land Demand Allocations and Land Needs by Area Municipality				
Area Municipality	Total Jobs on Employment Areas, 2019 to 2051	Employment Land Demand (Gross ha)	Urban Employment Land Inventory (Gross ha)	Employment Land Surplus/Deficit (Gross ha)
City of Cambridge	29,600	774	552	-221
City of Kitchener	122	122	122	0
City of Waterloo	128	129	129	0
Township of North Dumfries	114	36	36	-78
Township of Wellesley	0	0	0	0
Township of Wilmot	86	81	81	-5
Township of Woolwich	304	152	152	-152
Region of Waterloo	1,527	1,072	1,072	-456

Figure 9: Wilmot Employment Land Projections

5.8.1 - East Side Waterloo Region Employment Lands

The Region of Waterloo already had designated thousands of acres for future employment lands including a vast tract of farmland now mostly owned by developers on the East side of Waterloo in Woolwich, Kitchener and Cambridge referred to as the East Side Employment lands.

As of April 14, 2020:

“The Region has approximately 365.5 hectares (903 acres) of designated greenfield employment lands under numerous ownerships on the East Side Lands.” ³³

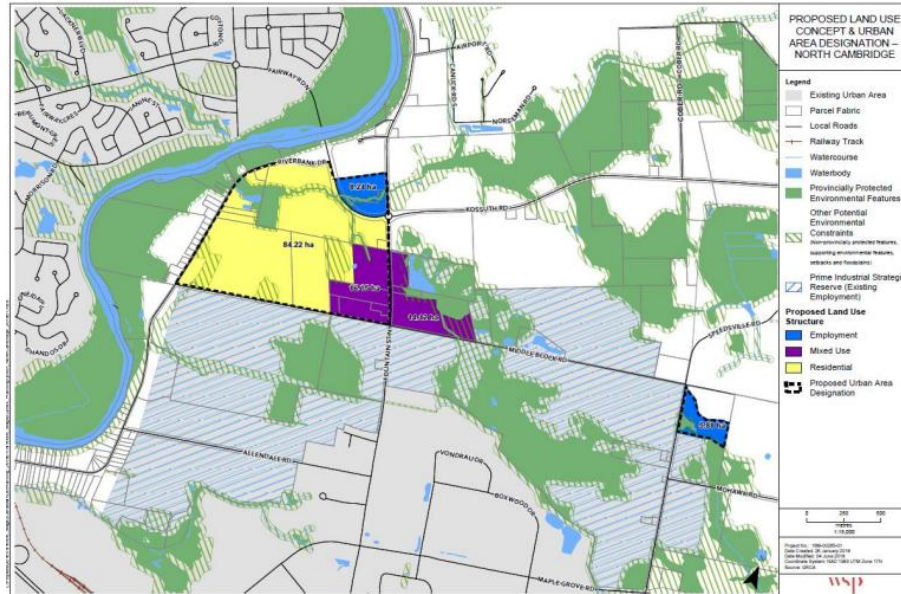


Figure 10: East Side Employment Lands ³⁴

CBC News

“Why a parcel of land on Waterloo region's east side is key to community's future economic prosperity” CBC - March 24, 2021 ³⁵.

The Record

“Waterloo Region already has lots of land set aside for industrial expansion. So why is it looking for more land from Wilmot’s farms?” The Record – April 8, 2024 ³⁶.

5.9 - EMPLOYMENT LANDS TECHNICAL BRIEF, JULY 19, 2021

According to the “*Official Plan Review – Employment Lands Technical Brief, July 19, 2021 by Dillon Consulting*”

- There are no Provincially Significant Employment Zones in any of the townships
- There are already 44 acres of Designated Greenfield Areas in Wilmot Township.
- All the Designated Greenfield Areas are inside the Countryside line.

WATERLOO REGIONAL OFFICIAL PLAN REVIEW

REGION OF WATERLOO PROvincially SIGNIFICANT EMPLOYMENT ZONES

FIGURE 2-1

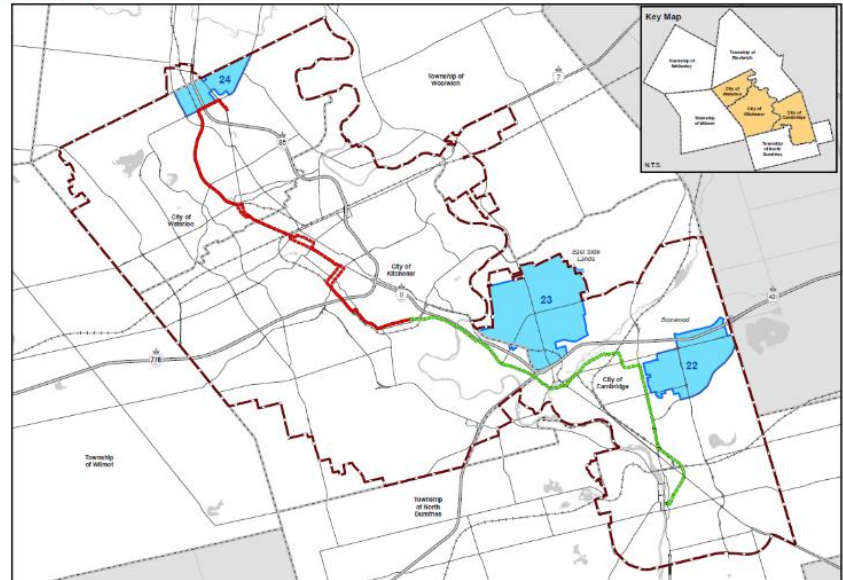


Figure 11: Provincially Significant Zones

5.10 - FORCED BOUNDARY EXPANSION

The 770 acres has not been identified as needed for employment lands in any forecast, and even more importantly neither has the hundreds of acres of additional lands forced open by Minister Calandra in June 2024 under Bill 185. Bill 185 allocates hundreds of acres of additional employment lands between New Hamburg and Baden (#19 on map below) along with subdivision lands for tens of thousands of people (#4, 5, & 20) even at modest densities.

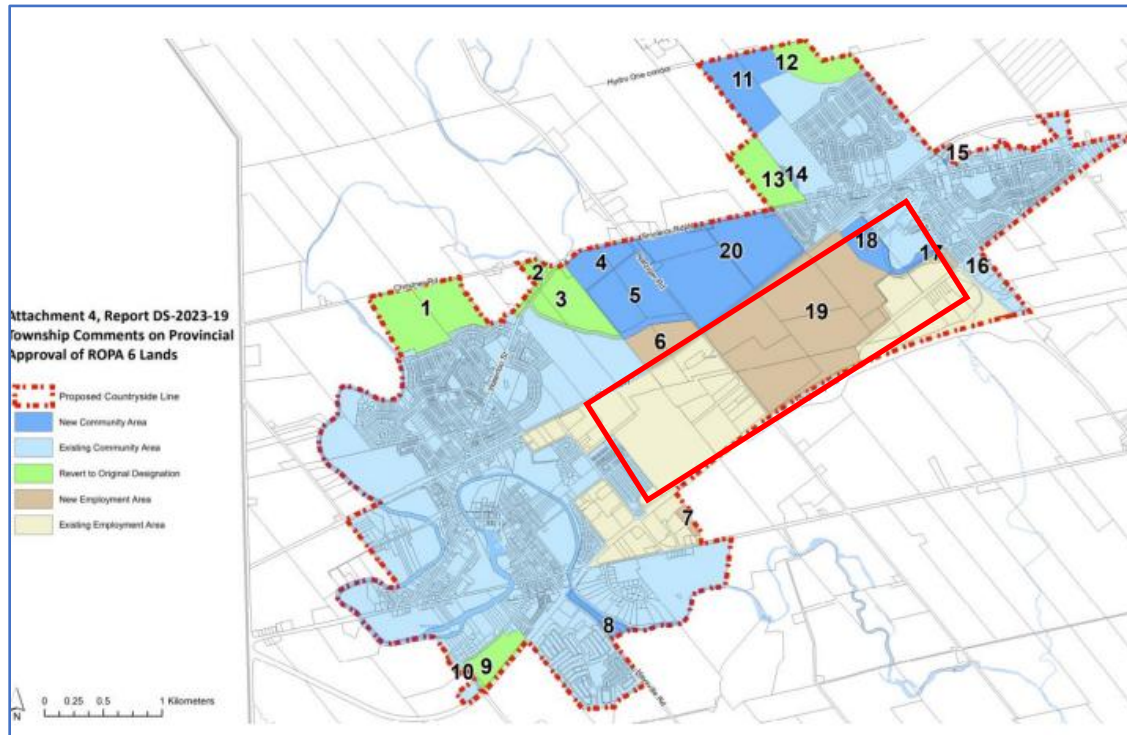


Figure 12: Vacant employment lands

The 770 acres has not been designated as Employment Lands in the Region of Waterloo Official Plan nor in the Township of Wilmot Official Plan.

Wilmot Employment Lands

There are approximately 520 acres of farmland approved for employment lands in Wilmot between Baden and New Hamburg, north of Hwy 7&8 and south of CN North in addition to the 770 acre industrial mega site.

There does not appear to be much demand for industrial lands in Wilmot. The Wilmot Industrial Business Park was established in 2003 and despite massive promotion and millions of dollars of site preparations not a single lot has been sold in the business park in 23 years.

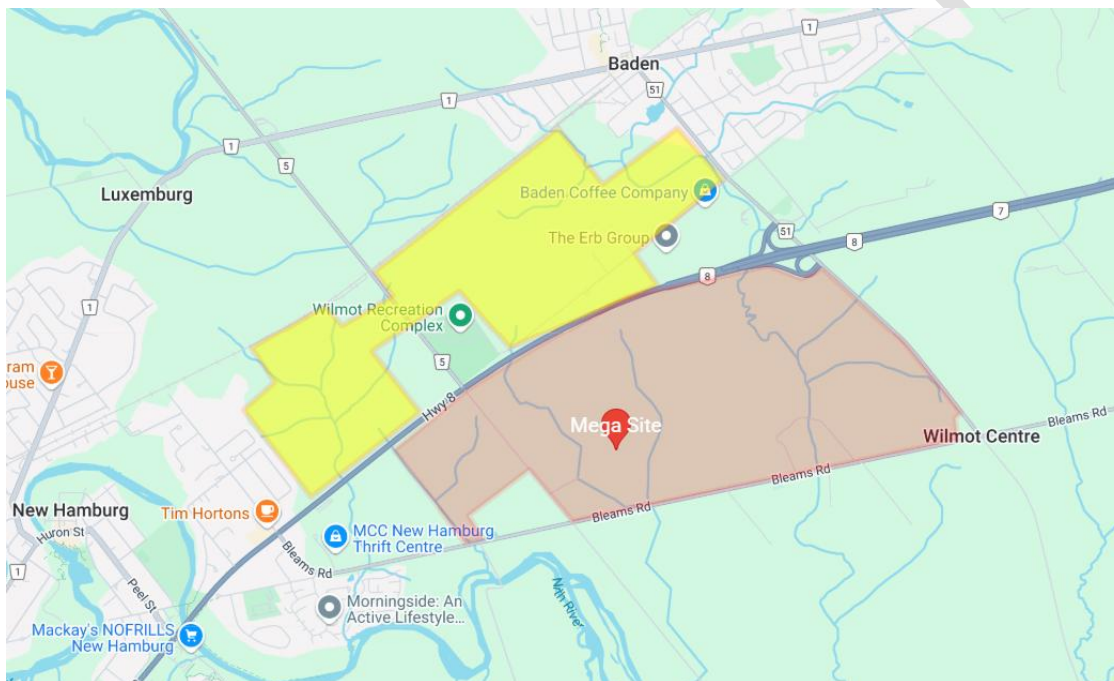


Figure 13: Industrial land (yellow)

5.11 – MEGA SITE IN THE REGIONAL OFFICIAL PLAN

In discussions with several politicians, it was drawn to our attention that the mega site was mentioned in the Region of Waterloo Official Plan Amendment 6 ³⁷. The implication is that we should not have been surprised by the mega site as ROPA6 was approved by all Councils.

We would like to point out that “mega” appears only **once** in ROPA6.

2.H.1.22 The Region, in collaboration with the Province, area municipalities, local utility providers, and the Waterloo Region Economic Development Corporation will work to identify and plan for suitable “mega-sites” to support new large-scale, strategic employment uses that complement the regional economy. Such sites typically range between 200 and 400 hectares in size and support large-scale manufacturing operations.

Section 2.H.1 pertains to Employment Area Policies and does not apply to lands outside of the Employment Areas. Employment Areas are defined on Map 3 (see below) and the 770 acres is clearly not designated as an Employment Area.

Furthermore, 2.H.1.22 says that ‘... *will work to identify and plan for suitable “mega-sites”*’. Nowhere does it say that the Region will purchase land, develop and proceed with construction for a mega site, only that it can identify and plan.

There is nothing in the Region of Waterloo Official Plan that allows farmland in the Prime Agricultural Area to be used for anything but agriculture or agricultural related industries.

We also note the following:

- “protected countryside” appears 13 times in ROPA6.
- “countryside line” appears 40 times in ROPA6.
- “farmland” appears 27 times in ROPA6.
- Appendix B does not list the 770 acres in the Settlement Area Boundary Expansion Requests.

We do not believe the one time a reference to the “mega” site appears in ROPA6 gives the Region of Waterloo any authority to purchase and develop the 770 acres for an industrial mega site. At best it only provides the authority to plan for a mega site.

We would also point out there is no mention of a mega-site anywhere in the Township of Wilmot Official Plan ³⁸.

5.12 – DILLION CONSULTING

The Region awarded a contract to Dillion / Newmark to provide a shovel ready strategy at a cost of \$485,200 (PDL-ECD-23-011). The final report has never made public but we do know the initial Request for Proposal (RFP) stated ³⁹:

“Note: Shovel-ready lands are generally considered to be lands with the necessary approvals, servicing and transportation infrastructure in place as well as an owner willing to develop or sell to an end-user.”

The 770 acres does not have the necessary approvals, servicing, transportation infrastructure in place nor any end user. The landowners are not willing to develop and not willing to sell their farms.

The Dillion Report appears to be the document that is being used to justify the process for a mega-site. The Dillion Report must be made public and the rationale for locating a mega-site outside of the Countryside Line, in direct contravention of the recently approved Regional Official Plan and Wilmot Official Plan, needs to be thoroughly examined.

6 - SITE SELECTION CRITERIA

Despite having sufficient employment lands within the Countryside Line, the Region of Waterloo is attempting to assemble an additional 770 acres of prime farmland for industrial lands in Wilmot as part of the Province of Ontario Job Site Challenge.

The following tables are site selection criteria that we have gathered from various Region of Waterloo and provincial websites, in particular the Waterloo Region Economic Development Committee, April 14, 2020, PDL-ECD-20-02, Appendix 1 ⁴⁰.

6.1 - JOB SITE CHALLENGE ⁴¹

	Job Site Challenge Criteria	East Side Employment Lands	770 Acre Land Assembly
1	Size and configuration		
	a) 500 to 1500 acres	✓	✓
	b) Flat	✓	✗
	c) Zoned industrial	✓	✗
2	Location and transportation		
	a) Pubic road frontage	✓	✓
	b) Deep water port	N/A	N/A
	c) Proximity to airport, 400 series highways	✓	✗
	d) Serviceable by rail	✓	✗
	e) Access to transit (GO Transit)	✓	✗
3	Utilities and servicing		
	a) Service ability at site boundary (requires redundant fibre optic)	✓	✓
4	Site condition and previous land use		
	a) Preference for greenfield site	✓	✓
	b) No site remediation (environmental)	✓	✓
	c) No oil/gas/water wells	unknown	✗

	d) No constraints: streams, waterways	✓	✗
5	Surrounding property use		
	a) Advanced manufacturing and lands zoned industrial	✓	✗
	Demonstrated land use compatibility		
	b) Sufficient buffer	✓	✗
	c) No housing within 1000 metres	✓	✗
	d) No known contaminated sites within 25 km of site	unknown	unknown
6	Automotive or advanced manufacturing footprint		
	a) Cluster of Tier 1, 2 suppliers and OEM and or advanced manufacturing facilities and training institutes nearby	✓	✗
7	Talent and training		
	a) Labour force in automotive and other advanced manufacturing	✓	✗
	b) Proximity to post secondary education	✓	✓
	c) Demographics statistics and growth	✓	✗
8	Ownership and title		
	a) Preference for one land owner	✗	✗
	b) Clear title	unknown	✗
	c) Confirm transaction impediments	unknown	✗
9	Policy and regulatory framework		
	a) Appropriately designated and zoned (or capable of being zoned within 90- 180 days) for heavy industrial uses and supporting uses /advanced manufacturing including outdoor storage.	✓	✗
	b) Special consideration / designation – PSEZ, Foreign Trade Zone, Existing economic development policies at local level.	✓	✗
10	Government approvals		
	a) Consideration for specific criteria including indigenous engagement, wetlands, GRCA, cultural heritage, endangered species etc.	✓	✗
	b) Committee from city and authorities to streamline approvals	unknown	unknown

11	Engaging with Indigenous communities		
	a) Provide letter of notice to neighbouring indigenous communities	unknown	✗
12	Incentives		
	a) Preference to submissions that outline proposed targeted incentives to help project	✓	unknown
13	Community benefits		
	a) Identify any community benefits such as workforce development initiatives (training), social procurement initiatives, supplemental benefits.	✓	✗

6.2 - ADDITIONAL SITE SELECTION CRITERIA ARE ON THE REGION'S WEBSITE ⁴².

	Additional Criteria for Site Election by Region	East Side	770
14	The ability to assemble a large, contiguous area	✓	✗
15	Nearby hydro infrastructure	✓	✓
16	Nearby existing infrastructure for water/wastewater with capacity in the system	✓	✗
17	Not located on the Regional Recharge Zone, which protects Waterloo Region's drinking water	✓	✗
18	Consistent grading considerations throughout the area	✓	✗
19	Close proximity to Waterloo Region's skilled workforce.	✓	✗

6.3 – ADDITIONAL CRITERIA FOR SITE ELECTION BY ECONOMIC DEVELOPMENT

	Additional Criteria for Site Election by Economic Development	East Side	770
20	Assemble mega site from existing inventory of 2,648 acres identified in Region of Waterloo Official Plan Amendment No 6. An additional 1,126 acres of land has been designated Regional Employment Lands for a total of 3,774 acres already available for industrial development	✓	✗

21	Note: Shovel-ready lands are generally considered to be lands with the necessary approvals, servicing and transportation infrastructure in place as well as an owner willing to develop or sell to an end-user.	✓	✗
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6.4 – ADDITIONAL CRITERIA - REGION OF WATERLOO ECONOMIC DEVELOPMENT COMMITTEE ⁴³

	Additional Criteria - Region of Waterloo Economic Development Committee April 14, 2020 Draft Terms of Reference	East Side	770
22	Support for the Region of Waterloo Official Plan	✓	✗
23	Support employment land strategy for the east side lands	✓	✗
24	Implement the Airport Business Plan	✓	✗
25	Support transportation plan that enhances connectivity	✓	✗
26	Proximity to commuter rail service (GO Trains)	✓	✗

7 - CRITERIA SCORE

Site	✓	✗	Unknown	N/A
East Side Employment Land	36	1	6	1
Wilmot Mega Site	7	33	3	1

The proposed 770-acre Wilmot mega site meets only 7 of the 44 criteria.

