

Planning Justification Report

in support of an
Application for a
Draft Plan of Subdivision & Zoning
By-law Amendment

123 Durham Regional Hwy 47

in the
Township of Uxbridge
Region of Durham
April 2024



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1.0 Introduction

Groundswell Urban Planners Inc. (Groundswell) has been retained by Urbanway Development Management Inc., to prepare a Planning Justification Report for the proposed development at the lands municipally known as 123 Highway 47, in the Township of Uxbridge.

This Planning Justification Report supports the Draft Plan of Subdivision (SUB) and Zoning By-Law Amendment (ZBA) applications pursuant to the Planning Act, to be submitted to the Town of Uxbridge and Region of Durham for the subject property municipally known as 123 Highway 47.

The intent of this report is to provide a detailed summary and analysis of the applicable planning policies associated with the proposed development on the subject land. The details of the proposed development can be found in section 2.0 of this report.

This assessment is based on a review of provincial and local planning legislations including the Provincial Policy Statement, A Place to Grow, TRCA's The Living City Policies, Oak Ridges Moraine Conservation Plan, Durham Regional Official Plan, Township of Uxbridge Official Plan and Zoning By-law.

In addition to this Planning Report, multi-disciplinary consultants have also been retained to prepare a number of reports/materials as required under the *Planning Act*. The following reports have been reviewed for input into the planning analysis and justification of this report:

- Stage 1 and 2 Archaeological Assessment, AS&G Archaeological Consulting Inc.
- Phase 2 Environmental Site Assessment, King EPCM
- Phase 2 Environmental Site Assessment, King EPCM
- Functional Servicing Report, King EPCM
- Geotechnical Report, King EPCM
- Hydrogeological Report, King EPCM
- Stormwater Management Report, King EPCM
- Transportation Study, TRANS-PLAN
- Environmental Impact Study, Cambium Inc.
- Landform Conservation Plan, King EPCM

The reports listed above are consistent with the policies of the Town of Uxbridge and the Region of Durham as it relates to application requirements for Zoning By-law and Draft Plan of Subdivision applications. Summaries of these studies are provided in section 4.0 of this report.

The information contained within this report is considered up-to-date as of April 5, 2024.



1.1 Subject Lands and Surrounding Area Description

1.1.1 Existing & Surrounding Site Context

The subject site, municipally known as 123 Highway 47, is located south of Hwy 47 between York Durham Line and Concession Road 2, along the western boundary of Durham Region. The subject land is currently vacant with a total area of about 60 acres. The site is being used for agricultural purposes and previously existing on the site was a barn which has been demolished. Towards the southeast corner of the site exists a woodlot.

The surrounding area to the south characterized by rolling countryside and the subject site is predominantly surrounded by farmland. To the west of the property is the York Durham Line which also borders the Town of Whitchurch-Stouffville. An existing industrial subdivision is adjacent on the north of Highway 47.



Figure 1 - Aerial Context

1.1.2 Nearby Developments

Address	Proposed Development
37 Anderson Boulevard	The proposed development is a commercial development including a condominium style office intended to be 3 storeys high with an



	adjacent proposed four storey condominium style warehouse / office units each with an approximate square footage of 20,000 sf.
40 Elgin Park Drive	The proposed development is proposing to expand this Major Recreational Use to include a 4-5 storey hotel, ancillary to the primary Wooden Sticks golf course use. The hotel building will be located to the west of and attached to the existing clubhouse building. A re-configuration of the existing parking area and additional parking east of the private driveway access from Elgin Park Drive is also proposed.
150 Cemetery Road	The proposed development is comprised of five Blocks (0.606ha) for 23 townhomes, one Block (0.147ha) for a semi-detached dwelling, one Block (0.029ha) for a road widening and an 18m wide public road (0.181ha) that terminates in a cul-de-sac with an 18.8m radius.

1.1.3 Site Photos

A site visit was completed in October 2023.



Figure 2 - View of woodlot and subject lands from Hwy 47, looking southwest



Figure 3 - View of demolished barn, looking southwest



Figure 4 - View from corner of York Durham Line and Hwy 47, looking east

1.2 Background

A Regional Official Plan Amendment (ROPA) was made to amend the Durham Regional Official Plan to permit “rural employment uses” on the subject property. Due to “failure to make a decision” under s. 34(11) and 22(7) of the Planning Act, the application was appealed to the Local Planning Appeal Tribunal (LPAT) by the applicant and Owner at that time.

At the LPAT, the amendment was proven to be a representation of good planning as the subject land is well suited for growth and development. In addition, the ROPA was proven to be consistent with the Provincial Policy Statement, 2020 (PPS), Oak Ridges Moraine Conservation Plan (ORMCP) and both the Region’s and Town’s Official Plan. The decision amended the Region of Durham’s Official Plan as follows:

The 2020 Durham Official Plan was amended by adding the following policy to Section 9B.3.4:

“Notwithstanding any other provisions of this plan, rural employment uses, consistent with policy 9B.2.27, although the subject site may be serviced with municipal water subject to Regional approval and required supporting studies, are permitted on 123 Regional Highway 47 (Part Lots 13 and 14, Concession 1, Assessment #18-29-010-002-001-00) Township of Uxbridge. Development shall only proceed by plan of subdivision and an amendment to the zoning by-law. In addition, site plan approval shall be required for each lot in the plan of subdivision to ensure that development is in conformity with the applicable policies of the Oak Ridges Moraine Conservation Plan.

Development approval shall be in accordance with the following:



a) plans and supporting studies which address the applicable policies of Sections 20, 22, 23, 26, 43, 45, 46 and 47 the Oak Ridges Moraine Conservation Plan;

b) plans and supporting studies that address the Complete Application requirements set out in Table 1 of this Plan;

c) plans and supporting studies that address Section 3.16, Development Application Pre-Consultation and Submission Requirements of the Township of Uxbridge Official Plan and illustrate conformity with the applicable policies of the Region of Durham Official Plan and illustrate conformity with the Township of Uxbridge Official Plan; and

d) the subject site is located at the western gateway to the Township of Uxbridge, as such any buildings and sites shall be designed to the highest standards of urban design and sustainable development. In addition, the location and design of the parking areas and open storage shall ensure that their impact is minimized as much as possible, particularly along Regional Highway 47 where their location will be generally prohibited. To meet this criterion architectural control guidelines shall be developed as a condition of draft plan approval of the plan of subdivision."

This amendment allows for rural employment uses on the subject site. The adopted 2023 Durham Official Plan also includes this policy in Section 10.4.25. For the full LPAT Decision, see Appendix 7.1.



2.0 Development Proposal

2.1 Proposed Development on Subject Lands

The proposed development is for the creation of an industrial subdivision consisting of 14 lots (Block 1-14), including a stormwater management pond (Block 15), and two internal roadways (Street A and B). The internal roadways connect to Highway 47 at two intersections, one at the centre of the property, and the other at the eastern boundary. The proposed industrial lots will be serviced by private septic systems along with municipal water.