7.1 - NOTES ON CRITERIA

This section provides detailed notes and information on whether the proposed mega site meets each selection criteria.

7.1.1 - Site Selection 1: Size and Configuration

1 a) 500 to 1500 acres.

✓ This criterion is met.

1 b) Flat

✗ This criterion is not met.

The 770 acres are neither flat nor level. The Region said the site must be flat for “consistent grading considerations”. Below are sample elevations showing that the property is neither flat nor level.



Figure 14: North West to South East elevations through middle of the site between Nafziger and Wilmot Line

There is a difference in elevation of 16 metres (52 ft) from the north west corner to the south east corner of the mega site.



Figure 15: Elevations along the Hydro Line

There is a difference in elevation of 14 metres (45 ft) along the Hydro Corridor Line.

1 c) Zoned industrial

✗ This criterion is not met.

The land is zoned agricultural.

7.1.2 - Site Selection 2: Location and transportation

2 a)Public road frontage

✓ This criterion is met.

2 b)Deep water port

Not applicable

2 c) Proximity to airport, 400 series highways.

✗ This criterion is not met.

While the site is adjacent to Highway 7/8, it is 27 km from Highway 401. The distance to Waterloo Regional Airport is 32 km and requires crossing through the entire city of Kitchener.

2 d) Serviceable by rail

✗ This criterion is not met.

The costs for upgrades to meet this requirement are significant. To make the site serviceable by rail, it is necessary to build a rail spur from the main CN railway line to the mega site with the most likely route between the Wilmot Recreation Centre and Erb Transport. The spur needs to cross Highway 7 & 8 and the elevations will require a bridge to be built to carry the highway over the rail line.

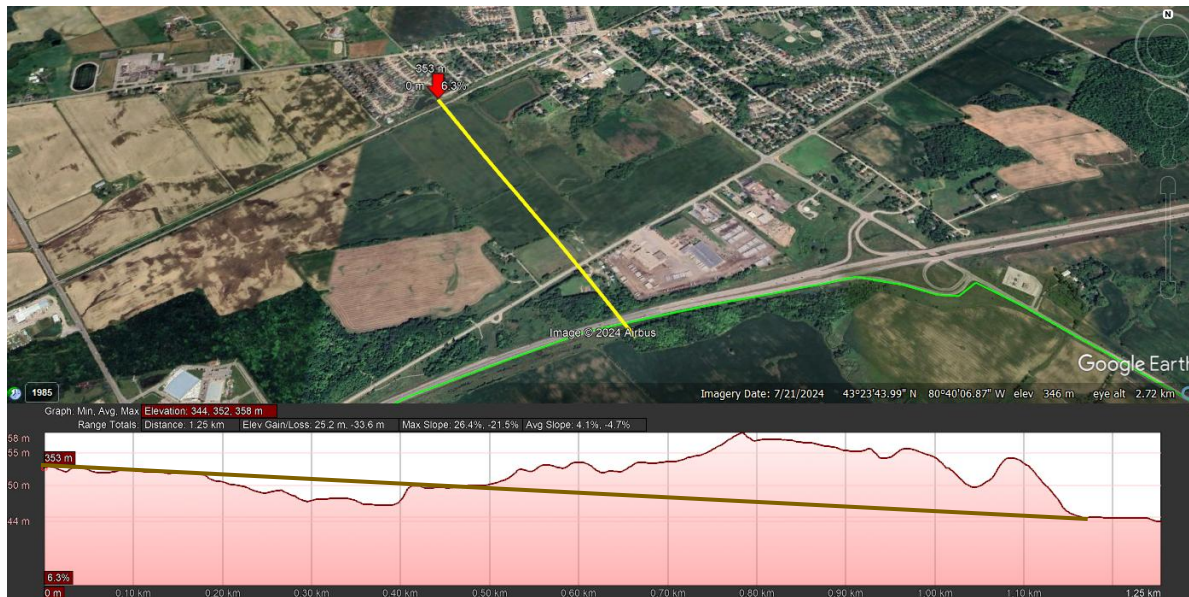


Figure 16: Elevations along the rail spur from CN North to the site

There is a difference in elevation of 13 metres (**42 ft**) along the rail spur between CN North and the mega site.

According to the Township of Wilmot, DS-2023-19 Report ⁴⁴, the lands (#19 on the map below) between the Recreation Centre and Erb Transport, and north of the highway are to be designated as industrial.

The rail spur (black line in the map below) will go through the middle of land that is proposed for employment.

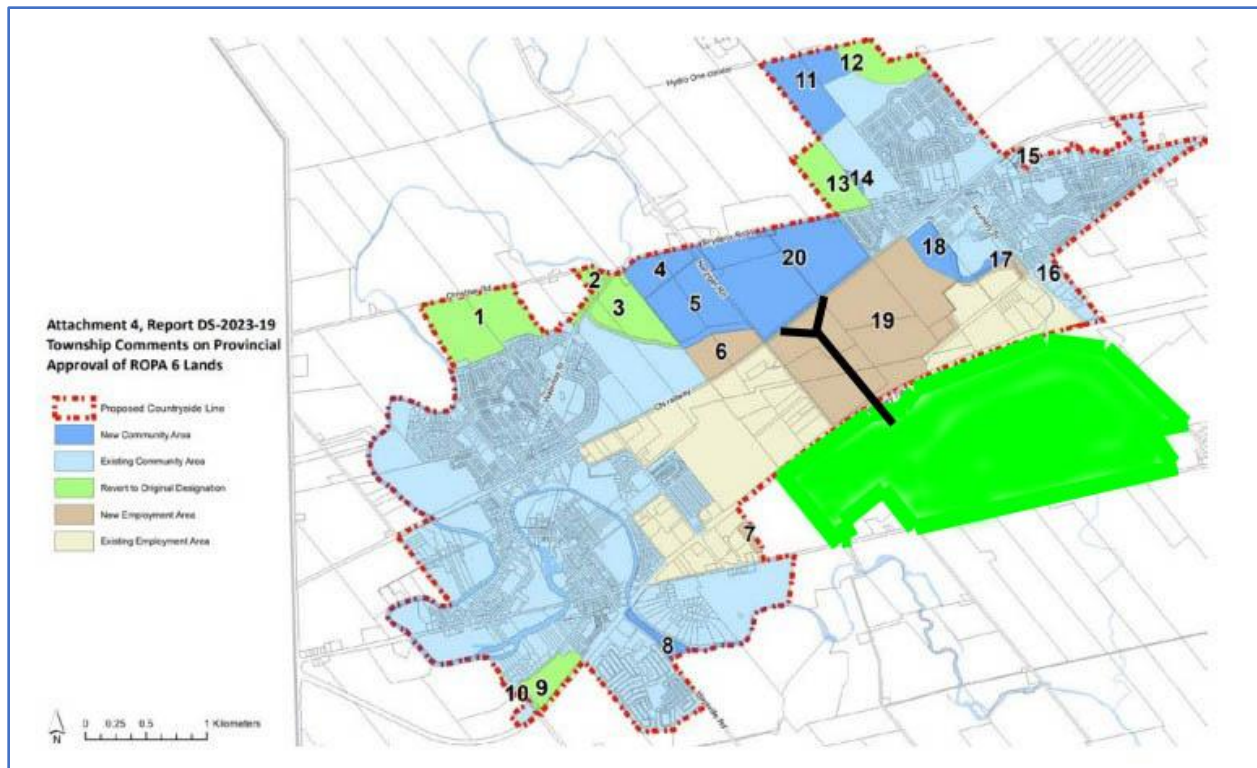


Figure 17: Location of the rail spur.

The exact location of the required rail sidings is unknown but, it will have to avoid the GRCA regulated wetlands that are situated on both sides of Highway 7/8. The sidings will have to avoid the flood plain. (See “No constraints: streams, waterways” below for details of the wetlands and streams).

Freight trains to and from the east will go through the main intersection in Baden.

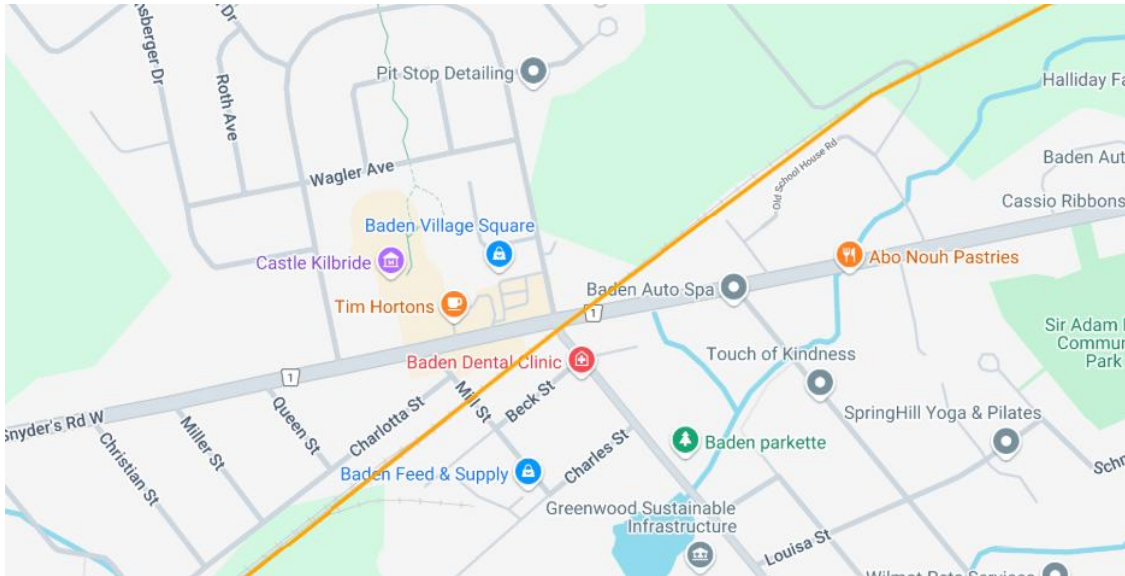


Figure 18: CN Rail in Baden

Furthermore, access from the CN North line to the CP rail in Kitchener is problematic.

Automotive freight trains are 750 metres in length and it is impossible to transfer from CN Rail to CPKC Rail without entering the VIA Rail/GO Train station in Kitchener. The current location of the Kitchener station is 650 metres from the points used to switch between CPKC and CN. It will be impossible to switch an automotive train without affecting the operations of the VIA/GO Train station. The problem becomes worse when the VIA station is moved to its new location at the Kitchener Central Transportation Hub.

Will the Iron Horse Trail have to be returned to railway track to connect CN North to CPKC?

How will proposed GO Train expansion be impacted on this already busy main line with the addition of even more freight trains that have to slowly shunt loads on and off this new rail spur?

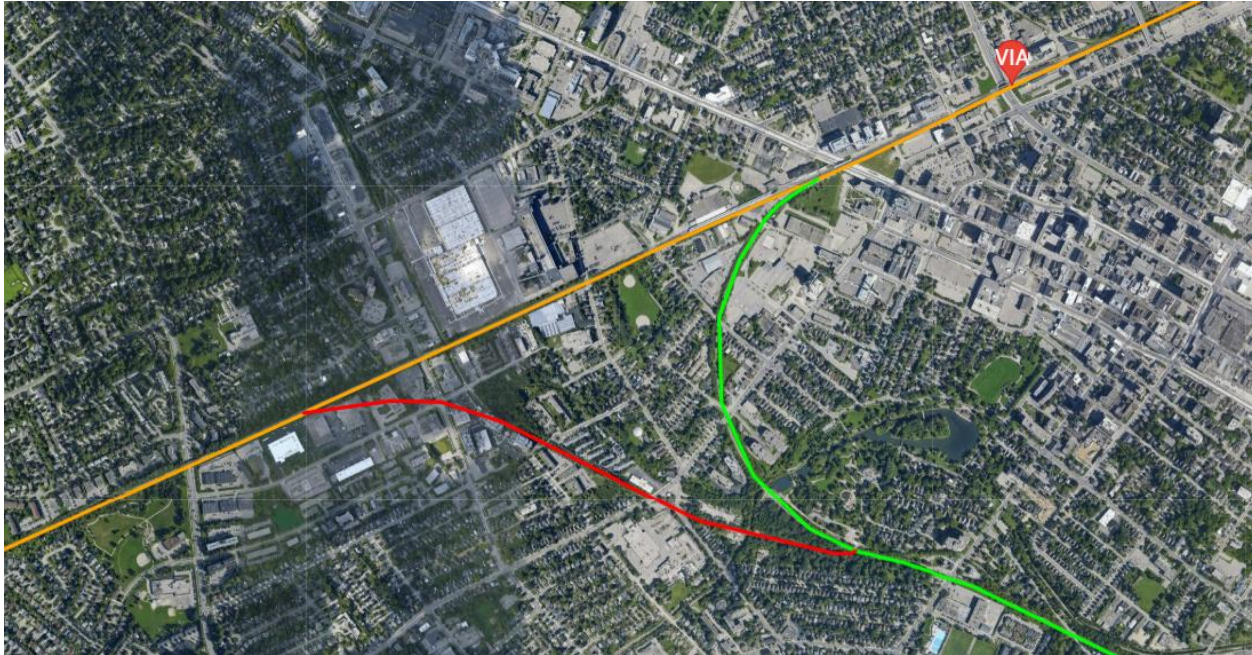


Figure 19: CN North to CPKC

2 e) Access to transit (GO Transit)

✗ This criterion is not met. The mega site will most likely compromise GO Transit and future two-way, all day rail expansion.

7.1.3 - Site Selection 3: Utilities and servicing

3 a) Service ability at site boundary

✗ This criterion is not met. There is only a single major power line to the site with no easy opportunity for redundancy.

7.1.4 - Site Selection 4: Site condition and previous land use

4 a) Preference for greenfield site

We do not understand why a greenfield site is necessary when many brownfield, greyfield and exhausted aggregate lands exist within Waterloo Region. Only 1% is considered prime farmland ⁴⁵.

Ontario is losing almost 116,500 acres of farmland a year. Why are brownfield sites not being considered for this industrial development?

4 b) No site remediation (environment).

✓ We believe this criterion is met though the time and effort to convert this massive area from rolling farm fields to a flat industrial site should not be underestimated.

4 c) No oil/gas/water wells

✗ This criterion is not met.

The proposed mega site is located immediately adjacent to the Waterloo Moraine, a vital geological formation that serves as the primary source of drinking water for the Regional Municipality of Waterloo. This moraine consists of layers of sand, gravel, and clay, which naturally filter and store groundwater. It supplies approximately 80% of the region's drinking water, making the Region one of the largest municipalities in Canada reliant on groundwater. Protecting the moraine is essential to ensuring a sustainable and clean water supply for the growing population while also balancing urban development and environmental protection.

Since there is no information about the type of industry proposed for the mega site, it's not possible to identify all potential contaminants to the water resources below and directly adjacent to this site. We are extremely concerned about the potential environmental impacts of any manufacturing processes, as well as considerable runoff from such massive buildings and parking areas. Potential contaminants to the aquifer supplying local municipal and private wells include leached chemicals, road salt, brake fluids, tire dust, and diesel particulate.

The southeast corner of the proposed site is about 2 km away from three municipal wells (K50, K51, K52) and parts of the site is included in wellhead protection areas, while other parts of the site are primary groundwater recharge areas and have been identified as the highest protection level of the Protected Countryside designation (Primary

Groundwater Recharge area) in recent Official Plans – for example Map 4 of Recommended Expansion locations in Wilmot from the Regional Official Plan.

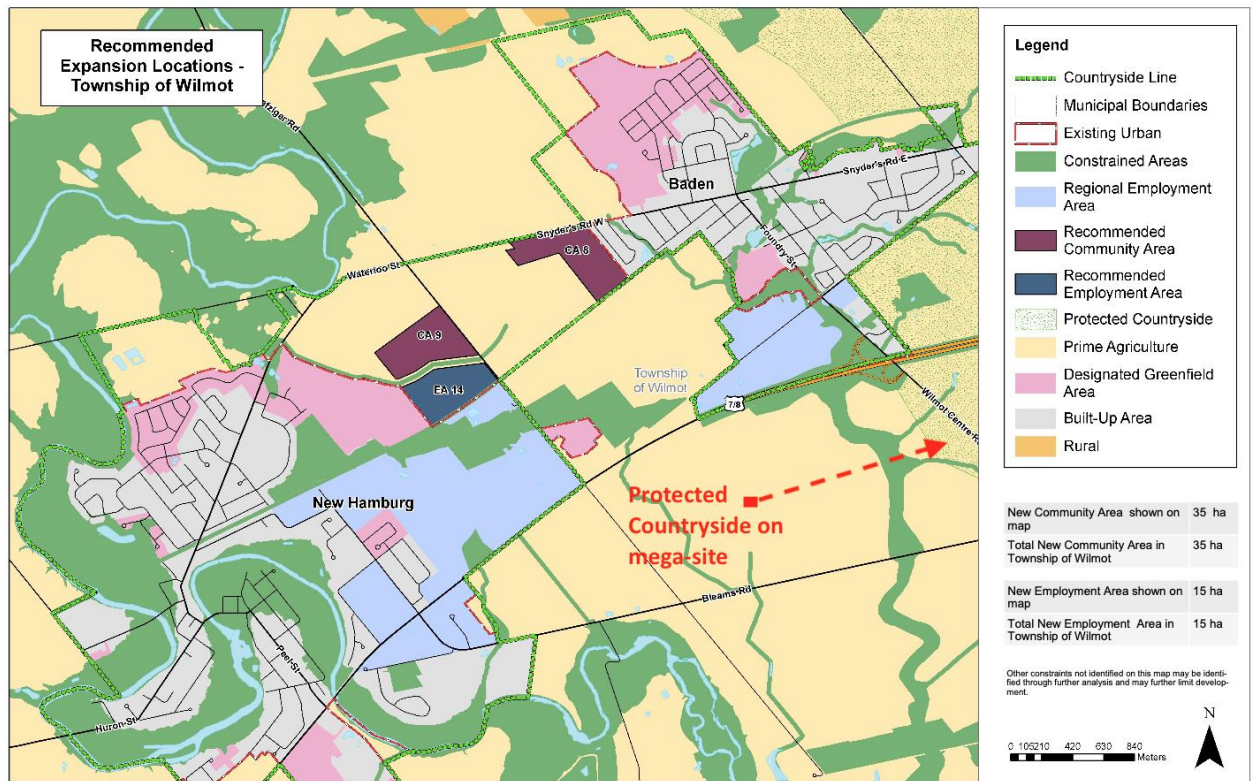


Figure 20: Protected Countryside on mega site

The Ontario Ministry of Environment, Conservation and Parks map of existing water well records ⁴⁶ shows records for about 20 private wells within the boundaries of the proposed mega site. Since well records for older wells are not available, there are likely many more private water wells on the site.