The proposed development has also been planned in consideration of the woodlot in the southeast corner of the site and seeks to protect this key feature. The woodlot has been staked and the limits of development have been refined based on the findings of the Environmental Impact Study, through delineation of the appropriate minimum vegetation protection zones.



Figure 5 - Conceptual Site Plan



2.1.1 Conceptual Site Statistics

	Lot 1 (m2)
Lot Area	43,172
Office 1st Floor GFA	600
Office 2nd Floor GFA	600
Warehouse GFA	13,680
Total GFA	14,880
Total Provided Parking	149

	Lot 2 (m2)	Lot 3 (m2)	Lot 6 (m2)
Lot Area	8,885	9,647	9,952
Building A GFA	2,760	3,444	3,505
Total Provided Parking	32	101	40

	Lot 4 (m2)	Lot 5 (m2)	Lot 7 (m2)
Lot Area	20,532	21,366	17,454
Building A GFA	3,531	4,509	3,904
Building B GFA	4,010	3,949	3,383
Total GFA	7,541	3,949	2,837
Total Provided Parking	101	101	69

	Lot 8 (m2)	Lot 9 (m2)	Lot 10 (m2)	Lot 11 (m2)	Lot 12 (m2)	Lot 13 (m2)	Lot 14 (m2)
Lot Area	6,068	5,911	5,911	6,095	7,378	8,633	6,040



Office 1st Floor GFA	288	288	288	288	316	316	316
Office Mezzanine GFA	288	288	288	288	316	316	316
Warehouse GFA	1,971	1,971	1,971	1,971	2,677	3,315	1,743
Total GFA	2,547	2,547	2,547	2,547	3,309	3,947	2,375
Total Provided Parking	26	33	33	33	38	49	31



2.2 Proposed Planning Applications

A pre-consultation meeting was held with Town and Region Staff on October 11, 2023.

2.2.1 Draft Plan of Subdivision

A draft plan of subdivision application is being submitted to permit an industrial subdivision, establishing 14 industrial lots, internal roadways, and a stormwater management block.

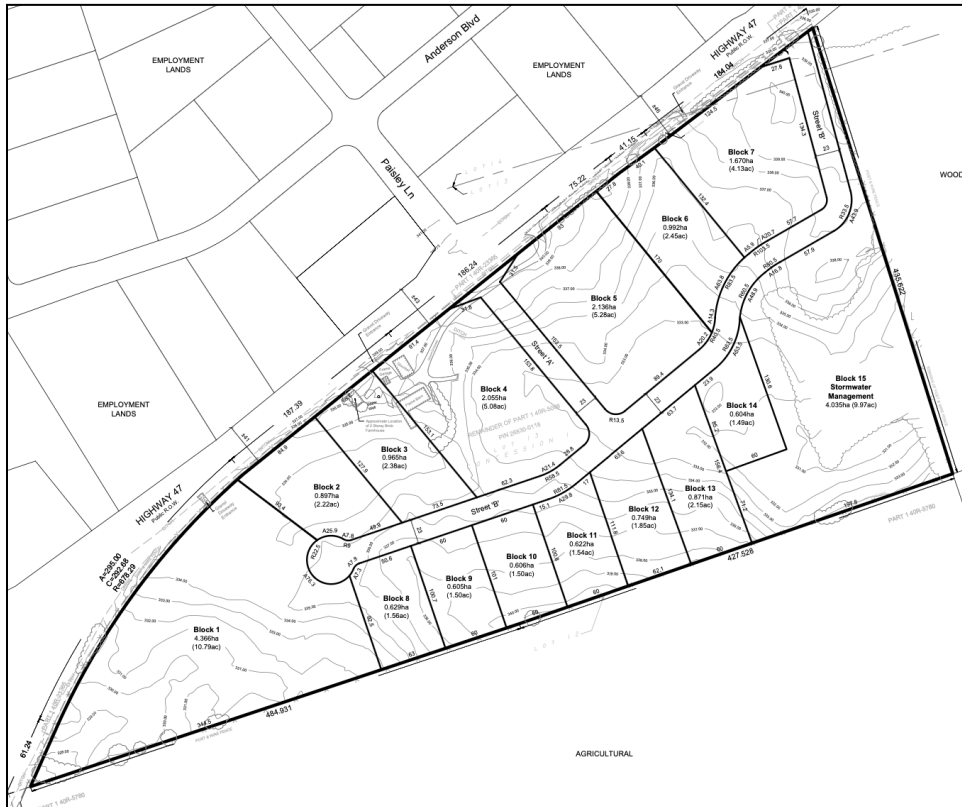


Figure 6 - Proposed Draft Plan of Subdivision

A copy of the Draft Plan of Subdivision is contained at Appendix 7.3.

2.2.2 Zoning By-law Amendment

A Zoning By-law Amendment is being submitted to amend the Town of Uxbridge Zoning By-Law 81-19 to conform with the Regional Official Plan policies (as per the LPAT decision made in 2020). A summary of the proposed amendment is as follows:

- To change the existing zoning of the subject lands from the Rural (RU & RU-80) Zone to the Rural Industrial (M1) Zone.

Applications for Draft Plan of Subdivision & Zoning By-Law Amendment
123 Hwy 47
Township of Uxbridge





3.0 Policy Overview and Analysis

3.1 Provincial Policy Statement (2020)

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The proposed development is supported by the policies listed below.

1.1 Building Strong, Healthy Communities

1.1.1. Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

Nothing in policy 1.1.2 limits the planning for infrastructure, public service facilities and employment areas beyond a 25-year time horizon.

1.1.4 Rural Areas in Municipalities

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:



- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.*

1.2 Coordination

1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:

- a) managing and/or promoting growth and development that is integrated with infrastructure planning;*
- d) infrastructure, multimodal transportation systems, public service facilities and waste management systems;*
- g) population, housing and employment projections, based on regional market areas; and*

1.2.4 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:

- a) identify and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect provincial plans where these exist and informed by provincial guidelines;*
- b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;*
- c) identify targets for intensification and redevelopment within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8;*
- d) where major transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors and stations, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8; and*
- e) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries*

1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.



1.3 Employment

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) *providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) *facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) *encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
- e) *ensuring the necessary infrastructure is provided to support current and projected needs.*

1.6.6 Sewage, Water, and Stormwater

1.6.6.1 Planning for sewage and water services shall:

- a) *accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:*
 - 1. *municipal sewage services and municipal water services; and*
 - 2. *private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;*
- b) *ensure that these systems are provided in a manner that:*
 - 1. *can be sustained by the water resources upon which such services rely;*
 - 2. *prepares for the impacts of a changing climate;*
 - 3. *is feasible and financially viable over their lifecycle; and*
 - 4. *protects human health and safety, and the natural environment;*



- c) promote water conservation and water use efficiency;*
- d) integrate servicing and land use considerations at all stages of the planning process;
and*
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.*

1.6.6.3 Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the character of rural settlement areas. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of rural settlement areas and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or, where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*



- e) maximize the extent and function of vegetative and pervious surfaces; and*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;*
- k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and*

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

- f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and*

According to the Ministry of Natural Resources and Forestry Natural Heritage mapping, the woodland on the subject site is a provincially significant woodland.

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.4 Development and site alteration shall not be permitted in:

- a) significant wetlands in Ecoregions 5E, 6E and 7E1; and*

2.1.5 Development and site alteration shall not be permitted in:

- a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;*
- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*



- c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
- d) significant wildlife habitat;*
- e) significant areas of natural and scientific interest; and*
- f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

2.6 Cultural Heritage and Archaeology

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

The proposed development is consistent with the PPS (2020). The proposed development provides opportunity for contextually appropriate rural employment growth and makes efficient use of land, services and resources. The Environmental Impact Study prepared for the development states that the subject site is within Ecoregions 6E and contains a significant woodland. In conformity with section 2.1, this woodland is being retained and protected within the proposed Stormwater Management Pond block.

Stage 1 and 2 archaeological studies were conducted on the property. The findings of the studies identified two archaeological sites needing more evaluation or impact mitigation through a Stage 3 Site Specific Assessment as part of a larger archaeological examination of the property. As required by Section 2.6.3 of the PPS, the proposed development will conserve significant archaeological resources.

As identified by the PPS, on site sewage services may be permitted as long as there are no negative impacts to the surrounding environment. The planned subdivision is to be municipally serviced from available water service at Paisley Ln and Hwy 47, and sanitary services are to be provided in accordance with the Region of Durham through on-site septic beds or sanitary systems. The proposed site sewage services will be designed in accordance with applicable standards to ensure there are no negative impacts to the surrounding environment.



3.2 Proposed Provincial Policy Statement (2023)

The Ontario Provincial Government released the updated draft PPS in June 2023. The draft policy statement provides directions on matters of provincial interest related to land use planning and development, including provincial priorities such as housing. This document, if approved, will replace the Provincial Policy Statement (2020) and A Place to Grow (2020).

The proposed development is supported by the policies listed below:

2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable rural areas should be supported by:

- e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- h) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.*

2.8 Employment

2.8.1 Supporting a Modern Economy

1. Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
 - c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; and d) encouraging intensification of employment uses and compact, mixed-use development that incorporates compatible employment uses such as office, retail, industrial, manufacturing and warehousing, to support the achievement complete communities.*
- 2. Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to sensitive land uses without adverse effects are encouraged in strategic growth areas and other mixed-use areas where frequent transit service is available, outside of employment areas.*
- 3. On lands for employment outside of employment areas, and taking into account the transition of uses to prevent adverse effects, a diverse mix of land uses, including*



residential, employment, public service facilities and other institutional uses shall be permitted to support the achievement of complete communities.

4. Official plans and zoning by-laws shall not contain provisions that are more restrictive than policy 2.8.1.3 except for purposes of public health and safety.

5. Major office and major institutional development should be directed to major transit station areas or other strategic growth areas where frequent transit service is available.

3.5 Land Use Compatibility

1. Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that proposed adjacent sensitive land uses are only permitted if potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

3.6 Sewage, Water and Stormwater

1. Planning for sewage and water services shall:

a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services and existing private communal sewage services and private communal water services;

b) ensure that these services are provided in a manner that:

i. can be sustained by the water resources upon which such services rely;

ii. is feasible and financially viable over their life cycle;

iii. protects human health and safety, and the natural environment, including the quality and quantity of water; and

iv. considers comprehensive municipal planning for these services, where applicable.

c) promote water and energy conservation and efficiency;

d) integrate servicing and land use considerations at all stages of the planning process;



e) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5; and

f) integrate with source protection planning.

3. Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

8. Planning for stormwater management shall:

a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;

b) minimize, or, where possible, prevent increases in contaminant loads;

c) minimize erosion and changes in water balance including through the use of green infrastructure;

d) mitigate risks to human health, safety, property and the environment;

e) maximize the extent and function of vegetative and pervious surfaces;

f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and

g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.

4.1 Natural Heritage

1. Natural features and areas shall be protected for the long term.

2. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

4. Development and site alteration shall not be permitted in:

a) significant wetlands in Ecoregions 5E, 6E and 7E1; and

5. Development and site alteration shall not be permitted in:

a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;



- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
- c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
- d) significant wildlife habitat;*
- e) significant areas of natural and scientific interest; and*
- f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

3.3 A Place to Grow (2020)

The Growth Plan is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The growth Plan outlines policies for managing and directing where and how growth should occur within the Greater Golden Horseshoe and has a planning horizon to the year 2051.

The subject lands are designated as “Greenbelt Area” per detailed Growth Plan mapping. Refer to Figure 5:

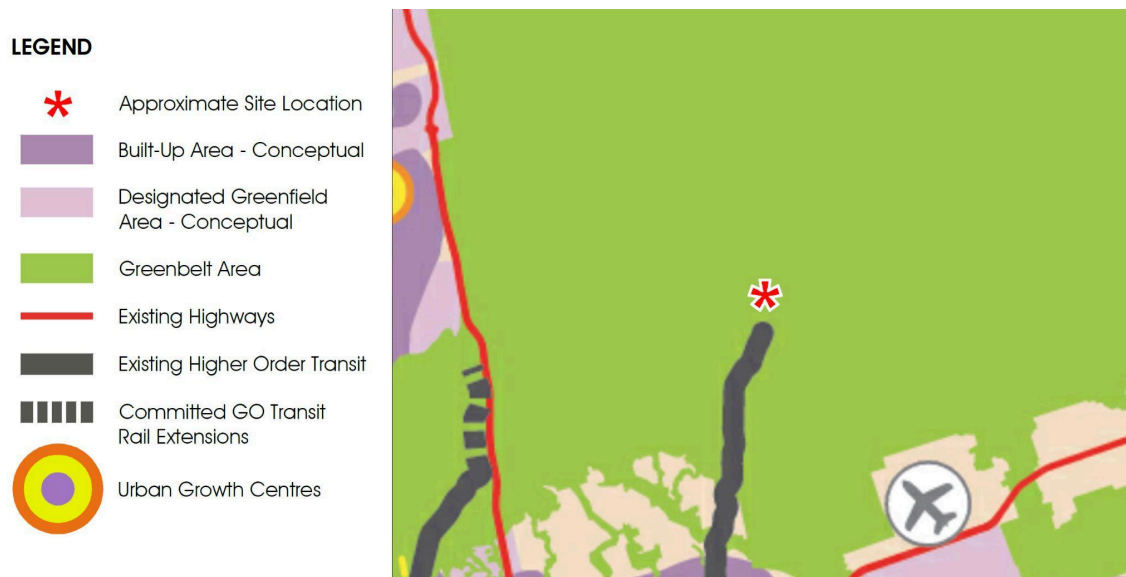


Figure 6 - Growth Plan for Greater Golden Horseshoe

The proposed development is supported by the policies listed below:

1.2.1 Guiding Principles

- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.



2.2.9 Rural Areas

1. Municipalities are encouraged to plan for a variety of cultural and economic opportunities within rural settlements to serve the needs of rural residents and area businesses.