All surrounding farms and rural residential properties rely on their own private wells. Any contamination to the aquifer would impact surrounding residents as well as all Regional residents being served by the adjacent municipal drinking wells.

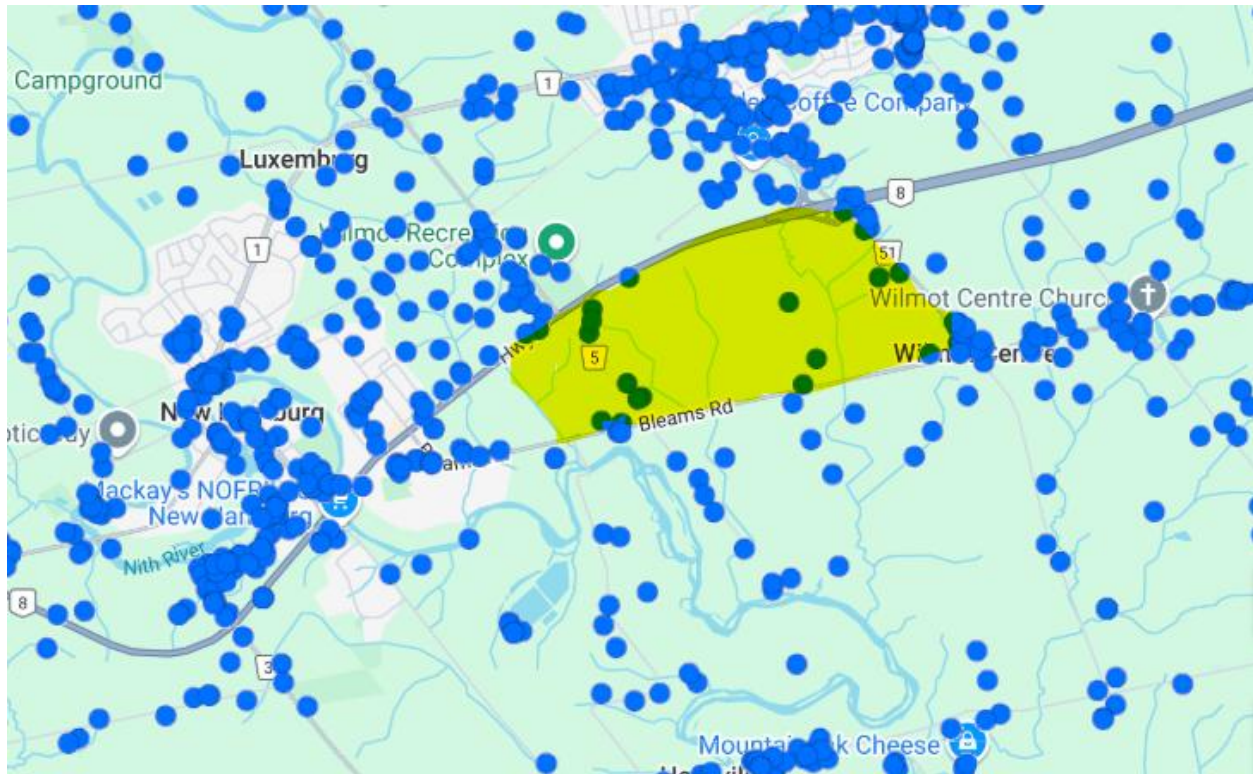


Figure 21: Private wells

Further discussion of the threat to the Region's drinking water and Regional Recharge Area is found under Site Selection criterion 17.

Municipal wells K50, K51 and K52 are located about 2 kms east of the mega site in the recharge area and well head protection zone that extends into the south east corner of the mega site.

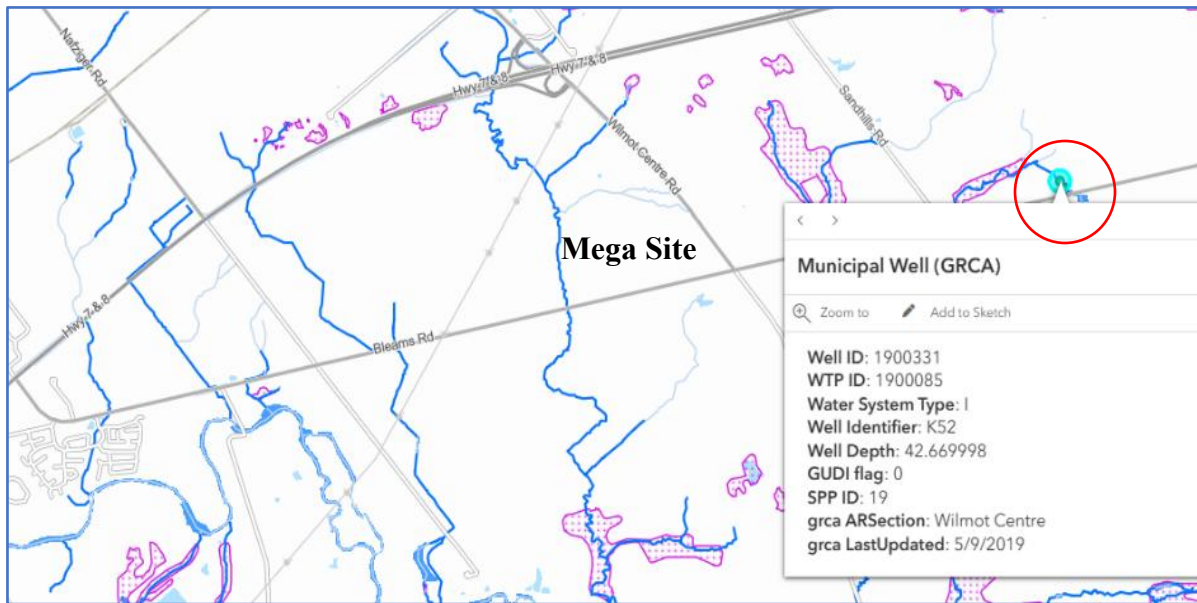


Figure 22: K50, K51 and K52

4 d) No constraints: streams, waterways

✗ This criterion is not met.

As the images from the Grand River Conservation Authority ⁴⁷ shows, there are several streams and wetlands regulated by GRCA ⁴⁸. Baden Creek flows through the eastern part of the mega site. There is a significant floodplain associated with the creek, precluding development. Another Nith River tributary flows through the western part of the mega site just east of Nafziger Road. A third small creek forms the western boundary of the mega site. Also, a GRCA regulated wetland is located on the northern perimeter of the site. It is obvious that large portions of the potential site are restricted from development.

The wetlands along the northern perimeter of the site have been mapped as Locally Significant by the Ministry of Natural Resources ⁴⁹.

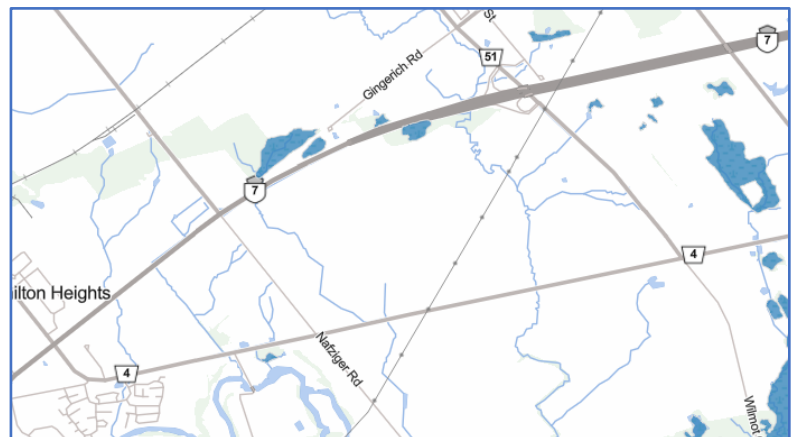


Figure 23: Wetland along the north of site

Baden Creek provides fish habitat for several fish species, including crayfish, and is used by Northern Pike as a migration corridor and/or spawning area, all of which is protected under the Fisheries Act.

Baden Creek contains a very active warm-water fishery including:

- Blacknose Dace
- Brook Stickleback
- Common Shiner
- Creek Chub
- Emerald Shiner
- Fathead Minnow
- Longnose Dace
- Northern Hog Sucker
- Rainbow Darter
- White Sucker

According to Stantec's "Baden – New Hamburg Water and Wastewater System and Servicing Report. March 2023 ⁵⁰ and updated September 2023 ⁵¹:

"Fisheries and Oceans Canada - The Act prohibits activities that result in the death of fish or the harmful alteration, disruption or destruction (HADD) of fish habitat unless authorized by the Minister of Fisheries, Oceans and the Canadian Coast Guard. If it is determined that the death of fish or HADD of fish habitat is unavoidable as part of the Project, an authorization under the Fisheries Act may be required. Design plans are necessary to determine the potential for the death of fish or harmful alteration, disruption or destruction of fish habitat."

Baden Creek and the Nith River support fish habitat and the latter contains critical habitat for aquatic species at risk. The creek and river are under stress from past and current land use practices and contamination in surface runoff. The proposed industrial site will potentially increase cumulative impacts to a point that the creek and river are adversely impacted and unable to support fish and critical habitat.

The Stantec study identified the following in the Nith River area near the mega site:

Eleven terrestrial species at risk (SAR)

- Butternut
- Bank Swallow
- Barn Swallow
- Bobolink
- Chimney Swift
- Eastern Meadowlark
- Red-headed Woodpecker
- Eastern Small-footed Myotis
- Little Brown Myotis
- Tricolored Bat

Eleven species of conservation concern (SOCC)

- Green Dragon
- Western Chorus Frog (Great Lakes – St Lawrence pop.)
- Snapping Turtle
- Eastern Milksnake
- Common Nighthawk
- Eastern Wood-pewee
- Peregrin Falcon
- Wood Thrush
- Monarch

Two aquatic SAR

- Black Rednose
- Silver Shiner

Two aquatic SOCC

- Northern Sunfish Great Lakes – Upper St. Lawrence pop
- Rainbow Musse

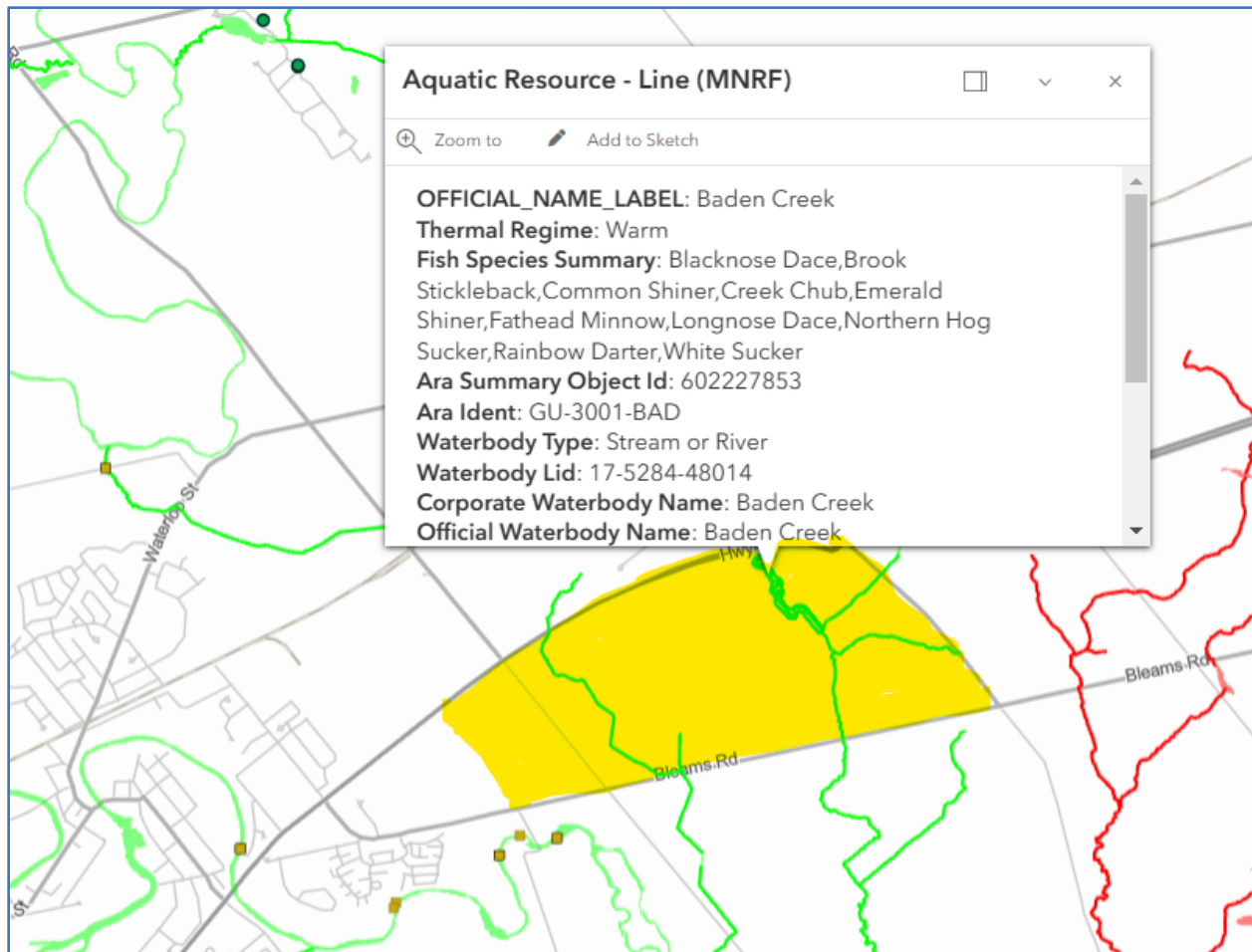


Figure 24: Aquatic species

Burying Baden creek in a 1.5 km pipe to accommodate industrial development raises significant environmental, regulatory, and planning concerns, particularly regarding its role as a migration corridor and spawning habitat for Northern Pike. Under the Fisheries Act ⁵², the destruction or alteration of fish habitat requires federal approval, making this proposal subject to strict environmental regulations. Additionally, the creek falls under the jurisdiction of the Grand River Conservation Authority (GRCA), meaning permits and environmental assessments would be required to evaluate potential impacts on watershed health, flood control, and water quality. Disrupting this natural waterway could lead to increased flooding, reduced groundwater recharge, and long-term damage to downstream ecosystems.

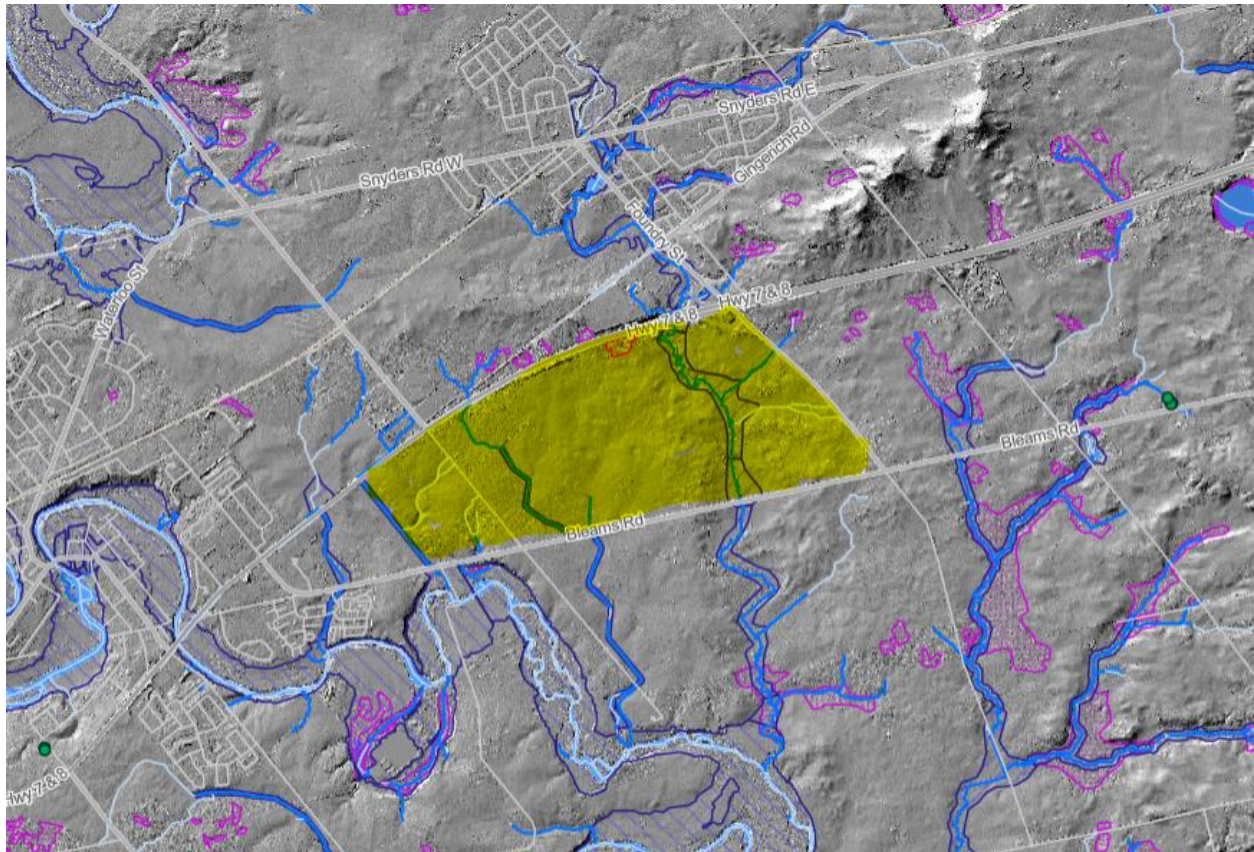


Figure 25: GRCA Regulated streams, wetlands and floodplains

The image above shows the GRCA regulated flood plain along the Baden Creek as well as the wetlands along the highway between the Recreation Centre and Erb Transport. The significant geography of this site is also visible on this image.

The proposed rail spur to CN North would likely have to go through the wetland on the site. There is one significant creek with considerable surrounding floodplain within the boundaries of the proposed mega site.

The entire proposed mega site drains into the Nith River, which eventually becomes the primary drinking water source for over 100,000 people of the City of Brantford, Paris, and the Six Nations Reserve downstream. There exists a duty to consult with the Six Nations but that has not yet happened.

Uncontrolled stormwater runoff can lead to increased flood flows, streambank erosion, contamination of downstream drinking water intakes, and serious aquatic health impacts. Already significant uncontrolled erosion on the single farm that the Region of Waterloo

controls has not only resulted in a serious degradation of top soil but has overwhelmed area drains and likely contributed to significant downstream issues ⁵³.



Figure 26: Soil erosion on purchased farmland ⁵⁴.

Will this proposed industrial mega site include properly designed stormwater controls? This is crucial for protecting water quality, preventing flooding, and maintaining regulatory compliance.

The Nith River watershed is part of the Grand River Source Protection Area ⁵⁵ and the potential impact of surface runoff from the proposed industrial development on water users downstream needs to be carefully examined as like Waterloo Region they often have no other safe water sources or alternatives to their current extensive water systems.