3.2.6 Water and Wastewater Systems

2. Municipal water and wastewater systems and private communal water and wastewater systems will be planned, designed, constructed, or expanded in accordance with the following:

a) opportunities for optimization and improved efficiency within existing systems will be prioritized and supported by strategies for energy and water conservation and water demand management;

b) the system will serve growth in a manner that supports achievement of the minimum intensification and density targets in this Plan;

c) a comprehensive water or wastewater master plan or equivalent, informed by watershed planning or equivalent has been prepared to:

i. demonstrate that the effluent discharges and water takings associated with the system will not negatively impact the quality and quantity of water;

ii. identify the preferred option for servicing growth and development, subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5 of the PPS, 2020, which must not exceed the assimilative capacity of the effluent receivers and sustainable water supply for servicing, ecological, and other needs; and

iii. identify the full life cycle costs of the system and develop options to pay for these costs over the long-term.

d) in the case of large subsurface sewage disposal systems, the proponent has demonstrated attenuation capacity; and

e) plans have been considered in the context of applicable interprovincial, national, bi-national, or state-provincial Great Lakes Basin agreements or provincial legislation or strategies.

3.2.7 Stormwater Management

2. Proposals for large-scale development proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that:



- b) incorporates an integrated treatment approach to minimize stormwater flows and reliance on stormwater ponds, which includes appropriate low impact development and green infrastructure;*
- c) establishes planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces; and*
- d) aligns with the stormwater master plan or equivalent for the settlement area, where applicable.*

4.2.2 Natural Heritage System

3. Within the Natural Heritage System for the Growth Plan:

a) new development or site alteration will demonstrate that:

- i. there are no negative impacts on key natural heritage features or key hydrologic features or their functions;*
- ii. connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;*
- iii. the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;*
- iv. except for uses described in and governed by the policies in subsection 4.2.8, the disturbed area, including any buildings and structures, will not exceed 25 per cent of the total developable area, and the impervious surface will not exceed 10 per cent of the total developable area;*
- v. with respect to golf courses, the disturbed area will not exceed 40 per cent of the total developable area; and*
- vi. at least 30 per cent of the total developable area will remain or be returned to natural self-sustaining vegetation, except where specified in accordance with the policies in subsection 4.2.8;*

4.2.3 Key Hydrologic Features, Key Hydrologic Areas and Key Natural Heritage Features



1. Outside of settlement areas, development or site alteration is not permitted in key natural heritage features that are part of the Natural Heritage System for the Growth Plan or in key hydrologic features

4.2.4 Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features

1. Outside settlement areas, a proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System for the Growth Plan or a key hydrologic feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetation protection zone, which:

- a) is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;*
- b) is established to achieve and be maintained as natural self-sustaining vegetation; and*
- c) for key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the key natural heritage feature or key hydrologic feature.*

The proposed development conforms to the Growth Plan by contributing to the employment forecasts set out by the plan. The proposed development contributes to the addition of employment uses in the area through the development of a warehouse complex and office spaces.

An Environmental Impact Study has been prepared for the development by Cambium Inc and a summary can be found in section 4.9 of this report. As required by section 4.2.2 of the Growth Plan, this study confirms that the proposed development will not have any negative impacts to the significant woodland on site and identifies that the proposed VPZ is sufficient enough to protect the significant woodlands on the property.

Section 4.2.3 of the GPGGH states that, outside of settlement areas, development is generally not permitted in the NHS. Section 4.2.4 states that, outside of settlement areas, development within 120 metres of a key natural heritage or key hydrologic feature will require a Natural Heritage Evaluation or Hydrologic Evaluation that identifies a suitable vegetation protection zone. The Environmental Impact Study identifies that despite the fact the 120m VPZ is not achievable for this development, the remaining VPZ is sufficient enough to protect the significant woodlands. Furthermore, it is in the opinion of the ecologists that the dry stormwater management pond should be included as part of the VPZ.

As required by section 3.2.7 of the Growth Plan, a Stormwater Management Plan has been prepared for the site by King EPCM, a summary of which can be found in section 4.7 of this report.

3.4 Oak Ridges Moraine Conservation Plan (2017)

The subject property is designated under the Oak Ridges Moraine Plan as Natural Linkage and Natural Core areas (see figure 8 below).



LEGEND

-  Subject Lands
-  Natural Linkage Area
-  Natural Core Area
-  Countryside Area



Figure 8 - Oak Ridges Moraine Conservation Plan Land Use Designation Map 5

The proposed development conforms to the policies listed below:

Natural Core Areas

11. (1) *The purpose of Natural Core Areas is to maintain and where possible improve or restore the ecological integrity of the Plan Area, by,*

- (a) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, key hydrologic features and the related ecological functions;*
- (b) maintaining or restoring natural self-sustaining vegetation and wildlife habitat;*
- (c) maintaining the quantity and quality of groundwater and surface water;*
- (d) maintaining groundwater recharge;*
- (e) maintaining natural stream form and flow characteristics;*
- (f) protecting landform features; and*
- (g) protecting and restoring natural areas and features that sequester carbon and provide ecological functions, including water storage, to help reduce the impacts of climate change.*

(2) Natural Core Areas also have the objectives of,



(a) accommodating a trail system through the Plan Area and trail connections to it;

(a.1) conserving cultural heritage resources; and

(b) providing for limited economic development that is compatible with clauses (a) and (a.1) and subsection (1).

(3) The following uses are permitted with respect to land in Natural Core Areas, subject to Parts III and IV:

- 1. Fish, wildlife and forest management.*
- 2. Conservation projects and flood and erosion control projects.*
- 3. Agricultural uses.*
- 4. Infrastructure uses.*
- 5. Home businesses.*
- 6. Home industries.*
- 7. Bed and breakfast establishments.*
- 8. On-farm diversified uses, subject to subsection (4).*
- 8.1. Agriculture-related uses, subject to subsection (4).*
- 9. Low-intensity recreational uses as described in section 37.*
- 10. Unserviced parks.*
- 11. Uses accessory to the uses set out in paragraphs 1 to 10.*

Natural Linkage Areas

12. (1) The purpose of Natural Linkage Areas is to maintain, and where possible improve or restore, the ecological integrity of the Plan Area, and to maintain, and where possible improve or restore, regional-scale open space linkages between Natural Core Areas and along river valleys and stream corridors, by,

(a) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key heritage features, key hydrologic features and the related ecological functions;

(b) maintaining, and where possible improving or restoring natural self sustaining vegetation over large parts of the area to facilitate movement of plants and animals;



(c) maintaining a natural continuous east-west connection and additional connections to river valleys and streams north and south of the Plan Area;

(d) maintaining the quantity and quality of groundwater and surface water;

(e) maintaining groundwater recharge;

(f) maintaining natural stream form and flow characteristics;

(g) protecting landform features; and

(h) protecting and restoring natural areas and features that sequester carbon and provide ecological functions, including water storage, to help reduce the impacts of climate change.

(2) Natural Linkage Areas also have the objectives of,

(a) accommodating a trail system through the Plan Area and trail connections to it;

(a.1) conserving cultural heritage resources;

(a.2) contributing to a regional network of green infrastructure; and

(b) providing for limited economic development that is compatible with clauses (a) to (a.2) and subsection (1).

(3) The following uses are permitted with respect to land in Natural Linkage Areas, subject to Parts III and IV:

1. Fish, wildlife and forest management.

2. Conservation projects and flood and erosion control projects.

3. Agricultural uses.

4. Infrastructure uses.

5. Home businesses.

6. Home industries.

7. Bed and breakfast establishments.

8. On-farm diversified uses, subject to subsection (4).

9. Low-intensity recreational uses as described in section 37.



10. *Unserviced parks.*
11. *Mineral aggregate operations.*
12. *Wayside pits.*
13. *Agriculture-related uses, subject to subsection (4).*
14. *Uses accessory to the uses set out in paragraphs 1 to 13.*

(4) The on-farm diversified uses referred to in paragraph 8 of subsection (3) and the agriculture-related uses referred to in paragraph 13 of subsection (3) are only permitted in prime agricultural areas in the Natural Linkage Areas.

Supporting connectivity

20. Every application for development or site alteration shall identify planning, design and construction practices that ensure that no buildings or other site alterations impede any hydrological functions or the movement of plants and animals among key natural heritage features, key hydrologic features, and adjacent land within Natural Core Areas and Natural Linkage Areas.

Key natural heritage features

22. (1) The following are key natural heritage features:

6. Significant woodlands.

(2) All development and site alteration with respect to land within a key natural heritage feature or the related minimum vegetation protection zone is prohibited, except the following:

1. Forest, fish, and wildlife management.

2. Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest after all alternatives have been considered.

3. Development of infrastructure in accordance with the requirements set out in section 41.

4. Low-intensity recreational uses as described in section 37.

5. Any development and site alteration in Countryside Areas or Settlement Areas that is within the habitat of an endangered or threatened species, but only if,

i. it is not prohibited under the Endangered Species Act, 2007 and it complies with any requirements or restrictions under that Act, and



ii. it is not within any other key natural heritage feature or the related minimum vegetation protection zone.

6. Agricultural uses other than uses associated with on-farm buildings and structures, but only with respect to land in the minimum vegetation protection zone related to a key natural heritage feature and not in the key natural heritage feature itself.

(3) An application for development or site alteration with respect to land within the minimum area of influence that relates to a key natural heritage feature, but outside the key natural heritage feature itself and the related minimum vegetation protection zone, shall be accompanied by a natural heritage evaluation under section 23.

(4) Despite subsection (3), a natural heritage evaluation is not required in the case of an application relating to the construction of a new building or structure in the minimum area of influence of a key natural heritage feature if the proposed building or structure is for agricultural uses, agriculture-related uses or on-farm diversified uses and is located a minimum of 30 metres from the key natural heritage feature.

(5) Any agricultural uses, agriculture-related uses or on-farm diversified uses that are carried out in the minimum area of influence that relates to a key natural heritage feature shall be carried out in accordance with best management practices to protect or restore key natural heritage features and related ecological functions.

Natural heritage evaluation

23. (1) A natural heritage evaluation shall,

(a) demonstrate that the development or site alteration applied for will have no adverse effects on the key natural heritage feature or on the related ecological functions;

(b) identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the key natural heritage feature and its connectivity with other key natural heritage features and with key hydrologic features;

(c) in the case of an application relating to land in a Natural Core Area, Natural Linkage Area or Countryside Area, demonstrate how connectivity within and between key natural heritage features and key hydrologic features will be maintained and, where possible, improved or restored before, during and after construction;

(d) if the Table to this Part specifies the dimensions of a minimum vegetation protection zone, determine whether it is sufficient, and if it is not sufficient, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it;



(e) if the Table to this Part does not specify the dimensions of a minimum vegetation protection zone, determine whether one is required, and if one is required, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it; and

(f) in the case of a key natural heritage feature that is fish habitat, ensure compliance with the requirements of the Department of Fisheries and Oceans (Canada).

(2) In the case of item 4 of the Table to this Part, the basis on which the determination and specification mentioned in clause (1) (e) is done shall include, without limitation, an analysis of land use, soil type, slope class and vegetation type, using criteria established by the Government of Ontario, as amended from time to time.

Key Hydrologic Features

26. (1) The following are key hydrologic features:

- 1. Permanent and intermittent streams.*
- 2. Wetlands.*
- 3. Kettle lakes.*
- 4. Seepage areas and springs.*

(2) All development and site alteration with respect to land within a key hydrologic feature or the related minimum vegetation protection zone is prohibited, except the following:

- 1. Forest, fish, and wildlife management.*
- 2. Conservation and flood or erosion control projects, but only if they are determined to be necessary in the public interest after all alternatives have been considered.*
- 3. Development of infrastructure in accordance with the requirements set out in section 41.*
- 4. Low-intensity recreational uses as described in section 37.*
- 5. Agricultural uses other than uses associated with on-farm buildings and structures, but only with respect to land in the minimum vegetation protection zone related to a key hydrologic feature and not in the key hydrologic feature itself.*

(3) An application for development or site alteration with respect to land within the minimum area of influence that relates to a key hydrologic feature, but outside the key hydrologic feature itself and the related minimum vegetation protection zone, shall be accompanied by a hydrological evaluation under subsection (4).

(4) A hydrological evaluation shall,



(a) demonstrate that the development or site alteration will have no adverse effects on the key hydrologic feature or on the related hydrological functions;

(b) identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the key hydrologic feature and its connectivity with other key hydrologic features and with key natural heritage features;

(c) determine whether the minimum vegetation protection zone whose dimensions are specified in the Table to this Part is sufficient, and if it is not sufficient, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it, and

(d) in the case of an application relating to land in a Natural Core Area, Natural Linkage Area or Countryside Area, demonstrate how connectivity within and between key natural heritage features and key hydrologic features will be maintained and, where possible, improved or restored before, during and after construction.

(4.1) Despite subsection (3), a hydrological evaluation is not required in the case of an application relating to the construction of a new building or structure in the minimum area of influence of a key hydrologic feature if the proposed building or structure is for agricultural uses, agriculture related uses or on-farm diversified uses and is located a minimum of 30 metres from the key hydrologic feature.

(4.2) Any agricultural uses, agriculture-related uses or on-farm diversified uses that are carried out in the minimum area of influence that relates to a key hydrologic feature shall be carried out in accordance with best management practices to protect or restore key hydrologic features and related ecological functions.

(5) In the case of items 11 and 12 of the Table to this Part, the basis on which the determination and specification mentioned in clause (4) (c) is done shall include, without limitation, an analysis of land use, soil type and slope class, using criteria established by the Government of Ontario, as amended from time to time.