Figure 27: Nith River tributary at flood stage, July 16, 2024



Figure 28: Baden Creek at flood stage, July 16, 2024

The section of Nith River where the streams discharge into downstream contains critical habitat of aquatic species at risk (Silver Shiner - Threatened, and Black Redhorse - Threatened). In addition to the Fisheries Act, the Federal Species At Risk Act ⁵⁶ and Ontario Endangered Species Act ⁵⁷ become pertinent legislation that the proposed

industrial mega site needs to contend with to ensure that there is not any adverse impact on this critical habitat.

Lastly, the topography of the proposed site also creates constraints. This land is neither flat nor level: it has complex slopes due to its proximity to Baden Hill and being bisected by two watercourses.

From a land use and planning perspective, this proposal conflicts with provincial and regional policies that prioritize the protection of natural heritage and water resources. The Provincial Policy Statement, the Regional Official Plan, and Ontario's Endangered Species Act all emphasize sustainable development and ecological preservation.

Moreover, public and stakeholder opposition—including from First Nations, conservation groups, and local residents, could lead to legal challenges and delays. Given the creek's ecological significance and regulatory protections, burying it or altering it for industrial development presents serious planning challenges.

7.1.5 - Site selection 5: Surrounding property use

5 a) Advanced manufacturing and lands zoned industrial

✗ This criterion is not met.

There is no manufacturing of any kind since this land is well outside of the Countryside Line and is protected from non-agricultural development by the Region of Waterloo Official Plan. However, it should be noted that some landowners on the south side of Bleams Road have already been approached by developers. There will be no end to the industrial sprawl once this industrial mega development sets the precedent of the Countryside Line being breached.

5 b) Sufficient buffer

✗ This criterion is not met.

There is not a sufficient buffer between the mega site and neighbouring land uses.

5 c) No housing within 1000 metres

✗ This criterion is not met.

This site selection criterion calls for no housing to be located within 1,000 meters of the proposed industrial site.

The map below shows the area within the 1000 metre boundary where housing is not supposed to exist.

No housing should be located within the shaded area on the map. However, the shaded area includes:

- The eastern half of Morningside
- The employment lands
- All the lands designated for housing between the Recreation Centre and Erb Transport
- The southern edge of Baden
- Wilmot Centre
- All farms south on Bleams.

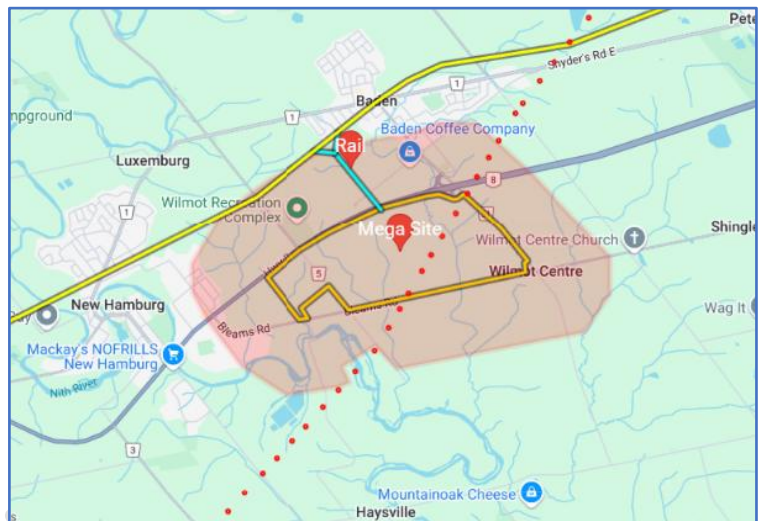


Figure 29: 1 km no housing zone

There are already hundreds of homes within this 1000m boundary and many more are planned.

5 d) No known contaminated sites within 25 km of site

It is unknown whether there are contaminated sites within 25 km of the site. However, less than 1km from the site is the Nachurs Alpine Solutions chemical plant that has been located on the site for decades.

7.1.6 - Site selection 6: Automotive or advanced manufacturing footprint

6 a) Cluster of Tier 1, 2 suppliers and OEM and or advanced manufacturing facilities and training institutes nearby

✗ This criterion is not met. This is a remote, distant site location more than a 50km round trip from the nearest major urban centres of Kitchener, Cambridge, and Waterloo or even other smaller manufacturing centres such as Woodstock.

7.1.7 - Site selection 7: Talent and training

7 a) Labour force in automotive and other advanced manufacturing

✗ This criterion is not met.

About 12,900 residents of Wilmot are between the age of 15 and 64. The unemployment rate in 2022 in Waterloo Region was 7.9%⁵⁸ which means there are about 1,000 unemployed people in Wilmot Township. It is unlikely that many of them are trained in automotive and other advanced manufacturing. Most employees will have to commute 50 km round trip from Kitchener, Waterloo, Cambridge, Woodstock or Stratford. This location is not anywhere near any population centres, never mind skilled automotive, or advanced manufacturing employees.

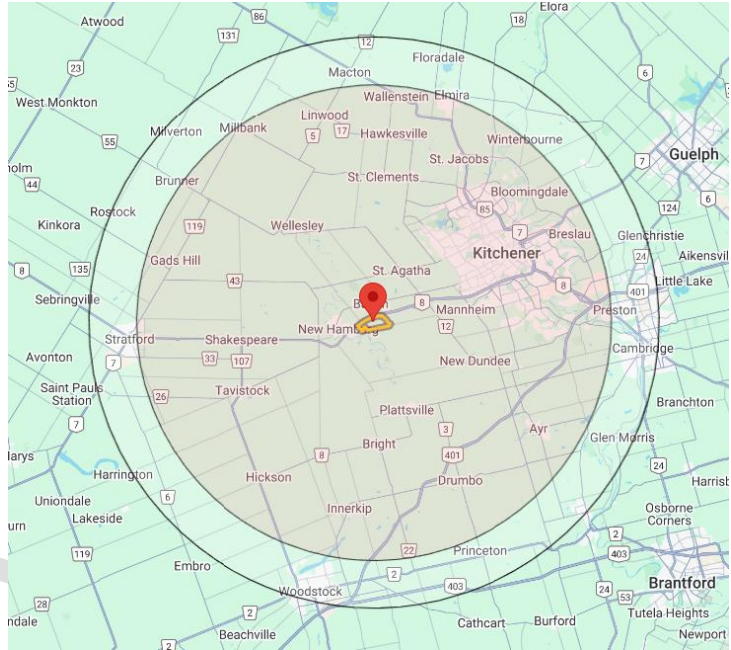


Figure 30: 25km and 30 km commuting radius

7 b) Proximity to post secondary education

✗ This criterion is not met.

This site selection criterion is not met. The University of Waterloo, Wilfrid Laurier University, and Conestoga College are all about 20 km from the site. There is minimal public transportation available.

7 c) Demographic statistics and growth

✗ This criterion is not met.

To meet the density of 20 jobs per acre required by the Region of Waterloo Official Plan, the mega site needs to employ 15,000 people.

The Census data for Wilmot shows there are about 2,380 residents aged 25 to 64 who have a major field of study that would be somewhat appropriate to a production facility⁵⁹.

- Communications technologies/technicians and support services – 25 people
- Accounting and computer science – 10 people
- Computer and information sciences and support services - 210 people
- Engineering – 280
- Engineering/engineering-related technologies/technicians – 565
- Construction trades – 415
- Mechanic and repair technologies/technicians – 515
- Precision production - 280
- Transportation and materials moving – 80

This totals 2,380 people with the potential to work in the mega site. However, most of these people are already employed.

7.1.8 - Site selection 8: Ownership and title

8 a) Preference for one land owner

✗ This criterion is not met.

8 b) Clear title

✗ This criterion is not met.

The Region does not have clear title to the land.

8 c) Confirm transaction impediments

✗ This criterion is not met.

There are multiple impediments including the complete lack of Indigenous engagement to date and the total absence of the many studies required by the GRCA, Federal Fisheries, etc, as well as the lack of authority for the Region to assemble land for speculation in the first place.

7.1.9 - Site selection 9: Policy and regulatory framework

9 a) Appropriately designated and zoned

✗ This criterion is not met.

This land is zoned agricultural and cannot be rezoned to industrial within 90 – 180 days.

9 b) Special consideration / designation

✗ This criterion is not met.

This site is prime agricultural land and is protected from non-agricultural development. It is not zoned industrial and the Region of Waterloo Official Plan has never identified this as an industrial site. Provincial guidelines and prime agricultural protections make it clear the need to protect prime farmland and guide development to other lands.

7.1.10 - Site selection 10: Government approvals

10 a) Consideration for specific criteria including indigenous engagement, wetlands, GRCA, cultural heritage, endangered species etc.

✗ This criterion is not met.

It is our understanding that GRCA has not been asked to comment on this site despite there being GRCA Regulated streams and wetlands on this property.

We do know that 160 acres of corn was destroyed to do an archaeological study of which no results have ever been released or made public. The Stage 1

inspection required a Stage 2 assessment. What were the results of the Stage 2 assessment? Is a Stage 3 site-specific assessment required?



Figure 31: GRCA Regulated Streams and Wetlands

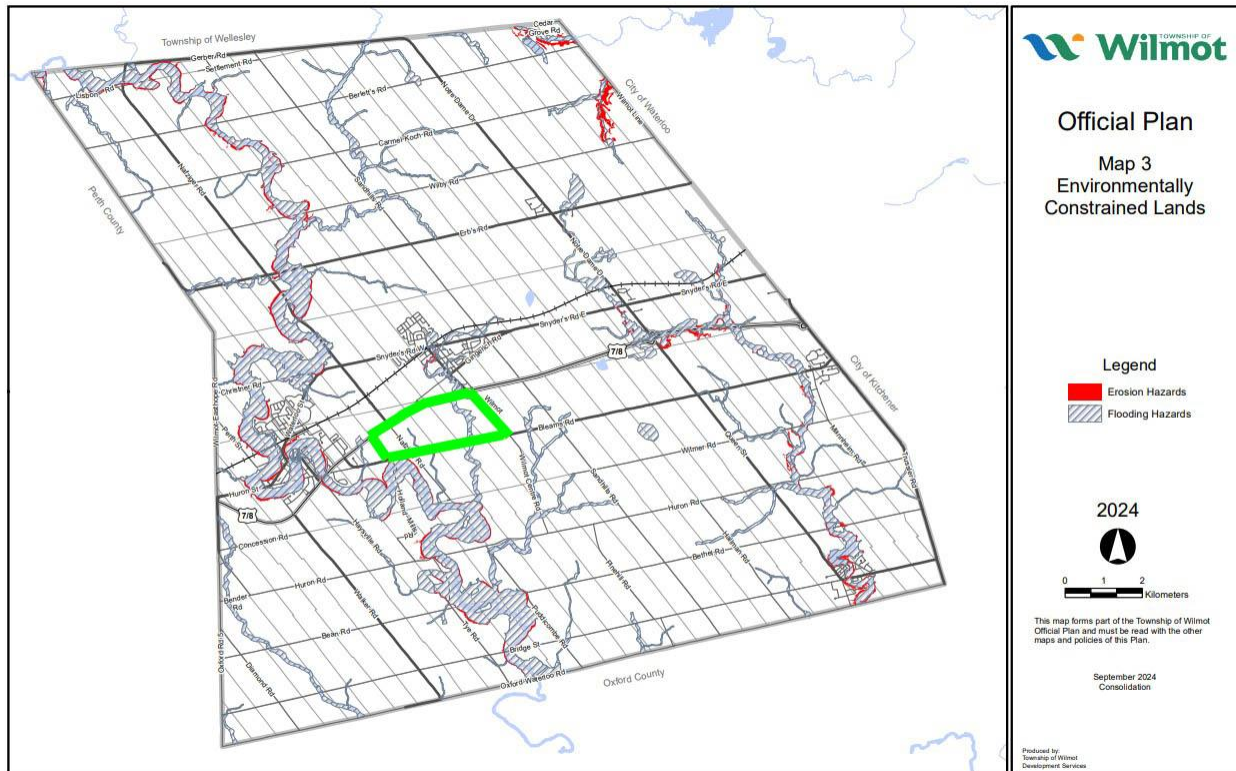


Figure 32: Map3 - Environmentally Constrained Lands

The mega site contains Environmentally Constrained Lands and is not suitable for development.

Section 8.2.2 of the Township of Wilmot Official Plan 2024 ⁶⁰, states:

“Permitted uses within the Environmentally Constrained Lands designation may 722 include agriculture, conservation, passive recreational uses, and forestry and 723 wildlife management.”

10 b) Commitment from city and authorities to streamline approvals

✗ This criterion is not met. No approvals have been sought and all efforts are proceeding in the face of significant landowner and public protest.

7.1.11 - Site selection 11: Engaging with indigenous communities

11 a) Provide letter of notice to neighbouring indigenous communities

✗ This criterion is not met.

The Region has not provided notice to, or met with the Six Nations of the Grand River. Six Nations have met with local residents and they have expressed serious concerns.

7.1.12 - Site selection 12: Incentives

12 a) Preference to submissions that outline proposed targeted incentives to help project

Unknown. There has been no public knowledge of any incentives to help the project and given the dire financial straits of both the Township of Wilmot ⁶¹ and Region of Waterloo it is unknown how any incentives would be funded without created additional taxpayer burdens on local residents.

7.1.13 - Site selection 13: Community Benefits

13 a) Identify any community benefits such as workforce development initiatives

✗ This criterion is not met.

We are not aware of any community benefits such as workforce development initiatives, social procurement initiatives, or supplemental benefits.

7.2 - ADDITIONAL SITE SELECTION CRITERIA ARE ON THE REGION'S WEBSITE ⁶² .
--

7.2.1 - Site selection 14: The ability to assemble a large, contiguous area

✗ This criterion is not met.

The site is divided into 3 parcels by Nafziger Road to the west and by the major Hydro transmission line corridor right of way bisecting the Eastern portion of the property.

It is also divided by the GRCA regulated streams mentioned above.

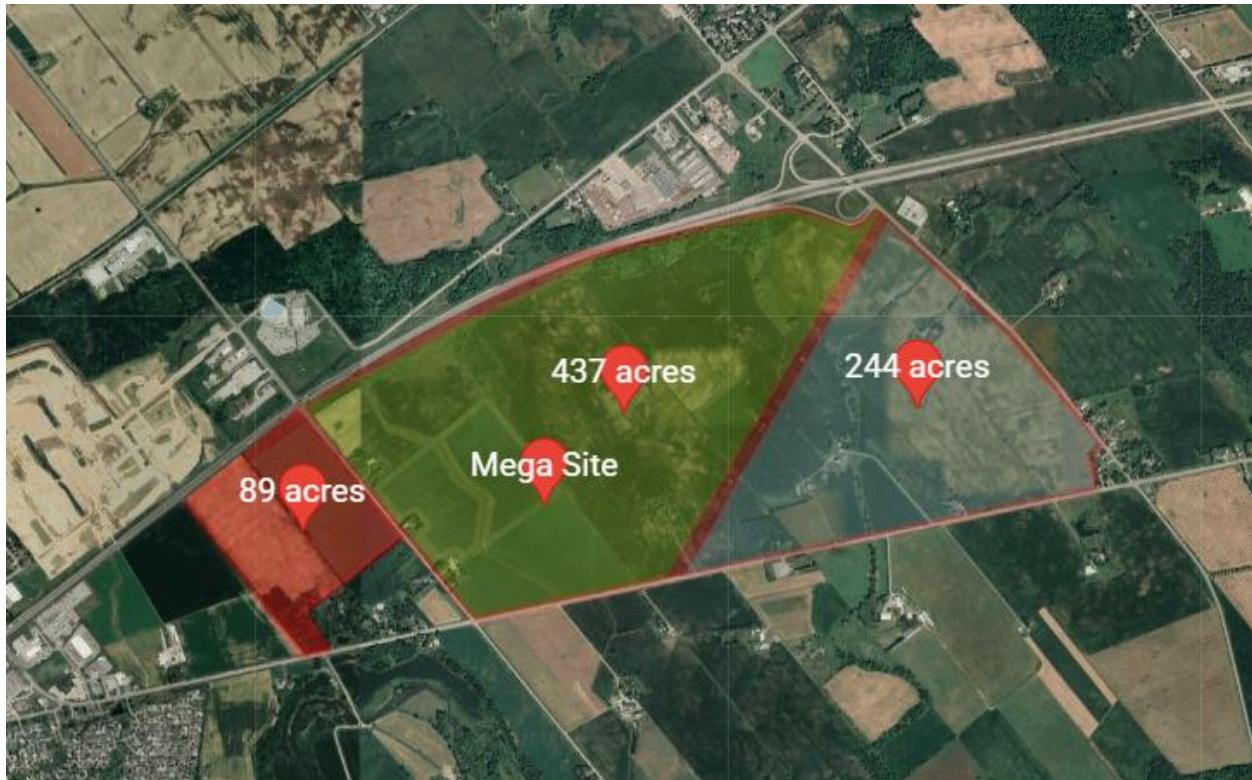


Figure 33: Non-contiguous parcels of land

7.2.2 - Site selection 15: Nearby to hydro infrastructure

✓ This criterion is met.

7.2.3 - Site selection 16: Nearby existing infrastructure for water/wastewater with capacity in the system

✗ This criterion is not met.

Due to high phosphorus levels, the Nith River is currently close to its assimilative capacity (carrying capacity for receiving treated sewage) ⁶³. Here we present the information we have been able to find on the status of wastewater treatment capacity in Wilmot Township, as well as drinking water supply.

In response to our Freedom of Information Requests, the Region referred us to the “2024 Water and Wastewater Monitoring Report” ⁶⁴. The report details how the water and wastewater capacities are calculated.

Note: The Region is responsible for providing water and treating sewage, and the Township is responsible for distributing water and transporting sewage to the treatment plant. If the Baden / New Hamburg Wastewater Treatment plant is insufficient for the

type of industry that is to be built on the 770 acres, then the Township will be responsible for the cost of building the sewer pipe to Mannheim or Kitchener.

Baden - New Hamburg Wastewater Treatment Plant

The Baden - New Hamburg Wastewater Treatment Plant processes sewage from New Hamburg and Baden and then discharges the treated effluent into the Nith River.

The population served by the plant is based on census data and approximates the actual population discharging sewage into the plant. (it's a good approximation even though some in the census area are on septic systems and some outside of the area use the plant)

Rated capacity of the plant is 6,900 cubic metres of wastewater per day (m^3/day)

The 5-year average flow rate is $0.2539 \text{ m}^3/\text{day}$ per person.

Based on the plant capacity and the 5-year average flow, there is capacity for an additional; 11,800 people. This includes the “*servicing requirements for planned development and projected growth*” of $28 \text{ m}^3/\text{day}$ which is sufficient for 110 people.

The Remaining Capacity ($3,006 \text{ m}^3/\text{day}$) divided by the Average Projected Flow per capita per day ($0.2539 \text{ m}^3/\text{c/d}$) gives a Remaining Capacity of 10,400 persons.

There is no allowance for any residential, commercial or industrial intensification within Baden and New Hamburg which will further reduce the Remaining Capacity.