Sewage and water services

43. (1) An application for major development shall be accompanied by a sewage and water system plan that demonstrates,

(a) that the ecological integrity of hydrological features and key natural heritage features will be maintained;

(b) that the quantity and quality of groundwater and surface water will be maintained;

(c) that stream baseflows will be maintained;

(d) that the project will comply with any applicable watershed plan, water budget, water conservation plan, water and wastewater master plan or subwatershed plan;



(d.1) that the assimilative capacity of receiving lakes, rivers or streams with respect to sewage from surrounding areas will not be exceeded and the attenuation capacity of groundwater with respect to subsurface sewage service systems will not be exceeded; and

(e) that the water use projected for the development will be sustainable.

(2) Water and sewer service trenches shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.

Stormwater management

45. (0.1) Every municipality shall develop stormwater master plans and stormwater management plans for Settlement Areas.

(0.2) A stormwater master plan referred to in subsection (0.1) shall,

(a) be based on the appropriate watershed scale studies;

(b) incorporate appropriate low impact development techniques and green infrastructure elements; and

(c) identify opportunities for stormwater retrofits where appropriate.

(1) An application for major development shall be accompanied by a stormwater management plan, as set out in section 46.

(2) Every application for development or site alteration shall demonstrate that planning, design and construction practices that protect water resources will be used, including,

(a) keeping the removal of vegetation, grading and soil compaction to a minimum;

(b) keeping all sediment that is eroded during construction within the site;

(c) seeding or sodding exposed soils as soon as possible after construction; and

(d) keeping chemical applications to suppress dust and control pests and vegetation to a minimum.

(3) In considering an application for development or site alteration, the municipality shall seek to reduce areas with impervious surfaces and increase areas retained in a natural undisturbed state, in order to minimize stormwater volumes and contaminant loads and increase capacity to adapt to climate change.

(4) Municipal development standards shall incorporate planning, design and construction practices that will,



- (a) reduce the portions of lots and sites that have impervious surfaces; and*
- (b) provide the flexibility to use alternative stormwater management techniques such as directing roof discharge to rear yard ponding areas and using grassed swales.*

(5) Subsections (2), (3) and (4) do not apply to applications for mineral aggregate operations.

(6) For the purposes of stormwater management, the minimum standard for water quality is that 80 percent of suspended solids shall be removed from stormwater runoff as a long-term average.

(7) Despite anything else in this Plan, disposal of stormwater into a kettle lake is prohibited.

(8) Despite anything else in this Plan, new stormwater management ponds are prohibited with respect to land in key natural heritage features and key hydrologic features.

(9) In subsection (8), “stormwater management pond” means a detention basin that temporarily stores or treats collected stormwater runoff and releases it at a controlled rate.

Stormwater management plans

46. (1) The objectives of a stormwater management plan are to,

- (a) maintain groundwater quantity and flow and stream baseflow;*
- (b) protect water quality;*
- (c) protect aquatic species and their habitat;*
- (d) prevent increases in stream channel erosion;*
- (e) prevent any increase in flood risk;*
- (f) minimize the disruption of natural drainage patterns wherever possible; and*
- (g) address climate change impacts by mitigating the potential flood risks associated with increased precipitation.*

(2) A stormwater management plan shall provide for an integrated treatment train approach to stormwater management that,

- (a) minimizes stormwater flows and reliance on end-of-pipe controls by using a sequence of measures including,*
 - (i) source controls,*
 - (ii) lot-level controls such as devices and designs that direct roof discharge, and*
 - (iii) conveyance techniques such as grass swales; and*



(b) increases the municipality's capacity to adapt to climate change.

(3) A stormwater management plan shall be prepared in accordance with the applicable watershed plan under section 24, if one exists.

(4) Every municipality shall retrofit existing stormwater management works where necessary and to the extent it is feasible to do so.

Rapid infiltration basins and columns

47. (1) Despite anything else in this Plan, new rapid infiltration basins and new rapid infiltration columns are prohibited.

(2) In subsection (1),

“rapid infiltration basin” means a basin or system of basins at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces;

“rapid infiltration column” means a column or system of columns at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces.

The proposed development has been prepared in accordance with sections 20, 22, 23, 26, 43, 45, 46 and 47 of the Oak Ridges Moraine Conservation Plan as required by Policy 9B.3.4 in the 2020 DROP.

Sections 20, 22, 23 and 26 of the ORMCP state that development must ensure that no impacts are made to any key natural heritage or hydrologic features. These policies also require development to be accompanied with a natural heritage and hydrological evaluation. The Environmental Impact Study confirms that the proposed development does not come within 30m of the wetland located east outside of the site boundary. The EIS summarises the conformity of the proposed development with the ORMCP VPZ requirements. There is minor encroachment of the proposed roadway and part of Block 14 within the 30m VPZ associated with the significant woodland. The EIS concludes that this will not impact the significant woodland, and given that the area is well maintained, the remaining VPZ is deemed sufficient enough to protect the existing form and function of the significant woodland. On-site compensation and cash in-lieu compensation will be carried out to compensate for the loss of VPZ area. In summary, the significant woodlands on site are being protected and retained and no development is proposed in the woodlands or wetland.

Sections 43, 45, 46 and 47 require a stormwater management plan to be accompanied with the proposed development. The ORM prohibits stormwater management ponds in key natural heritage or hydrologic areas and 80% of suspended solids must be removed from stormwater runoff as a long-term average.



According to the Stormwater Management Plan prepared by King EPCM, the proposed development is to accomplish this through the installation of oil-grit separator (OGS) units at each discharge point for 14 proposed lots. In addition, the stormwater management pond has been designed to not encroach within the natural heritage features or hydrologic areas, where it will not have any impacts to the significant woodlands on site.

3.5 The Living City Policies for Planning and Development in the Watersheds of TRCA (2014)

Portions of the subject property are regulated under the Toronto Region Conservation Authority (TRCA). The proposed development has regard to and is consistent with the policies listed below:

8.4 General Regulation Policies

These general policies apply to all activities (regulated activities) and all areas defined by the Regulation (regulated areas).

8.4.5 That development, interference or alteration within a regulated area may be permitted where it can be demonstrated to the satisfaction of TRCA, through appropriate technical reports, assessments, site plans and/ or other documents as required by TRCA, that:

- a) the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected;*
- b) the risk to public safety is not increased;*
- c) susceptibility to natural hazards is not increased and no new hazards are created;*
- d) there are no adverse hydraulic or fluvial impacts on rivers, creeks, streams, or watercourses;*
- e) there are no adverse impacts on the natural coastal processes of the Lake Ontario shoreline;*
- f) negative or adverse hydrological or ecological impacts on natural features and functions, including wetlands, are avoided or mitigated;*
- g) intrusions on natural features, areas and systems contributing to the conservation of land, including areas providing ecological functions and hydrologic functions, are avoided or mitigated;*
- h) groundwater discharge which supports natural features and areas or hydrologic or ecological functions on-site and other sites hydrologically connected to the site are maintained;*
- i) groundwater recharge which supports natural features and areas or hydrologic or ecological functions on-site and other sites hydrologically connected to the site will be maintained;*
- j) access for emergency works and maintenance of flood or erosion control works is available;*



k) TRCA's stormwater management criteria (water quantity, water quality, erosion control and water balance for groundwater and natural features) have been met, where applicable, based on the scale and scope of the project;

l) pollution, sedimentation and erosion during construction and post-construction is minimized using best management practices including site, landscape, infrastructure and/or facility design (whichever is applicable based on the scale and scope of the project), construction controls, and appropriate remedial measures;

m) appropriate restoration works of sufficient scale and scope in accordance with TRCA standards will be implemented; and

n) works are constructed, repaired and/ or maintained according to accepted engineering principles and approved engineering standards or to the satisfaction of TRCA, whichever is applicable based on the scale and scope of the project in accordance with TRCA standards.

The proposed development is consistent with the policies of the TRCA. The regulated area encompasses the northeast corner of the site in reference to the watercourse that has been marked on adjacent property. The regulation policies of The Living City ensure that development within the regulated areas of the TRCA impose any negative impacts to the key natural heritage and hydrological features on site. As confirmed by the Environmental Study no impacts are made to the significant woodlands on the subject property.

King EPCM undertook a Geotechnical Study, which included a slope stability analysis, and determined that the physical Top of Bank as staked by TRCA is the same as the Long Term Stable Top of Slope.







A Hydrogeological Study was also undertaken by King EPCM, which concluded that the proposed construction of buildings and driveway combined with proposed LID mitigation measures does not expect to cause adverse changes to the groundwater quality or quantity. The Stormwater Management Report was prepared in accordance with the TRCA Stormwater Technical Guidelines, and confirms that the proposed development conforms to the requirements for water quantity, water quality, erosion control and water balance.

3.6 Durham Regional Official Plan (2020 Consolidation)

The subject property is designated under the Durham Regional Official Plan (2020) as Natural Linkage and Natural Core areas within the Oak Ridges Moraine Area (see figure 9 & 10 below).



LEGEND

-  Subject Lands
-  Oak Ridges Moraine Area
-  Rural Employment Area
-  Arterial Road
-  Future GO Rail
-  Railway

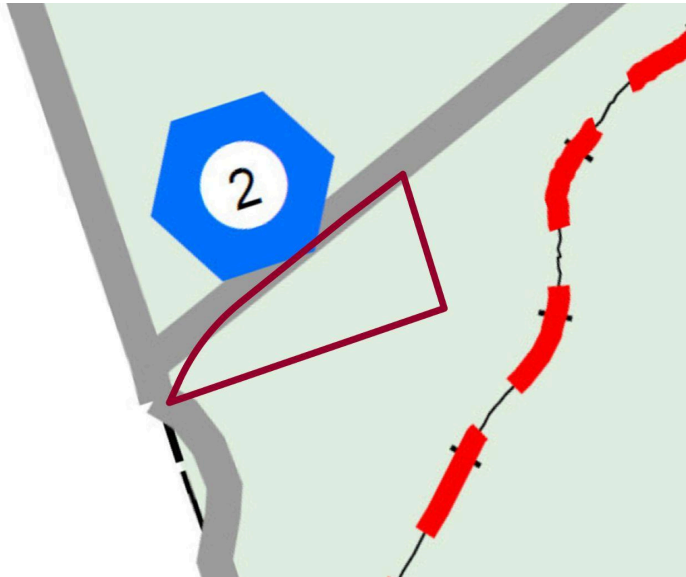


Figure 9 - Durham Regional Official Plan (2020) Regional Structure Map A2

LEGEND

-  Subject Lands
-  Natural Linkage Area
-  Natural Core Area
-  Countryside Area



Figure 10 - Durham Regional Official Plan (2020) Oak Ridges Moraine Land Use Map B3

Additionally, the subject site includes a key natural heritage feature on site as shown in figure 11 below.



Figure 11 - Durham Regional Official Plan (2020) Greenbelt Natural Heritage System & Key Natural Heritage and Hydrologic Features Schedule B - Map B1b

The proposed development conforms to the policies listed below.

1.1.1 The basis of this Plan is:

- a) the population and employment forecasts for the Region to the year 2031 are 960,000 and 350,000 respectively, consistent with the Growth Plan for the Greater Golden Horseshoe;*

1.2.1 The goals of this Plan are:

- b) to live in harmony with the natural environment and heritage of the Region;*
- c) to develop the Region to its economic potential and increase job opportunities for its residents;*

1.3.1 The goals of this Plan will be achieved through the following directions:

- b) encouraging developments that utilize land efficiently;*
- c) protecting significant features and functions of the natural environment;*
- d) encouraging development that will not have adverse cumulative impacts on the natural, built and cultural environments;*
- e) increasing employment opportunities to create healthy and complete, sustainable communities that balance growth in population with growth in employment;*



2.1 Goals

2.1.1 To ensure the preservation, conservation and enhancement of the Region's natural environment for its valuable ecological functions and for the enjoyment of the Region's residents

2.2 General Policies

2.2.1 In the planning and development of the Region, the natural environment, which includes areas designated as Oak Ridges Moraine, Waterfronts and Major Open Space Areas as well as the Greenbelt Natural Heritage System and key natural heritage and hydrologic features, shall be given paramount consideration in light of their ecological functions and scientific, educational and health values.

2.2.2 In the planning and development of the Region the cumulative impact on the environment shall be taken into account by assessing matters such as, but not limited to, the capacity of the natural environment to accommodate development, particularly ground and surface water resources, the maintenance of connected natural systems, and the impacts on environmental features and functions.

2.2.3 Woodlands, wetlands and peat bogs shall be protected and managed to provide environmental, recreational and economic benefits to the Region.

GREENBELT NATURAL HERITAGE SYSTEM

2.3.13 The Greenbelt Natural Heritage System of the Greenbelt Plan is shown on Schedule 'B' – Map 'B1'. The Greenbelt Natural Heritage System includes areas of the Greenbelt Protected Countryside with the highest concentration of the most sensitive and/or significant natural features and functions. This area is to be managed as a connected and integrated natural heritage system in accordance with the Greenbelt Plan and the relevant policies of this Plan. Area municipal official plans shall include a refined Greenbelt Natural Heritage System boundary, to be determined at the time of the area municipalities Greenbelt Plan conformity exercise.

KEY NATURAL HERITAGE AND HYDROLOGIC FEATURES

2.3.14 The general location of key natural heritage and/or hydrologic features are shown on Schedule 'B' – Map 'B1'. The individual features and their associated vegetation protection zones are to be identified and shown in more detail in area municipal official plans and zoning by-laws. The location and extent of key natural heritage and/or hydrologic features may be further confirmed through appropriate studies such as a watershed plan or an environmental impact study in accordance with Policy 2.3.43.