There is a problem with the $28 \text{ m}^3/\text{day}$ of committed flow that is supposed to provide “*servicing requirements for planned development and projected growth*”.

The Township of Wilmot Development Application Listings ⁶⁵ as of Nov 7, 2024, list a total of between 1,611 and 2,061 proposed dwelling units. It is impossible to determine the type of dwellings being proposed (single family, town houses, or apartments) as many of the links to the details are broken. However, the Census data ⁶⁶ says the average household size in Waterloo Region is 2.7 people per dwelling.

If the Development Listings are included, the remaining capacity of the wastewater treatment plant is between 6,300 and 7,600 people, not the 11,800 shown in the report.

The Region of Waterloo Official Plan calls for a density of 20 people or jobs per acre (50 per hectare) for greenfield developments. This results in the

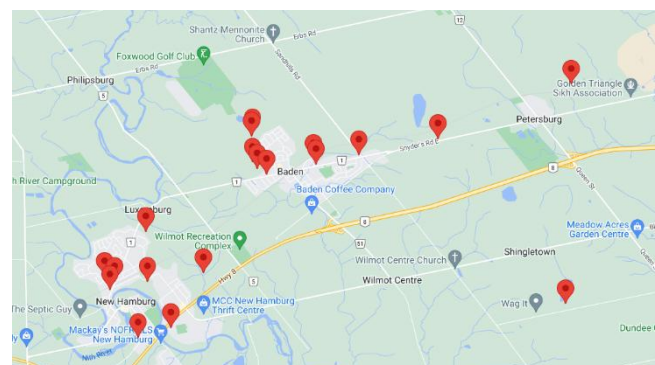


Figure 34: Development Listing

wastewater from an additional 15,400 employees being added to the sewage flow into the treatment plant assuming 770 acres for the proposed mega site and 20 people or jobs per acre

All this ignores the planned greenfield expansion in Wilmot Township. The Regional Official Plan added 125 acres (50 hectares) which will add approximately 2,500 people to the wastewater treatment plant. Wilmot Council also asked for an additional 740 acres (300 hectares) ⁶⁷. This addition, assuming 20 people or jobs per acre will add another 12,800 people to the wastewater treatment plant.

The housing already approved but not yet constructed, along with the 770 acres for the industrial mega site and the 740 acres now approved for additional greenfield residential expansion far exceed the capacity of the Baden – New Hamburg Wastewater Treatment Plant.

Nith River

The outflow from the treatment plant goes into the Nith River.

The Nith River exceeds the Provincial Water Quality Objectives for 0.03 mg/L for total phosphorus (TP) and the river falls under the Policy 2 guidelines.

"Water quality which presently does not meet the Provincial Water Quality Objectives shall not be degraded further and all practical measures shall be taken to upgrade the water quality to the Objectives."

⁶⁸

Due to the poor water quality in the Nith River, expanding the New Hamburg wastewater treatment plant is unlikely in the foreseeable future, as the watershed has already exceeded its assimilative capacity

Baden – New Hamburg Drinking Water System

Baden and New Hamburg are served from wells K50, K51 and K52. These 3 wells also supply water to the Integrated Urban System (IUS) which provides water to the cities.

The Region calculated there is a remaining capacity for another 20,000 people in the area, however, if you include the Township of Wilmot Development Application Listings, there is only enough current water capacity for an additional 4,300 to 5,500 people.

While additional hydrological capacity may be available in the area due to the proximity of Waterloo Moraine and its groundwater aquifers, these aquifers are the primary water supply for hundreds of thousand of people in Waterloo Region already facing summer water restrictions and significant well loss due to salination. There is also the need to service hundreds of thousands of additional new residents in Waterloo Region using the ground water supply.

Minister Vic Fedeli already acknowledged on August 22, 2024 that because of water limitations at this proposed mega site many sorts of water intensive industries such as EV battery manufacturing and meat processing plants would not be suitable for the site. ⁶⁹

7.2.4 - Site selection 17: Not located on the Regional recharge zone which protects Waterloo Region's drinking water.

✗ This criterion is not met.

The proposed mega site is located adjacent to the Waterloo Moraine, a vital geological formation in that serves as the primary source of drinking water for the Regional Municipality of Waterloo. This moraine consists of layers of sand, gravel, and clay, which naturally filter and store groundwater. It supplies approximately 80% of the region's drinking water, making the Region one of the largest municipalities in Canada reliant on groundwater. Protecting the moraine is essential to ensuring a sustainable and clean water supply for the growing population while balancing urban development and environmental conservation.

Since there is no information about the type of industry proposed for the site, it's not possible to identify all potential contaminants to water resources. We are extremely concerned about the potential environmental impacts of the manufacturing process, as well as runoff from buildings and parking areas. Potential contaminants to the aquifer

supplying local municipal and private wells include leached chemicals, road salt, brake fluids, tire dust, and diesel particulate.

There is Significant Groundwater Recharge Areas to the east and south of the mega site.

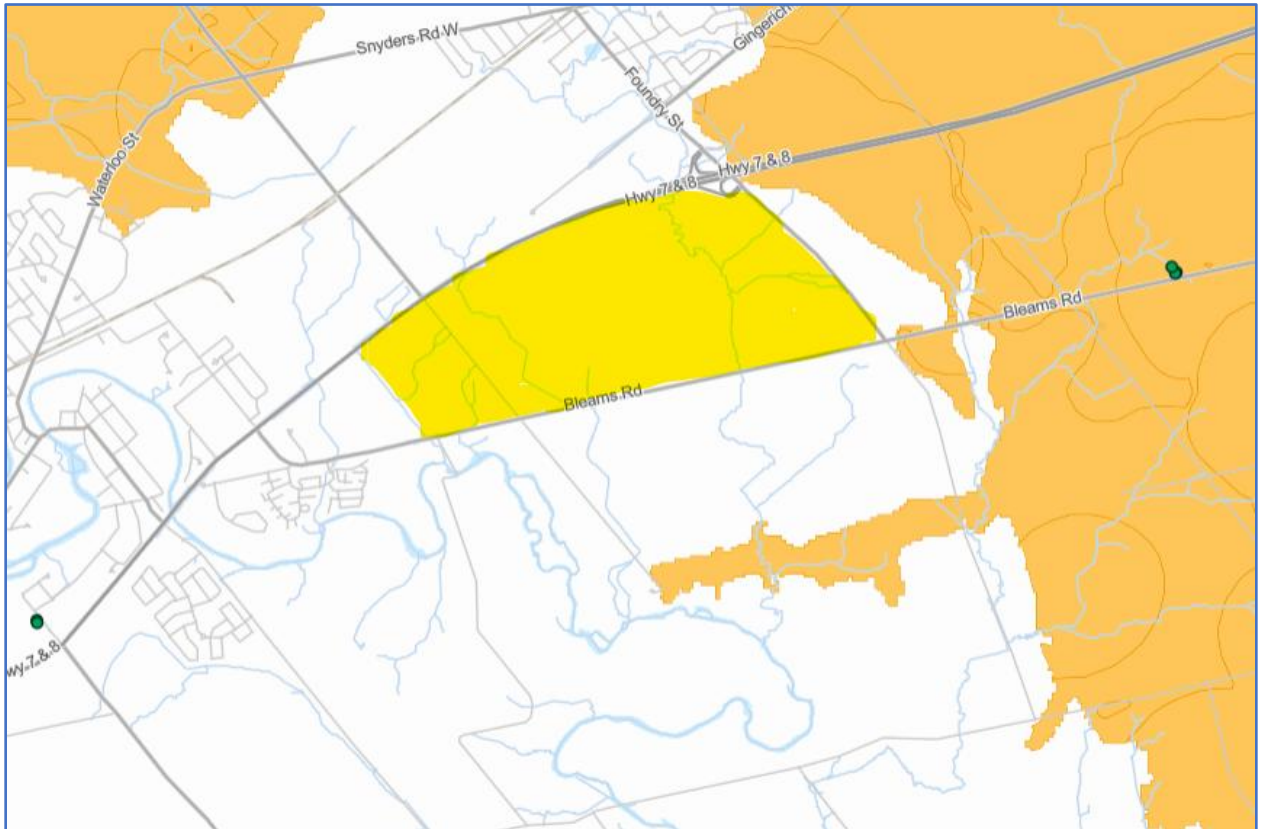


Figure 35: Significant Groundwater Recharge Areas

Through the Source Water Protection Plan process completed by the Grand River Conservation Authority, significant groundwater recharge areas were identified to protect sources of municipal drinking water, and to ensure adequate quantities of water availability in the future. A significant ground water recharge area is located about 75 m east of the proposed mega site.

The Source Water Protection Plan process also identified and described wellhead protection areas for municipal water wells. A wellhead protection area has is located 1.2 km from the eastern boundary of the proposed mega site, and part of this WHPA are classified as having high vulnerability.

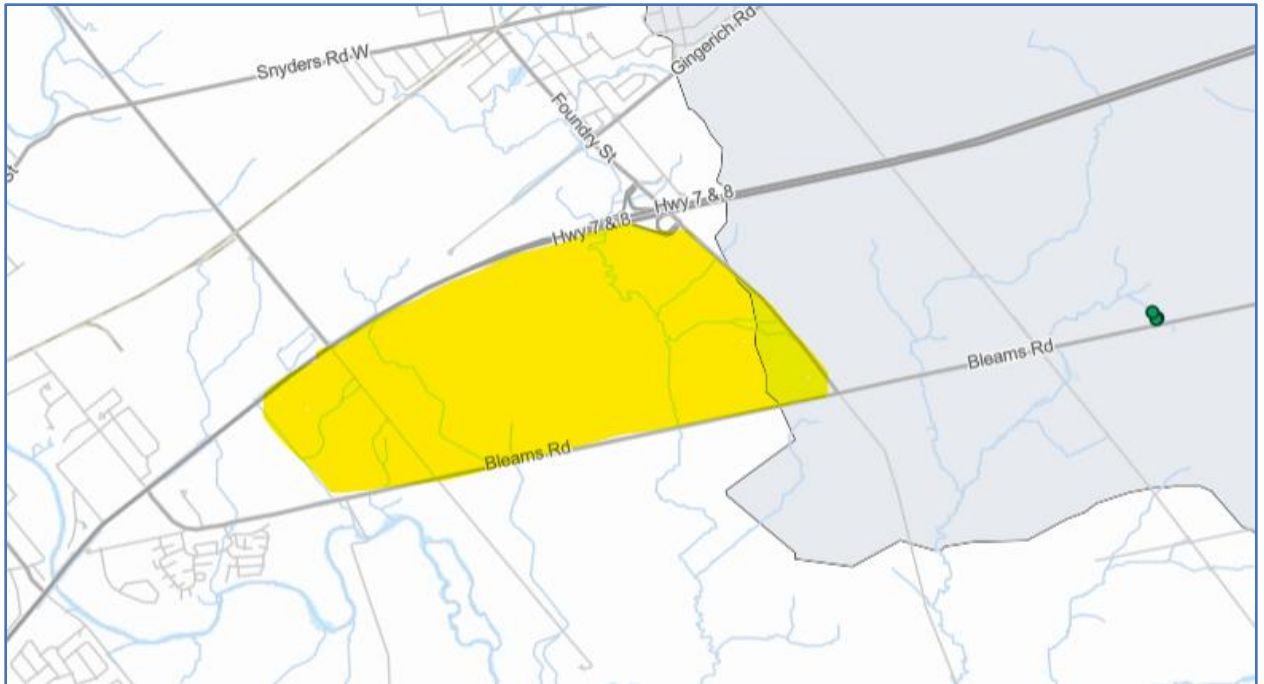


Figure 36: Wellhead Water Quality Zone

About 41 acres of the proposed site is in the wellhead water quantity zone. The *Clean Water Act, 2006 Technical Rules* require WHPA-Q1 and WHPA-Q2 zones to be delineated for municipal wells located in groundwater assessment areas with a moderate or significant water quantity stress, as per the Tier 2 Water Budget study. A WHPA-Q1 zone is the area where the quantity of water supplying the municipal well could be affected by other existing, new or expanded water takings.

How will the recharge area and the wellhead water quality zone be protected from runoff?

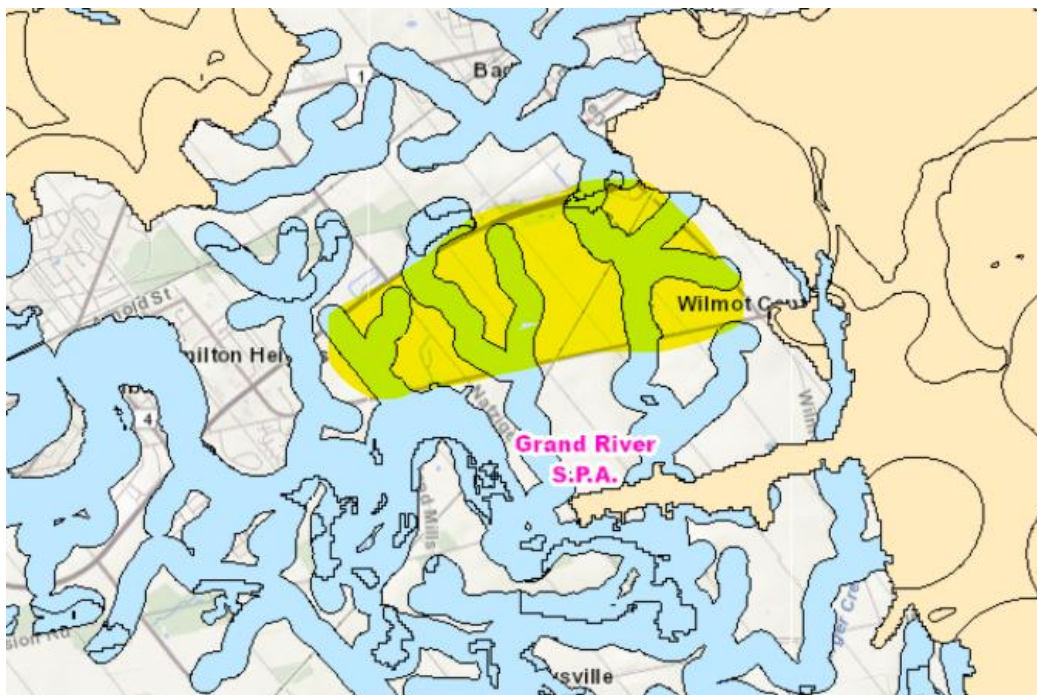


Figure 37: Intake Protection Zone ⁷⁰

“Intake protection zone three, IPZ-3, is an area where modelling has demonstrated that contaminants released during an event may be transported to the intake and cause an adverse effect”⁷¹ “. IPZ-3 is shown in blue on the map above.

The light brown area on the map is Significant Groundwater Recharge Area. Note that the direction of underground water flow generally follows the surface water. Any contamination of the groundwater under the 770 acres will flow south to the Significant Groundwater Recharge Area.

The Nith River and surrounding farms may be also impacted by surface water runoff.

As previously discussed under criterion 4, several streams drain through the 770-acre site, The creek to the east of Nafziger Road forms the source of an existing irrigation pond which is critical to the operation of a neighbouring farm business immediately south of Bleams Rd.

Stormwater runoff from the mega site will significantly impact water quality for this operation. Any untreated and polluted water will enter the Nith River, further degrading its water quality.

Without details on the type of industry proposed for the site, it is impossible to determine all potential contaminants affecting water resources. We are deeply concerned about the environmental impacts of the manufacturing process, as well as runoff from buildings

and parking areas. Potential contaminants that could affect the aquifer supplying local municipal and private wells include leached chemicals, road salt, brake fluids, tire dust, and diesel particulates.

A closer look at the impact of road salt on the aquifer:

“Once salt is in the water, there is no easy fix to remove it. Current water and wastewater treatment does not remove salt from the water. Removing salt requires desalination which is extremely expensive and energy intensive, and greatly increases greenhouse gases. Including desalination as part of the treatment process would also result in much higher water costs for the community.” Waterloo Region – Salt Management ⁷²

As the salinity of the wells closer the cities increase, more and more water from K50, K51 and K52 will be required to dilute the water supply to meet Provincial standards.

The mega site is expected to have a very large parking lot since there is very little public transportation available in the area. The parking lot will require heavy salting in the winter.

The parking lot will create high volumes of rainfall run off and large storm water retention ponds may be required resulting in additional farmland loss.

7.2.5 - Site selection 18: Consistent grading considerations throughout the area.

✗ This criterion is not met.

There is a difference of about 50 ft in elevation over entire of the 770 acres.

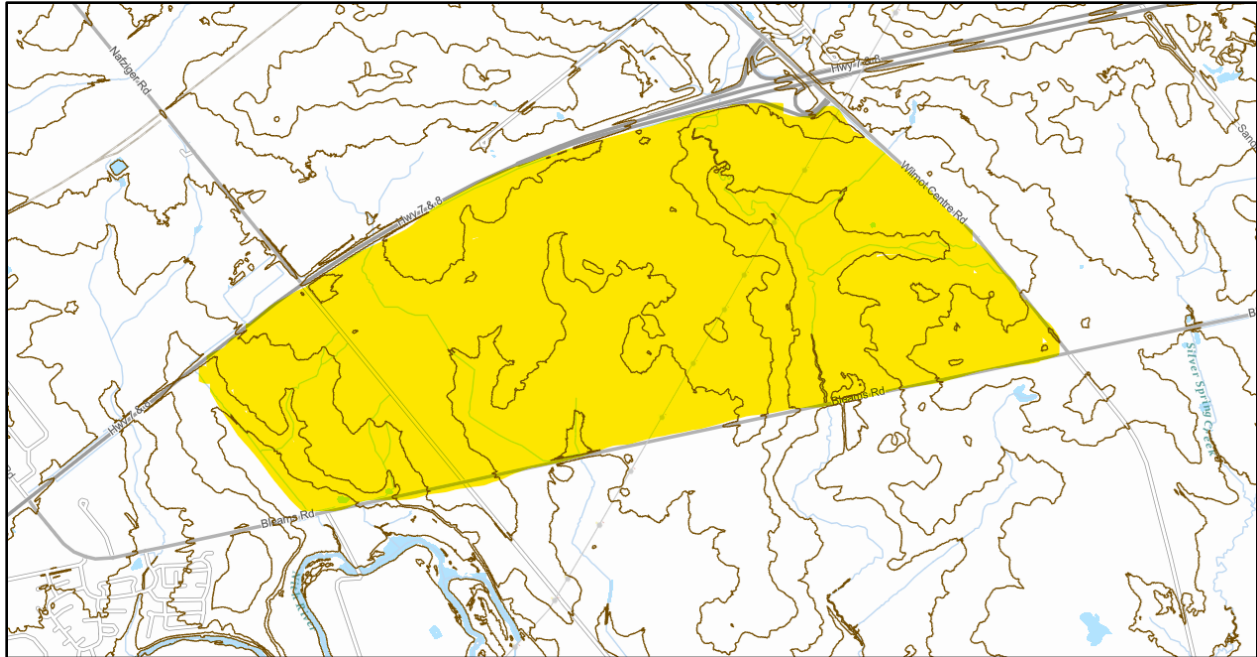


Figure 38: Elevation

7.2.6 - Site selection 19: Close proximity to Waterloo Region's skilled workforce.

✗ This criterion is not met.

7.3 - ADDITIONAL CRITERIA FOR SITE ELECTION BY ECONOMIC DEVELOPMENT PDL-ECD-23-011

7.3.1 - Site selection 20: Assemble mega site from existing inventory of 2,648 acres identified in Region of Waterloo Official Plan Amendment No 6.

✗ This criterion is not met.

An additional 1,126 acres of land has been designated Regional Employment Lands for a total of **3,774** acres already available for industrial development.

7.3.2 - Site selection 21: Owner willing to develop or sell

✗ This criterion is not met.

The remaining landowners are unwilling to sell their land.

Site selection criteria from the Waterloo Region Employment Lands Shovel-Ready Strategy PDL-ECD-23-011 June 21, 2023 Council Report requesting funding for the report ⁷³.

“Note: Shovel-ready lands are generally considered to be lands with the necessary approvals, servicing and transportation infrastructure in place as well as an owner willing to develop or sell to an end-user.”

**7.4 - ADDITIONAL CRITERIA - REGION OF WATERLOO ECONOMIC DEVELOPMENT COMMITTEE
APRIL 14, 2020 DRAFT TERMS OF REFERENCE**

7.4.1 - Site selection 22: Support for the Region of Waterloo Official Plan

✗ This criterion is not met.

The industrial mega site does not support either the Region of Waterloo Official Plan or the Township of Wilmot Official Plan.

Our Freedom of Information Requests revealed that the Region never discussed the requirements of the Region of Waterloo Official Plan. Politicians and bureaucrats completely ignored their ethical obligations to the residents by disregarding the Official Plans of both the Region and the Township.

7.4.2 - Site selection 23: Support employment land strategy for the east side lands

✗ This criterion is not met.

7.4.3 - Site selection 24: Implement the Airport Business Plan

✗ This criterion is not met.

7.4.4 - Site selection 25: Support transportation plan that enhances connectivity

✗ This criterion is not met.

7.4.5 - Site selection 26: Proximity to commuter rail service (GO Trains)

✗ This criterion is not met.

7.5 - SUMMARY: THE WILMOT MEGA SITE RECEIVES A FAILING GRADE

“After getting a failing grade in the provincewide Job Sites Challenge, our regional government set out to acquire land that could be used for future industrial investment.” Tony LaMantia, WaterlooEDC ⁷⁴.

The 770 mega site meets only 7 of the 44 criteria set by the Ontario Job Site Challenge and the Region of Waterloo’s own criteria.

This is clearly a failing grade.

Yet WaterlooEDC will not talk about any of the concerns the residents of Wilmot have with this massive project.

“All critical, project-specific consultations will begin AFTER the land is assembled, once we have a real project to consider. That is just how it works in the fiercely competitive arena of investment attraction and retention.” Tony LaMantia, WaterlooEDC

Spending millions off dollars on developing a site for a handful of potential end users, without knowing their selection criteria, goes against all the principles of good planning and common sense.

7.6- LAND SPECULATION

Speculation has not occurred in lands outside the urban boundaries as no non-agricultural development has been possible since 1976. The price of farmland in the rural areas is about \$40,000 to \$50,000 per acre which is its agricultural value. An acre of un-serviced industrial land, within the urban boundaries is worth between \$1 million and \$1.2 million.

Who benefits from taking land at farm prices and selling at industrial prices? Does the Region benefit? Wilmot? The Province? A private company? Or a developer?

7.7 - TOYOTA BATTERY PLANT

The Waterloo Region Record reported that Toyota was the intended end user for the mega site.⁷⁵

“Hundreds of acres of prime farmland in Wilmot Township are being assembled and converted for a future Toyota plant.”

However: Philippe Crowe, a Toyota spokesperson, said, *“We are not involved in any land assembly projects in Ontario.”*

The Record reported that sources said *“nothing has been signed and discussions are ongoing but none have said Toyota has a role in the assembly process.”*

Toyota has just invested \$20 billion (Cdn) in Randolph County, North Carolina to produce lithium-ion EV batteries. This plant occupies 160 acres of the 1,850 acres Toyota purchased for the site⁷⁶.

It is very unlikely that Toyota will build an EV battery plant in Wilmot considering the size of the North Carolina facility. If

Toyota does build a plant, they already own 1,000 acres in Woodstock ON, that has enough land to build a battery assembly plant there.

According to Toyota, the location of the Woodstock facility:

“was picked due to its educated workforce, proximity to the Cambridge plant, and being adjacent to the major transportation corridors, Highway 401 and Highway 403. Known as the West Plant, the first vehicle produced there rolled off the assembly line on November 3, 2008. The West Plant covers



Figure 39: Waterloo Region Record

1,800,000 square feet (170,000 m²) in space on 4.05 square kilometres (1,000 acres).” 77

The existing Woodstock plant is 42 acres. If the railyards and vehicle storage are included, the facility covers about 330 acres. The 1,000 acres available to Toyota at Woodstock minus the existing plant of 330 acres is 670 acres which is:

- Close to Toyota’s manufacturing sites.
- Adjacent to Hwy 401 and the Hwy 403 to reach both Cambridge and the export market via Detroit and Buffalo.
- On CPKC rail which is common the both Toyota plants.
- Adjacent to existing support industries

The Woodstock location avoids the problems with the location of the Wilmot mega site.

- Problematic rail connections between CN North and CPKC to Cambridge.
- Poor surface transportation between Wilmot and Woodstock.
- Destruction of Prime Agricultural Areas
- Destruction of wetlands and floodplain.
- Meets most requirements of the Ontario Job Site Challenge (flat, water, sewage, etc.)
- Local labour force
- And the land is already owned by Toyota.

With Toyota’s Woodstock location there were far better selection processes and very creative First Nations agreements for solar energy, tree planting, and long-term land usage. The First Nations have not been consulted about the Wilmot industrial mega site, let alone included in planning.

Update – February 16th, 2025

After a speech at the Confederation Club in Kitchener on February 16th, 2025, Scott MacKenzie, Toyota's Director of Corporate and External Affairs for Toyota Manufacturing Canada, spoke with several Wilmot residents who live near the 770 acres. Scott said that Toyota has nothing to do with the Wilmot Land Assembly and that Toyota has no land assembly processes underway anywhere in Ontario. According to MacKenzie, if any future plants are needed, they would be build on the 500+ acres sitting vacant at their Woodstock facility.

If we are going to attract a large industrial facility and compete against US plants, we need:

- a better location that meets more than only 7 of 44 criteria
- has far fewer negative impacts
- has the infrastructure (sewer, water, support industries)
- to understand the financial impact on the municipality
- has the broad support of the community.

This Wilmot site comes at too high of a cost to our farms, environment, water, and rural communities. It is contrary to all planning, Official Plans, Master Plans, farmland protection, and stands to disrupt and destroy so much that is integral to the high quality of life we all currently enjoy across Waterloo Region.

Industrial mega site developments of this scale need to be where there is the infrastructure and thousands of potential employees - not a 50km round trip from the urban centres of Kitchener, Waterloo, Cambridge, Stratford and Woodstock.

8 - MISINFORMATION

Unfortunately, there are many stories about economic opportunities that have been lost in the Region due to the lack of a mega site. A couple of companies, Maple Leaf Foods, Dr. Oetker and Ferrero Rocher, come up frequently in press reports and interviews with representatives from various business lobbyists.

"One opportunity McLean pointed to was Maple Leaf Foods, which in 2012 announced it would build its newest facility in Hamilton.

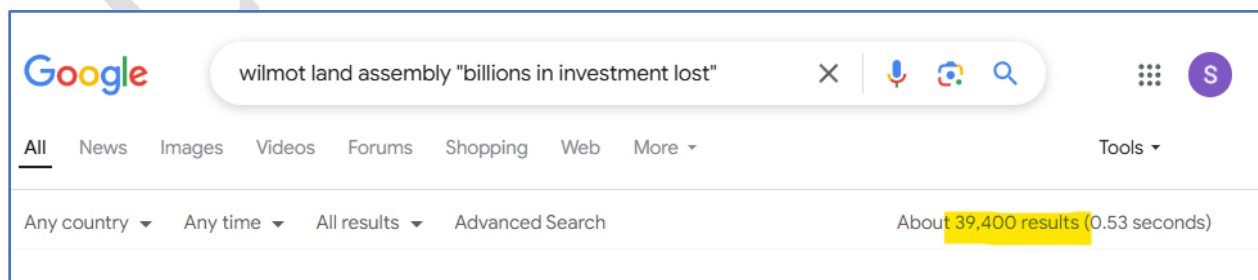
We lost our Schneiders plants here in Waterloo region because we were not co-ordinated and we did not have one site that was suitable for what Maple Leaf Foods was looking for," ⁷⁸

"Over 10 years ago, the Schneider's plant left the community because the region did not have a suitably large site ready to accommodate the needs of Maple Leaf Foods. Instead, the facility was built in Hamilton. The region lost potential investments by Dr. Oetker and Ferrero Rocher for the same reason." ⁷⁹

"Officials cited pizza manufacturer Dr. Oetker as an example of a lost investment opportunity for our region "because we did not have shovel-ready land for development that would be attractive to a large-scale employer." " ⁸⁰

None of the stories of economic opportunities lost are true.

The Region of Waterloo has not provided any evidence to support the various claims that the Region has lost billions of dollars in investments and thousands of jobs because of the lack of a mega site available for large industries.



8.1 - THE CORRECT INFORMATION

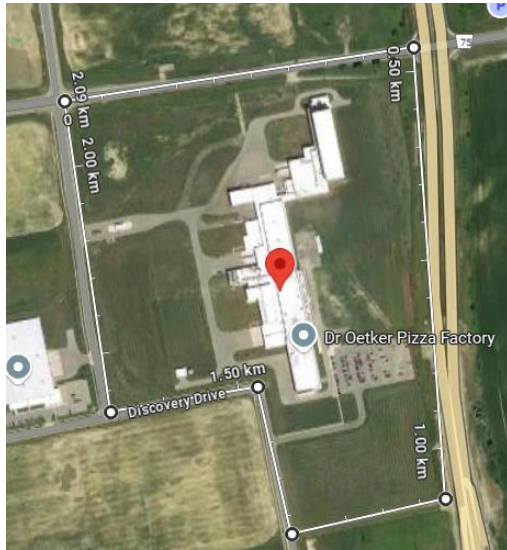


Figure 40: Maple Leaf Foods

Maple Leaf Foods moved the Schneider plant to Hamilton because:

“Our state-of-the-art prepared meats facility makes a wide variety of hot dogs and deli meats. Opened in 2014, the Heritage plant combines the production of five Maple Leaf Foods plants into one facility.” ⁸¹

Maple Leaf foods received \$2.6 million from the City of Hamilton and \$1.0 million in other incentives ⁸².

The Hamilton plant is 42 acres so the lack of a 770 mega site is not the reason the Schneiders’ plant was moved.

Dr Oetker’s pizza plant in London received \$12 million in grants from the Federal Government ⁸³ plus \$7 million from the Province ⁸⁴.

The plant occupies about 57 acres. Again, the lack of a mega site has nothing to do with Dr Oetker not building a plant in the Region of Waterloo.

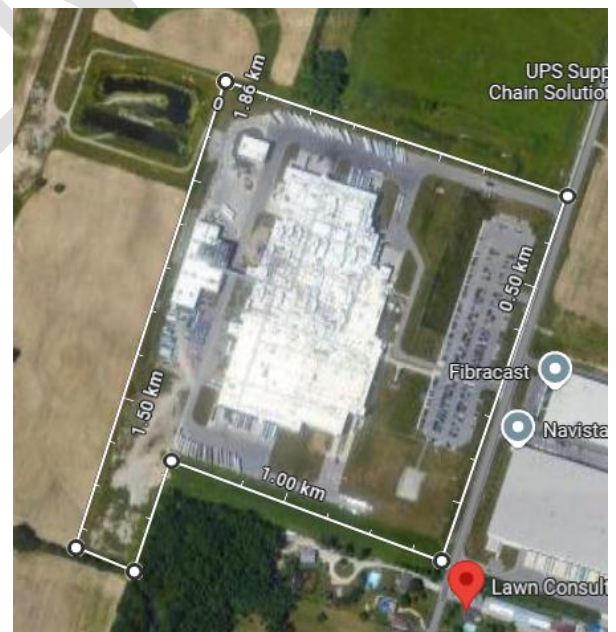


Figure 41: Dr Oetker



Figure 42: Ferrero Rocher

Ferrero Rocher is in Brantford and occupies 157 acres, although the plant itself currently sits on 95 acres.

Ferrero Rocher received \$1.5 million from the Southwestern Ontario Development Fund.

According to Chairperson Karen Redman:

“We calculate that we have lost over four billion dollars of investment and 5,000 jobs in the last few years by not having large land assembly ready to go,” ⁸⁵

Who are these companies and how many potential projects were lost because of the lack of a mega site in Wilmot? Clearly Maple Leaf Foods, Dr Oetker’s, or Ferrero Rocher did not need a mega site.

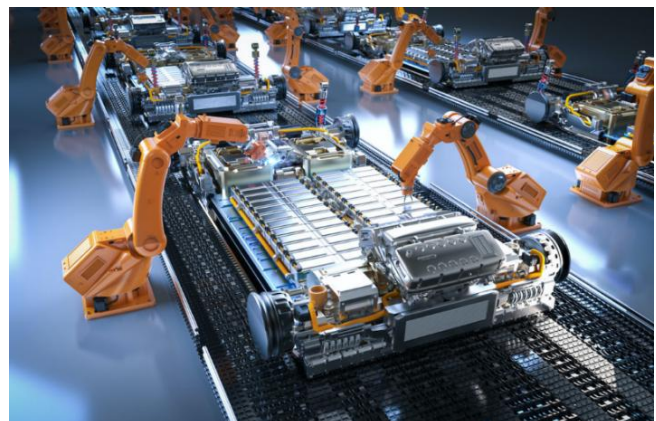
They could have been accommodated in the East Side Employment Lands which, according to the Region, contains 3,773 acres already available for industrial development.

8.2 - EV BATTERY PLANT



Figure 43: Nextstar - Windsor

There has been a lot of talk about attracting an EV battery plant like the Nextstar Energy Plant in Windsor. This plant will supply 40% of the batteries for Stellantis' EV production in North America. However, the plant only occupies 213 acres⁸⁶ and a comparable plant could be accommodated in the East Side Employment Lands. The plant will generate 2,500 jobs, well below the 4,600 jobs required by the Region of Waterloo Official Plan for greenfield development for a 200-acre site.



Note: 15,400 jobs are required for the 770-acre site.

To illustrate the massive size of this land acquisition and to put things into perspective, the following is a list of the largest manufacturing sites in the US, ranked by the number of employees, as of May 2024 ⁸⁷.

	Company	Employees	City	State
1	Boeing Commercial Airplane Co	30,000	Everett	WA
2	Huntington Ingalls Industries Inc	21,800	Newport News	VA
3	Tesla Inc	20,000	Austin	TX
4	Intel Corp	19,300	Hillsboro	OR
5	Lockheed Martin Aeronautics Co	16,400	Fort Worth	TX
6	The Boeing Co.	16,000	St Louis	MO
7	770 acres	15,400	Wilmot	ON
8	Intel Corp	13,000	Chandler	AZ
...				
20	Ford Motor Co., Kansas City Assembly	9,468	Claycomo	MO

9 - ALTERNATIVE SITES

Suggesting an alternate site is really a pointless exercise since the requirements for an end customer are unknown. It is obvious that 770 acres is required for only a handful of the largest developments in North America.

However, we can use the Ontario Job Site Criteria (close to rail, water, sewage, post secondary education, work, force, etc.) and avoid the destruction of a large amount of prime farmland to select alternate sites. The sites below were found with a very quick search of Google maps.

9.1 - SITE 1 (AYR)

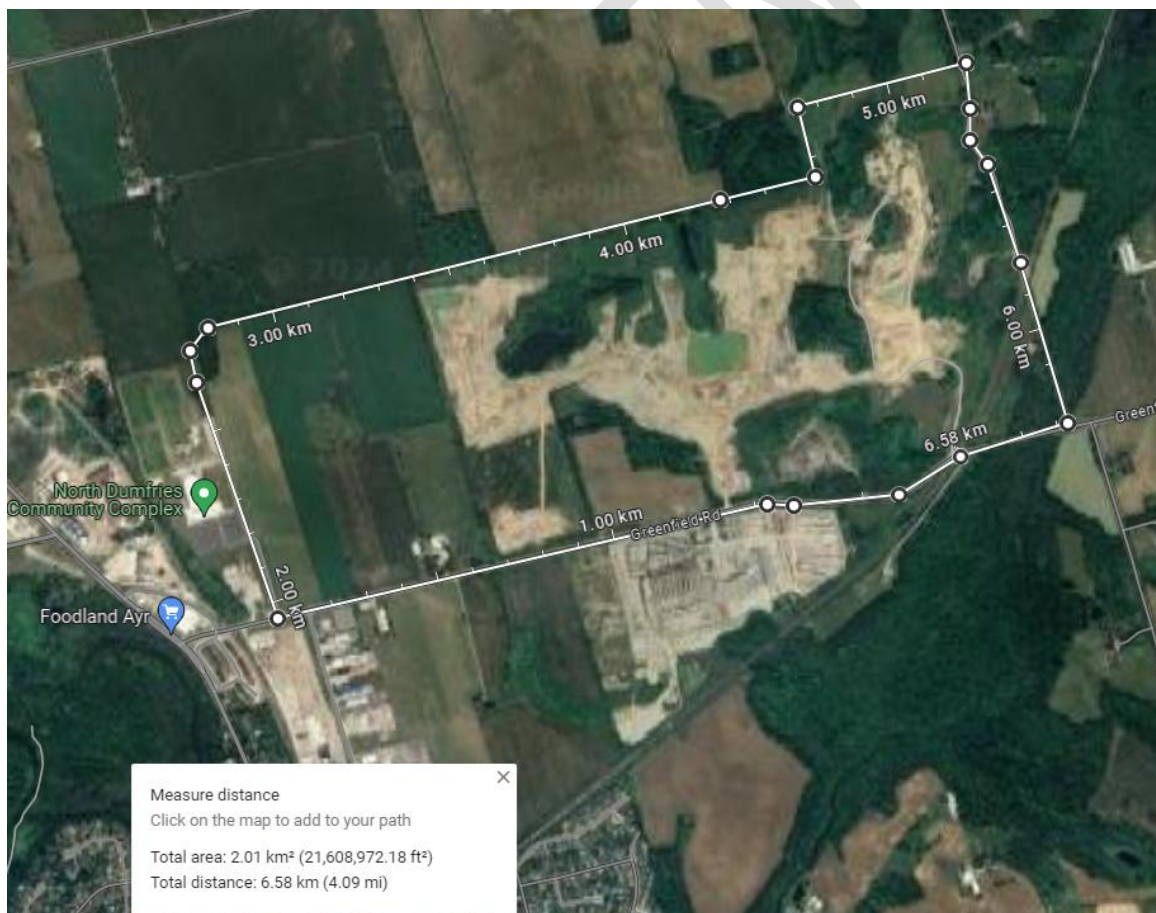


Figure 44: 500 acres ⁸⁸

Located:

- South of Regional Rd 97
- East of Northumberland St
- North of Greenfield Rd
- West of Reidsville Rd.

CP rail on southeast corner of property

- 24 km to Toyota Cambridge who are on CP Pail
- 31 km to Toyota Woodstock who are on CP Rail
- CP like CN is single tracked but there is no passenger service on CP

9.2 - SITE 2 (BETWEEN PETERSBURG AND IRA NEEDLES)



Figure 45: 480 acres⁸⁹

Located:

- South of Hydro Cut (south west of Waterloo land fill)
- 1 km east of Ira Needles
- North of Snyder's Rd E (north of the train track)
- West of Notre Dame Dr

CN Rail goes along the south edge of the property. The site can be expanded to 640 acres by acquiring a single farm to the west of the site.

The preference would be to use the East Side Employment lands as they have already been identified as a location for a meg site. These lands are within the Countryside Line.

9.3 - TALBOTVILLE INDUSTRIAL MEGA SITE

The Talbotville industrial mega site was first developed in 1967 for the Ford Motor Company and consists of 635 acres. The plant was closed in 2011 and was demolished in 2016. The land is now a concrete wasteland with an abandoned rail yard and an Amazon Fulfillment Centre. This land can never be rehabilitated to farmland.

Why is this land not being redeveloped for a mega site instead of using prime farmland?

- Highway 401 access
- Rail access
- Water and sewage exist
- 10 km to population centre (St. Thomas)
- Farmland that can never be rehabilitated.
- 30 km to London airport (same distance from the 770 acres to Waterloo airport)
- Proximity to education (Western University, Fanshaw College)
- Flat
- Already zoned industrial

The Talbotville site meets more of the criteria for a mega site than any other option and the land has already been ruined.

9.4 - IS THIS THE FATE OF THE 770 ACRES?

Is this the fate of the 770 acres if the owner moves production off shore, goes out of business, or the US implements trade barriers?

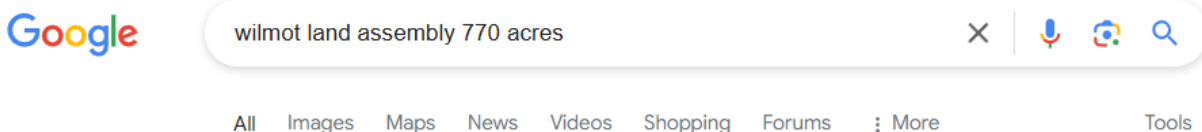


Figure 46: Talbotville 635 acres ⁹⁰

10 – PUBLIC INTEREST

10.1 - MEDIA

As of Nov 3, 2024, Google Search found about 62,000 articles mentioning the Township of Wilmot land assembly.



Various local and national media have covered the land assembly:

- CBC Radio
- CBC TV
- CITY News
- CTV News
- Farm Ontario
- Globe and Mail
- KW Record
- National Observer
- Penticton Herald
- Stratford Today
- The Narwhal
- The Trillium
- Wilmot - Tavistock Gazette

10.2 - LAWN SIGNS

Over 4,000 lawn signs have been distributed across Waterloo Region and beyond.

10.3 - FIGHTFORFARMLAND.COM

Our website has had over 60,000 unique visitors and has a weekly email subscription of over 1000 contacts.

10.4 - TRACTOR PROCESSION

On August 28, a 1 km long procession of tractors rolled through Waterloo Region, driven by farmers determined to protect Wilmot Township's farmland from a massive development project. Tractors travelled over 27 km from the proposed development site to the Region of Waterloo Headquarters. Many supporters lined the route, while Regional Police managed traffic for a smooth two-hour journey.

At the Regional Council meeting, more than 500 protesters gathered outside to demand transparency, accountability, and a halt to the project, with speeches from Green Party Leader Mike Schreiner, NDP MPP Catherine Fife, and a statement from Liberal Ag Critic Ted Hsu.

Local artist PunkeyDoodles Steve energized the crowd with live music, including his song "770 Acres," dedicated to the farmland at stake.



Figure 47: Tractor Rally



Figure 48: Tractor Rally



Figure 49: Region of Waterloo Council Chambers



Figure 50: Kitchener

10.5 - ONTARIO LEGISLATURE

On Oct 21, 2024, the first day back for the Ontario Legislature, the 770 land assembly was the fourth item on the order paper.

10.6 - REGION OF WATERLOO COUNCIL MEETINGS

Since receiving the first offer letter in March, the Fight for Farmland Group, alongside concerned citizens from across Waterloo Region, has regularly attended Region of Waterloo Council meeting. The group has built significant support, filling council chambers month after month and speaking out on the issue whenever possible, yet still receiving no response from council members.



Figure 51: Region of Waterloo Council Chambers

10.7 - TOWNSHIP OF WILMOT COUNCIL MEETINGS

On Monday, August 26th, the Fight for Farmland Group held a protest gathering over 300 people at the Township of Wilmot office in Baden to demonstrate strong opposition to the proposed industrial mega land assembly and make it clear that our community is NOT a willing host.

The event featured several speakers, including local farmers, the president of the National Farmers Union, and prominent voices such as Green Party leader Mike Schreiner and deputy leader Aislinn Clancy. Local musician Punkeydoodles Steve also performed, captivating the crowd with songs, including his latest release, "770 Acres."



Figure 52: Township of Wilmot Council Chambers



10.8 - WILMOT COUNCILLORS SPEAK OUT

On Wednesday, June 12th, Councillors Kris Wilkinson and Harvir Sidhu held a press conference at Stewart Snyder's farm. Significant print, radio and television media was in attendance along with neighbors and Fight For Farmland supporters.

The Councillors called on the Region to release more information about the land assembly and for a far better process. Councillor Sidhu emphasized that farmers and landowners deserve fair and respectful treatment. Councillor Wilkinson called for transparency, demanding the release of technical details and direct dialogue with the community. Both were unable to disclose specific information due to the Municipal Act and confidentiality, though they denied previously cited NDAs, and we greatly appreciate their call for greater transparency.



Figure 53: Councillors speak out

10.9 - STUDENTS SPEAK OUT

April 24, 18 University students delegating at Regional Council spoke out after Council refused to allow representatives from Fight For Farmland to speak. Council eventually allowed Fight For Farmland to present their position on the expropriation ⁹¹.

High school students from Waterloo Oxford Secondary School have made presentation to both Regional and Township Councils.

Students have helped at rallies and town halls.

10.10 - PROTEST AT MPP MIKE HARRIS OFFICE

Members of Zion United Church of Wilmot organized a protest on Thursday, May 24 at Mike Harris's office in Elmira. Over 50 protesters gathered to voice concerns about the Region of Waterloo's lack of transparency and planning. The protesters aimed to raise awareness and urge politicians to take action and got a very positive response from the community.



Figure 54: Office of MPP Mike Harris - Elmira

10.11 - CORN DESTRUCTION

The Region of Waterloo is facing heavy criticism for destroying over 160 acres of corn in Wilmot Township, which was nearly ready for harvest. The corn, valued at approximately \$5.00 per bushel and yielding around 200 bushels per acre, represents a potential taxpayer loss of at least \$160,000 plus the cost of the significant efforts to destroy it. The destruction, carried out on the single farm that the Region has acquired by farmers from Strathroy after local farmers refused, has been criticized as a reckless waste of taxpayer dollars.

The Waterloo Federation of Agriculture has pointed out the financial implications, emphasizing that the lost crop could have produced 2.5 million boxes of 400g Corn Flakes cereal. Given the Region's budgetary pressures, the decision by Chair Karen Redman to spend so much taxpayer money destroying a bumper corn crop has baffled many, including local officials, area farmers and residents.

The Region of Waterloo released Report PDL-ECD-24-007 concerning the destruction of a corn crop on a recently acquired 160-acre farm for the Wilmot Land Assembly project. Fight For Farmland expressed significant concern over inaccuracies and omissions in the report. In response, Councillor Rob Deutschmann and Mayor Natasha Salonen proposed a motion to have the validity of the project's Non-Disclosure Agreements (NDAs) reviewed and more details of the corn crop report made public. However, at the following Council Meeting, Regional Chair Karen Redman indicated that this NDA had already been discussed in a Closed Meeting, with Regional Legal Counsel affirming its validity despite multiple provincial breaches. Chair Redman then asked Councillor Deutschmann to withdraw his motion, which he did, with Mayor Salonen also agreeing. This has left many questions unanswered about the proposed industrial site, as key discussions continue in Closed Meetings.



Figure 55: 160 acres of corn being destroyed

10.12 - TOWN HALLS

The Fight for Farmland Group hosted Townhall Meetings on Thursday, June 20, and Monday, June 24. The Townhalls included a presentation on key information we have learned so far and critical next steps to show we are unwilling, followed by a Q&A session. Each session hosted around 200 concerned residents.



10.13 - NATIONAL FARMERS UNION RALLY

The National Farmers Union (NFU) hosted a well attended event on September 29th in Wilmot, which featured a BBQ showcasing an array of local farm products. The day included tours of Tim and Eva Wagler's cabbage farm, where they produce St. Jacob's Sauerkraut, as well as speeches and a tractor parade around the mega site and through Baden, drawing significant community support. The highlight was an aerial photo captured by drone, showing tractors and local residents spelling out "NO" in a farm field.



Figure 56: National Farmers Union Rally

10.14 - NEW HAMBURG FALL FAIR

Volunteers set up a booth at the New Hamburg Fall Fair and distributed hundreds of 'We are unwilling host' stickers and distributed flyers and lawn signs, and obtained many more signatures on an assortment of petitions and generated much conversation around the land assembly with fair attendees.

10.15 - DOOR-TO-DOOR CANVASSING

Members and volunteers from the Fight For Farmland Group have been busy canvassing door-to-door, distributing hundreds of flyers, engaging in conversations, and selling lawn signs across New Hamburg, Waterloo, Kitchener, and Elmira.

10.16 - LAURIER WELLBEING IN FILM FORUM – REBELS WITH A CAUSE FILM

Laurier Wellbeing In Film Forum (LWIFF) and Fight For Farmland Film Night – “*Rebels With A Cause: How a Battle Over Land Changed the Landscape Forever*” On October 28, the Princess Cinema hosted a sold-out screening of *Rebels With A Cause*, a documentary by Nancy Kelly and Kenji Yamamoto, as part of the Laurier Wellbeing In Film Forum. The evening began with live music from Steve Todd, who performed his song “770 Acres” to set the stage for an engaging community discussion after the film. Fight For Farmland representatives spoke to the audience and answered questions. *Rebels With A Cause* offered inspiring insights into how citizen groups fought for years to protect Northern California’s farms and natural areas, sparking thoughtful questions and ideas from the audience.

10.17 - FORDFEST 2024

Over 250 protestors lined the streets of the roads leading to FordFest with Fight for Farmland Signs and we are Unwilling Host shirts.



Figure 57: FordFest 2024

10.18 - 105TH INTERNATIONAL PLOWING MATCH

The Fight for Farmland contingent of volunteers, attended the International Plowing Match to raise awareness about the threat to Wilmot's prime farmland, gathering support from thousands of attendees who wore “We Are Unwilling” stickers in solidarity.

Our message was echoed by politicians of all opposition parties, with leaders Mike Schreiner (Green Party), Marit Stiles (NDP), and Bonnie Crombie (Liberal Party) calling for farmland protection in their speeches and displaying Fight For Farmland signs on their floats in the Open Ceremony Parade. Senator Rob Black also showed his support by carrying a Fight for Farmland sign alongside our members in the parade and vowing to bring the issue to Ottawa.



Figure 58: International Plowing Match



Figure 59: International Plowing Match

10.19 - QUEEN'S PARK

On April 9th 2024, representatives from Fight For Farmland had meetings at Queen's Park with Mike Harris Jr MPP Kitchener - Conestoga, Mike Schreiner, leader of the Green Party of Ontario, Aislinn Clancy, MPP Kitchener Centre, Catherine Fife, MPP Waterloo and John Vanthof. MPP Timiskaming – Cochrane and the NDP Agricultural Critic.

10.20 - POLITICIANS

Doug Ford

The Premier spoke about the Region of Waterloo at the International Plowing Match stating “they mishandled the land acquisition from the beginning” and “I don't know why all the secrecy going on - I couldn't figure that one out”,

The Premier also had a personal phone call with one of the landowners.

Vic Fideli

The Minister of Economic Development, Job Creation and Trade, in a joint statement with Mike Harris Jr, the MPP for Kitchener – Conestoga, said on August 15, 2024, “it is disappointing to see recent events unfold in the Region of Waterloo, particularly the threat of expropriation at the onset of this process” and “We're (the province) involved... in the funding, but it's up to the local municipality, in this case the regions to do the ground game” And “While the province is supporting the Region of Waterloo with funding to help purchase the land, it is the sole responsibility of the region to assemble the site and work collaboratively with all affected communities and stakeholders”

Rob Flack

The Minister of Agriculture, Food and Agribusiness said, on October 21, 2024, “Our expectation is that the region treat farmers fairly and respectfully in assembling the land. It is no different than any other major investment or assembly project”

Karen Redman

August 2024 - “I'm surprised and I'm confused because from the very beginning of this project, we worked in lockstep with the province”.

Marit Styles

The Leader of the Ontario Liberal Party held a press conference on April 2024 at Wagler's cabbage farm. On June 3, 2024, the Liberal Party organized a town hall and meet with Fight For Farmland organizers.

Catherine Fife

The MPP for Waterloo has spoken out against the land assembly at many of our rallies and site tours. Catherine has also taken our frustration with the lack of transparency to both Question Period and to Committee.

Bonnie Crombie

The Liberal Party leader has met with Fight For Farmland and toured the site.

Mike Schreiner

The leader of the Green Party has spoken at many of our meetings and rallies, as well as speaking out for us at Queen's Park

Aislinn Clancey

The MPP for Kitchener has spoken at our rallies and has been an advocate for us at both Committee Meetings and at Question Period.

Ted Hsu

The MPP for Kingston and the Islands, has met with us several times at the mega site. He has been outspoken in Question Period about the lack of transparency in the land acquisition.

Tim Louis

The Liberal MP for Kitchener – Conestoga and a member of the agricultural committee in Ottawa has spoken at our rallies and townhalls. He has put forward a motion to protect farmland in Canada.



Figure 60: MP Ted Louis

11 – WILMOT CIVIC ACTION NETWORK

In January 2025, the Wilmot Civic Action Network (<https://wilmotcan.com/>) was formed to advocate for transparency, accountability and fiscal responsibility in the Township of Wilmot. Despite just getting started, WilmotCAN has already produced 2 videos in a 3 part series.

Unearthed Part 1: The Wilmot Land Grab – Secrets and Betrayal



Unearthed Part 2: The Wilmot Land Grab – Soil Under Siege



Figure 61: Visit [www.wilmotcan.com](https://wilmotcan.com/) to see the videos

Poll indicates majority in Wilmot oppose land assembly

The community group Wilmot Civic Action Network hired the polling firm Pallas to ask residents how they feel about the land assembly underway in the township. More than 70 percent are opposed or strongly opposed to creating a large industrial site on farmland.

Updated Feb. 14, 2025 at 4:36 p.m. | Feb. 8, 2025 | 2 min read



Figure 62: Majority in Wilmot Oppose Land Assembly

In early February 2025, WilmotCAN hired a polling firm to determine the level of support for the land assembly.

According to the results published in the KW Record on February 8th, 2025 ⁹²:

“More than half of the residents of Wilmot Township want their local councillors to pass a resolution opposing the assembly of 770 acres of farmland for a large industrial site, according to the results of a poll commissioned by the Wilmot Civic Action Network.”

“61 per cent of the respondents say local, regional and provincial governments have not adequately consulted the public about the assembling the farms and residential properties in an area bordered by Bleams Road, Nafziger Road, Highway 7 and Wilmot Centre Road.”

“69 per cent of the survey respondents say elected officials should be allowed to publicly debate the land assembly, and 66 per cent say they are less likely or not at all likely to vote for a councillor who supports the land assembly.”

On Feb 12th 2025, www.farms.com reported that key findings from the poll include: ⁹³

- *A clear majority of Wilmot residents who expressed an opinion, strongly agree that Wilmot Council should pass a resolution opposing the farmland expropriation proposal.*

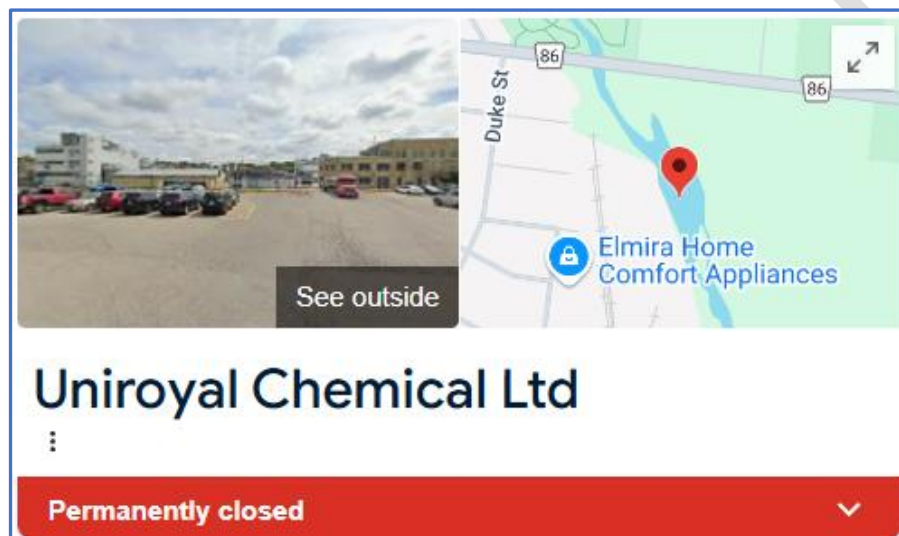
- *By a strong ratio of 3:1 Wilmot residents definitely will not vote or are less likely to vote for a councillor who supports the proposed expropriation in the next municipal election and only 5% that said they would very likely vote for a candidate who supports the proposed expropriation.*
- *Only 12% of respondents felt that our governments have adequately consulted with citizens on the industrial mega site proposal.*
- *A strong majority of nearly 6 out 10 respondents in the Kitchener-Conestoga riding think elected officials should be allowed to participate in public debate about the proposed expropriation and not be bound by a non-disclosure agreement.*

In light of these findings, WilmotCAN is calling for decisive and responsive action:

- *Wilmot Council must pass a resolution declaring the community is not a willing host for the industrial mega project on farmland.*
- *Politicians must stop hiding from public discussion of the issue.*
- *The Ontario government must cancel funding for the proposed expropriation of 770 acres of farmland.*
- *The Greenbelt should be expanded to protect farmland in the Waterloo region.*

12 - LESSONS FROM ELMIRA

The Uniroyal Chemical plant disaster in Elmira should serve as a cautionary tale.



Carcinogenic toxins were discovered in Elmira's drinking water 30 years ago and the aquifer is still polluted ⁹⁴. The aquifer will not be cleaned up to drinking water standards by 2028 which was the deadline in the original Provincial order ⁹⁵.

Why you still can't drink the local water in Elmira

ELMIRA — This month marks 31 years since the town's residents were told they must not drink their own water. NDMA or nitrosodimethylamine, a chemical known to cause cancer, liver and lung damage, and death in test animals, was detected in extremely high amounts in Elmira's aquifer in November 198

By **Observer Staff**

Last updated on May 03, 23

Posted on Nov 02, 20

5 min read

Figure 63: The Observer May 2023 ⁹⁶

12.1 - SURFACE AQUITARD LAYER

Of great concern with the 770 acres is the thickness of the surface aquitard layer (ATB1)⁹⁷. At the location of the mega site, ATB1 is less than 1 metre thick.

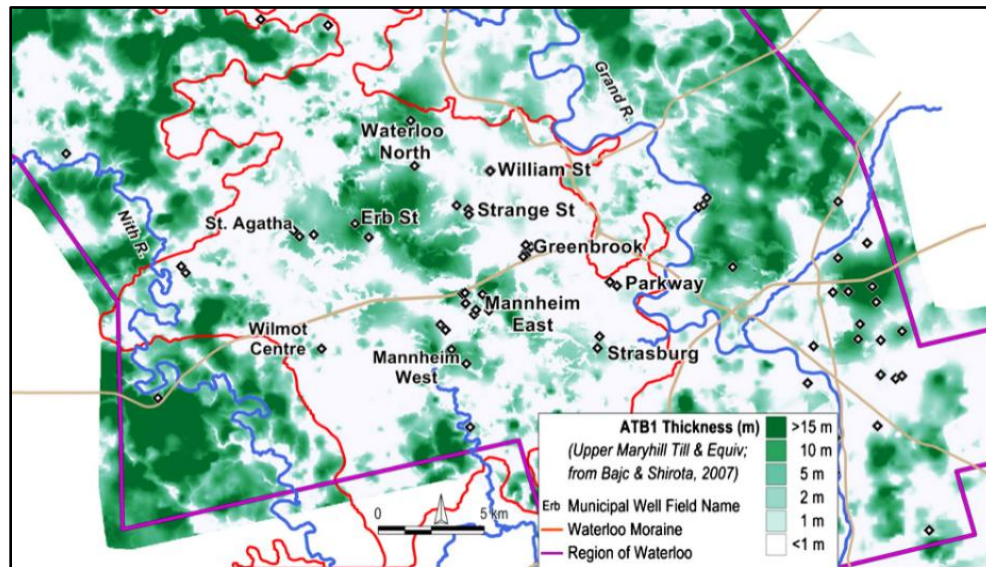
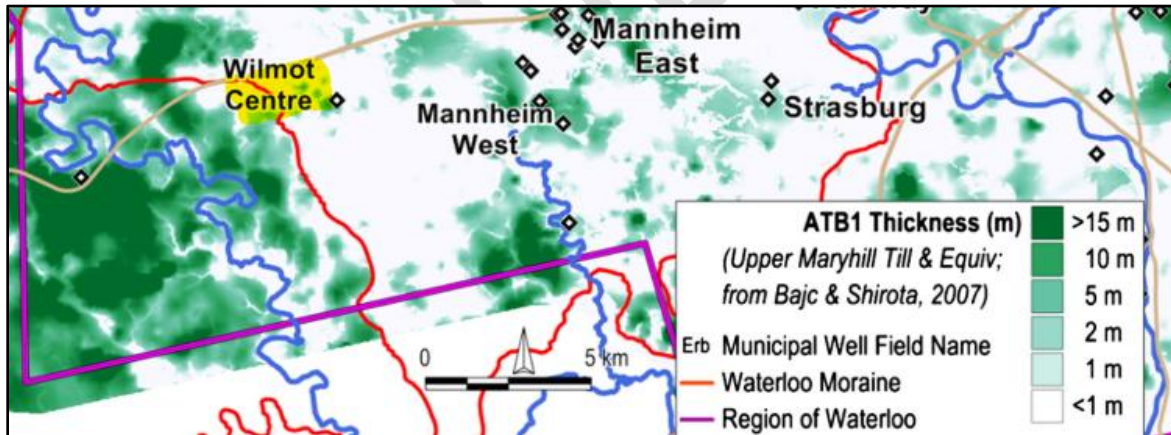


Figure 64: Aquitard map



The aquitard provides a degree of aquifer protection by slowing down the movement of groundwater and contaminants⁹⁸. The aquitard layer over the Waterloo moraine is anywhere from 1 metre to 15 metres thick but the location at Wilmot Centre is at one of the thinnest spots.

We need to protect our ground water. Contamination under the mega site will be catastrophic.

13 - CONCLUSION



This proposed site was selected with absolutely no regard to planning processes and site selection criteria.

The Wilmot land assembly process has raised numerous concerns related to transparency, planning procedures, environmental impact, infrastructure capacity, and economic justification. A review of the available information highlights significant gaps and inconsistencies in the decision-making process.

1. Lack of Transparency and Due Process

- Documentation related to the land assembly has not been made available for public review.
- Expropriation has been cited to compel landowners to sell.
- Planning staff from both the Region and the Township do not appear to have been involved in the process.
- The Region of Waterloo Accountability and Transparency Policy does not appear to have been followed.

- Wilmot residents have not had the opportunity to vote on this expansion, despite the financial implications for taxpayers.

2. Failure to Adhere to Planning Laws and Guidelines

- The planning process outlined by municipal and provincial regulations does not appear to have been followed.
- The proposal contradicts the Regional Official Plan by breaching the Countryside Line.
- The Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas have not been observed.
- Compliance with the Provincial Planning Act is unclear.
- Required assessments, including an Agricultural Impact Assessment and a Municipal Class Environmental Assessment, have not been conducted.
- A Land Needs Assessment does not appear to have been considered in the decision-making process.

3. Environmental and Infrastructure Constraints

- The extension of development beyond the Countryside Line will lead to increased land speculation and further rural expansion.
- Potential impacts on the wellhead protection area and groundwater recharge zones have not been addressed.
- Streams, floodplains, and adjacent wetlands have not been considered in the site selection process.
- The availability of sufficient water and sewage treatment capacity in Wilmot remains uncertain.
- The effects of increased traffic, particularly at shift changes and from industrial trucking, on Wilmot's roads and settlement areas have not been evaluated.
- The potential consequences of increased rail activity on major transportation corridors, including the Baden intersection, the Iron Horse Trail, and the VIA Rail station in Kitchener, have not been examined.

4. Questionable Economic Justifications

- Justifications provided by the Economic Development Corporation lack supporting evidence.
- Claims regarding regional job losses are overstated.
- No publicly available cost estimate outlines the financial distribution of the project among the Township, the Region, and the Province.

5. Insufficient Consultation and Alternatives Analysis

- Consultation with Wilmot residents, First Nations, and the Grand River Conservation Authority has not been conducted.
- A systematic evaluation of alternative locations does not appear to have taken place, despite procedural requirements.

- No studies have been provided regarding the project's impacts on rail, transportation, water, or sewage infrastructure.

6. Inconsistencies with Provincial Development Standards

- The land assembly meets only **7 of the 44** criteria for the Ontario Job Site Challenge, failing to meet **33 of the 44** criteria, with the status of 3 criteria unknown and 1 criterion not applicable.
- The ability of Wilmot to meet its obligation to reduce greenhouse gas emissions by 50% by 2030 is uncertain, and this development may present additional challenges to that goal. The average car emits 200 grams of CO₂ per kilometer⁹⁹. With 15,000 employees driving 50 km per day to and from the mega site, 55,000 tonnes of CO₂ will be emitted each year.

14- UNWILLING HOST

The proposed Wilmot land assembly process presents significant concerns related to planning, environmental impact, infrastructure feasibility, and economic rationale. The absence of key assessments, limited transparency, and apparent misalignment with established policies and guidelines raise significant questions about the validity of the site selection and approval process. A comprehensive review of these issues is necessary to ensure informed decision-making regarding the future of Wilmot's rural lands.

If the proposed industrial mega site is developed, it will change the quality of life for all Wilmot residents. Several Wilmot Councillors have stated that the mega site will not impact Wilmot's finances since it is a Region of Waterloo initiative. However, with many unanswered questions, this claim cannot be verified.

This land assembly must be halted, and the Region should restart the process—this time adhering to the proper planning procedures that have successfully shaped the Region of Waterloo.



Figure 65: Petition as of Sept 25, 2024

Doug Ford, the Premier of Ontario said:

“We’re just asking regions around the province to assemble land. **But there has to be a willing host.** If they’re not willing, then just move on. That’s what it comes down to.”

We say:

WE ARE AN UNWILLING HOST

**STOP THE LAND ASSEMBLY AND RESTART THE PROCESS USING THE PROPER
PLANNING PROCEDURES.**

UNANSWERED QUESTIONS

The following questions would normally be answered as part of the planning process.

1. Who is responsible for this poorly thought out land acquisition?
2. We understand the need for confidentiality when negotiating land values, but who decided to develop this mega site without any public input?

Planning Process

1. How is it possible to plan a mega site without knowing the end user and understanding their requirements?
2. Why has the Region's planning process not been followed?
3. Why is prime farmland being assembled for the mega site when it is outside of the Countryside line and is protected from non-agricultural development by Chapter 6 of the Region of Waterloo's Official Plan and is in violation of Section 24 (1) of the Provincial Planning Act?
4. Why were the landowners threatened with expropriation?
5. What is being done to protect the surrounding farmland or is this the start of industrial sprawl?
6. Why are the landowners being offered the agricultural value for their land when the Region clearly considers this to be industrial land worth many times what is being offered?
7. Who benefits from the Region buying land at agricultural prices and selling it at industrial prices to a private company?
8. The Province's Bill 185 has removed all planning authority from the Region. Wilmot Township will assume responsibility for developing the 770 acres into a shovel ready industrial site. The Province has said they are funding the land acquisition but who is paying for the upgrades to local roads, water distribution and sewage collection?
9. How much will it cost Wilmot's taxpayers to finance the project and to hire the necessary staff to develop the site?

10. Only 80% of infrastructure costs are covered by development charges. Under the Municipal Act, Wilmot can not borrow more than 25% of its “own source” revenues which are property taxes and water & sanitary rates. According to Wilmot’s Asset Management Plan 2022, the current fiscal capacity is not sustainable. How does the Township plan to finance this project?

Prime Farmland

11. Why was \$160,000+ of corn destroyed just weeks before it could be harvested?
12. Farmland is a non renewable resource. Why is agricultural land being paved over?
13. Ontario imports \$10 billion more food than we export. Why are we destroying farmland when, in 2022, about 6.9 million Canadians live in food-insecure households?
14. Only 5% of Ontario’s landmass is farmable and only 1% is considered prime. Why is agricultural land being destroyed when there are other potential sites available in the Region?
15. Adjacent farms depend on the surface water runoff from the 770 acres for irrigation. What studies have been done regarding the impact of this development on nearby farms?
16. The transportation requirements for farms is complicated. What studies have been done regarding the impact of this development on transportation (milk pickup, feed delivery, nutrient management, moving farm machinery, etc.)?

Types of Industries

Depending on the ultimate final industry, the 770 acre mega site could have a upwards of 15,500 employees. Assuming 3 shifts, there could be about 5,000 employees on site at any one time.

17. What type of industries will support 15,000 employees?
18. Our MPP has said that he would not allow a chemical plant. What legislation exists to prevent this?
19. How much water is required for the employees and for the manufacturing process?
20. Why did the Region say that the site must be contiguous when this proposed location is already divided into 3 parcels by Nafziger Rd and the Hydro right of way that goes through the property?
 - The area to the west of Nafziger is approximately 80 acres
 - The area north of the Hydro Right of Way is approximately 450 acres
 - The area south of the Hydro Right of Way is approximately 240 acres

21. Are there plans to locate additional support industries on the south side of Bleams Rd and/or the east side of Wilmot Centre Road resulting in even further farmland loss?
22. Is the Hydro Right of Way to be moved or relocated?
23. The Region said the site must be flat for “consistent grading considerations”. What studies were done to determine the mega site is flat when the contour maps show the property is neither flat nor level.
24. Why have no details been released about other sites that were considered for the industrial mega site?
25. Why can’t reclaimed aggregate pits, brownfield, greyfield, or already compromised and degraded lands be used instead of these prime agricultural fields located 25km from our population centres?

Water

Waterloo Region is the largest user of underground drinking water in Canada. If this development compromises our aquifer, our only alternative is a pipeline to Lake Erie. However, a pipeline to Lake Erie may not be possible due to the Great Lakes - St Lawrence River Basin Sustainable Water Resources Agreement which is an international agreement with the United States that limits the amount of water that can be extracted from the Great Lakes.

26. What ramifications were discussed with Regional water experts regarding the planning of this mega site?
27. 80% of the Region’s potable water supply comes from groundwater. Why is this industrial site being located just metres away from the recharge area?
28. Will the site depend on the Region’s water system or will they be allowed to drill their own wells?
29. Groundwater supplies the wells of rural residents. What studies have been done to show the water table will not be affected by this site?
30. Has the Region’s Source Protection Plan, which was implemented in response to the Provincial Clean Water Act after the Walkerton tragedy to protect municipal wells and surface water, been reviewed?
31. According to the Grand River Conservation Authority, the Nith River water quality is marginal with high phosphorous levels. Has the GRCA been consulted regarding the impact of runoff from the mega site considering the amount of tire dust, brake dust, oil, gasoline, diesel particulate and salt that is likely to enter the river?

Sewage

The Baden / New Hamburg Wastewater Treatment Plant will be at capacity if all the dwellings on the New Hamburg Development Listing are built. The Region now claim a sewer line will be built to Kitchener.

32. What studies have been done to show a pipeline to Kitchener is feasible?
33. Where and how will the sewer connect to the Kitchener Sewer System?
34. Is there a suitable connection at Mannheim or is expropriation, demolition, and excavation required to reach the Kitchener wastewater treatment plant?
35. How many pumping stations are to be built and at what cost, not only to build but to operate annually for decades?
36. Can the Grand River assimilate the additional sewage and industrial waste from this site?
37. What will the impact be on municipalities such as Kitchener and Waterloo that are counting on the sewage capacity of these facilities and the Grand River?
38. What has the response been to all this additional waste and sewage being dumped into the Grand River watershed from downstream communities that are almost totally dependent on the Grand River for all of their drinking water?

Rail Connection

There are significant consequences of connecting the mega site to CN North that have not been addressed by the Region.

39. Where will the new rail spur cross Highway 7 & 8 to reach this mega site?
40. A bridge must be built on Hwy 8 to carry vehicular traffic over the rail spur. How much land must be acquired for the bridge?
41. How much additional land must be acquired to provide the rail connection with both eastbound and westbound access to CN North?
42. How many trains will go through the centre of Baden each day?
43. Automotive freight trains are about 750 metres long. How will this affect vehicle traffic in the main intersection in Baden?
44. Are the hours of operation through Baden to be restricted?
45. The Iron Horse Trail in Kitchener used to be the eastbound connection to southbound CPKC to Cambridge. Is the Iron Horse Trail to be converted back to track to

accommodate the connection between automotive plants on CP Rail (Ingersoll, Woodstock, Cambridge) and the mega site?

46. If the Iron Horse Trail is not rebuilt for trains, then the freight trains connecting to CPKC will have to enter the VIA Rail station in Kitchener in order to switch tracks between CN North and CPKC. What will be the impact on 2 way all day GO service?
47. Have Metrolinx and VIA Rail been consulted about the impacts of this mega industrial development?
48. What is the impact of 750 metre trains on the seven grade crossings in Kitchener?
49. Have developers of the lands north of Hwy 8 been advised that a rail line will bisect the land between Nafziger Rd and Foundry St?
50. When the developments are subdivided will a notice be registered on the title to prevent owners from taking legal action regarding the noise and pollution from the trains?

Truck and Commuter Traffic

If the mega site transports a significant amount of material by truck, there are many questions about routing. Wilmot consists of rural roads and a single highway. In addition to the site traffic, the tens of thousands of additional residents to be located between Baden and New Hamburg will cause significant traffic congestion.

51. What studies were done by the Ministry of Transportation to identify potential problems with traffic?
52. How are westbound trucks getting to the 401 considering there are no highways to the southwest?
53. If eastbound trucks are using Hwy 8, then an interchange will need to be built at Nafziger Rd. Considering that the province refused to pay for the Belleville interchange on the 401, has the Province committed to pay for any upgrades to Hwy 8?
54. Will any of the five main intersections with traffic lights on Highway 7/8 be upgraded to full interchanges? At what cost?
55. What road upgrades are necessary for local settlement areas?
56. Have any studies been done to determine the impact of the additional truck and train traffic on Erb Transport in Baden?

Costs

57. Has this proposed Wilmot industrial mega site had a full costing of anticipated expenditures?
58. What costs have been budgeted to build the highway interchanges?
59. What costs have been budgeted to build the rail spur, extensions, and road crossings including Highway 7/8?
60. What costs have been budgeted for the land acquisition for the rail line north of Hwy 8?
61. What costs have been budgeted for upgrading Nafziger Rd, Bleams Rd, Wilmot Centre Road and other local roads to 4 lane roads capable of handling both shift change traffic and continuous truck traffic?
62. What portion of these costs will be paid for by Wilmot residents on their taxes?
63. What portion of these costs have been guaranteed by the Provincial or Federal Governments?
64. How much money has already been spent on this project?
65. Where the studies that show the land assembly will generate thousands of jobs and billions of dollars in investments? ¹⁰⁰

Alternate Sites

- The CAMI plant in Ingersoll has 235 acres for manufacturing, vehicle storage, and rail yards.
 - The Toyota Plant in Woodstock has 327 acres for manufacturing, vehicle storage, and rail yards.
 - The Toyota Plant in Cambridge has 350 acres for manufacturing, vehicle storage, and rail yards.
 - The Honda Alliston plant has 450 acres for manufacturing, vehicle storage, and rail yards.
 - All local automotive plants are on CP Rail.
66. Why is 770 acres required when the automotive plants are 450 acres or less?
67. Why is a contiguous site required?
68. Why is it necessary to locate the mega site outside of the East Side Employment lands where the Official Plan has already designated 1572 acres of potential employment sites?
69. What other sites have been considered?

First Responders

- 70. What plans have been made to replace Wilmot's volunteer fire department?
- 71. Has the extra policing for 24 hour traffic been discussed with Regional Police?
- 72. What is the impact on the already overburdened ambulance service?

Commitment to 50 by 30

Councils in both the Region of Waterloo and the Township of Wilmot have voted to reduce their greenhouse gas emissions by 50% by 2030 regardless of population growth. Currently the Region is exceeding their target by about 380,000 tonnes per year and Wilmot is exceeding their target by 13,000 tonnes per year.

- 73. What is the impact of locating the mega site so far from the work force going to have on the Region's commitment to 50 by 30?
- 74. What are the embedded carbon due to building interchanges, bridges, sewer and pumping stations, and the upgrading of roads?
- 75. What is the Region and Township going to do to mitigate the extra GHG emissions created by this site?

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