2.3.15 Development or site alteration is not permitted in key natural heritage and/or hydrologic features, including any associated vegetation protection zone, with the exception of:



b) conservation and flood or erosion control projects demonstrated to be necessary in the public interest and after all alternatives have been considered;

2.3.17 Outside of Urban Areas and Rural Settlements, an environmental impact study, in accordance with Policy 2.3.43, shall be required for any development or site alteration within 120 metres of a key natural heritage or hydrologic feature to identify a vegetation protection zone which:

a) is of sufficient width to protect the feature and its functions from the impacts of the proposed change and associated activities that may occur before, during, and after, construction;

b) where possible, will restore or enhance the feature and/or its function; and

c) will maintain natural self-sustaining vegetation.

ENVIRONMENTAL IMPACT STUDIES

2.3.43 Any proposal for development or site alteration in proximity to key natural heritage or hydrologic features shall be required to include an Environmental Impact Study as part of a complete application. The Region, in consultation with the respective area municipality, conservation authority and applicant, may select and retain a qualified environmental consultant to peer review the study at the proponent's expense. Such a study shall apply to the area to be developed, or may be expanded to include additional lands, as may be deemed necessary by the Region, in consultation with the respective area municipality, conservation authority and any other appropriate agency, and it shall address the following:

a) the location and nature of the development;

b) the mapping of the location and extent of the environmental conditions, which may include key natural heritage or hydrologic features;

c) the degree of sensitivity of the environmental conditions and an evaluation of such conditions;

d) an assessment of the potential impacts including cumulative impacts on the environment;

e) the need for any measures to protect and/or mitigate negative impacts to key natural heritage or hydrologic features and functions and the surrounding environment, and definitions of such measures;

f) applicable environmental considerations of the Greenbelt Plan;

g) where applicable, assess the significance of the key natural heritage and hydrologic features; and 14

h) any other matters deemed necessary by Regional Council



Economic Development

3.2.2 Regional Council has established a target ratio of jobs to population of 50% (1 job for every 2 persons) for the Region as a means to support the development of healthy and complete, sustainable communities that provide a close live-work relationship for residents of the Region.

WATER AND SEWERAGE SERVICES

5.3.22 Notwithstanding that Rural Settlements are to develop on individual on-site private services, Regional Council may extend, after due consideration, full or partial municipal services to Rural Settlements or may consider the limited use of new Regionally owned and operated water and/or sewerage facilities in Rural Settlements, without amendment to this Plan, in circumstances where it is deemed necessary to address a serious health or environmental concern identified by the Region's Medical Officer of Health or other designated authority, subject to the principles of Policies 9B.1.5, 9B.2.6 and 9B.2.14.

RURAL SYSTEM

9.2.1 Development in the Rural System shall be on the basis of individual private drilled wells and private sewage disposal systems, unless otherwise specified in this Plan.

The 2020 Durham Official Plan was amended to include rural employment uses on the subject site by adding the following policy to Section 9B.3.4:

Notwithstanding any other provisions of this plan, rural employment uses, consistent with policy 9B.2.27, although the subject site may be serviced with municipal water subject to Regional approval and required supporting studies, are permitted on 123 Regional Highway 47 (Part Lots 13 and 14, Concession 1, Assessment #18-29-010-002-001-00) Township of Uxbridge. Development shall only proceed by plan of subdivision and an amendment to the zoning by-law. In addition, site plan approval shall be required for each lot in the plan of subdivision to ensure that development is in conformity with the applicable policies of the Oak Ridges Moraine Conservation Plan.

Development approval shall be in accordance with the following:

- a) plans and supporting studies which address the applicable policies of Sections 20, 22, 23, 26, 43, 45, 46 and 47 the Oak Ridges Moraine Conservation Plan;*
- b) plans and supporting studies that address the Complete Application requirements set out in Table 1 of this Plan;*
- c) plans and supporting studies that address Section 3.16, Development Application Pre-Consultation and Submission Requirements of the Township of Uxbridge Official Plan and illustrate conformity with the applicable policies of the Region of Durham Official Plan and illustrate conformity with the Township of Uxbridge Official Plan; and*
- d) the subject site is located at the western gateway to the Township of Uxbridge, as such any buildings and sites shall be designed to the highest standards of urban design and sustainable development. In addition, the location and design of the parking areas and open storage shall ensure that their impact is minimized as much as possible, particularly along Regional Highway 47*



where their location will be generally prohibited. To meet this criterion architectural control guidelines shall be developed as a condition of draft plan approval of the plan of subdivision.

10B Oak Ridges Moraine Areas

10B.2.1 Within the Oak Ridges Moraine designation, only applications for development and site alteration that conform with the Oak Ridges Moraine Conservation Plan will be considered. The following land use categories, shown on Schedule 'B' – Map 'B3', Oak Ridges Moraine Land Use, govern the use of land within the Oak Ridges Moraine.

a) Natural Core Areas are areas with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas. Their purpose is to maintain, improve and restore the ecological integrity of the Moraine as a whole.

New permitted uses are very limited, relating to conservation and resource management and include uses accessory to existing residential uses including home businesses, home industries, bed and breakfast establishments, farm vacation homes, as well as low intensity recreation, unserviced parks, agricultural uses and accessory uses thereto, provided they meet the tests for maintenance, restoration or enhancement of ecological and hydrological integrity and specific policies contained in the Oak Ridges Moraine Conservation Plan.

b) Natural Linkage Areas are areas forming part of a central corridor system, the purpose of which is to maintain, improve and restore the ecological integrity of the Moraine. Natural Linkage Areas support, or have the potential to support, movement of plants and animals among the Natural Core Areas and along river valleys and stream corridors. Limited new uses include those permitted in the Natural Core Area as well as mineral aggregate operations and wayside pits and accessory uses thereto subject to meeting the requirements of the Oak Ridges Moraine Conservation Plan.

The proposed development conforms to the policies of the Regional Official Plan and supports the intensification and employment growth objectives set out by the Region of Durham.

As required by section 2.3.17 of the DROP, an Environmental Impact Study prepared for the property by Cambium Inc and confirms that the proposed development will have no impacts to the key natural heritage and hydrologic features on or adjacent to the site. There is minor encroachment of the proposed roadway and part of Block 14 within the 30m VPZ associated with the significant woodland. The EIS concludes that this will not impact the significant woodland, and given that the area is well maintained, the remaining VPZ is deemed sufficient enough to protect the existing form and function of the significant woodland. On-site compensation and cash in-lieu compensation will be carried out to compensate for the loss of VPZ area.

As per the ROPA, policy 9B.3.4 allows for rural employment uses on the subject property. The proposed development is to be municipally serviced as permitted by this policy and Sanitary services are to be provided in accordance with the Region of Durham through on-site septic beds or sanitary systems. Consistent with the requirement of 9B.3.4.a), the proposed subdivision is in conformity with sections 20, 22, 23, 26, 43, 45, 46 and 47 ORMCP (see section 3.5 of this report for further detail).



The planning applications are accompanied by the necessary supporting plans and reports as set out in Schedule E of the DROP and section 3.16 of the Township of Uxbridge Official Plan, in conformity with the requirements of 9B.3.4.b) and 9B.3.4.c) .

The proposed development is in conformity with the Township of Uxbridge Official Plan and has been designed with consideration to the urban design standards and objectives of the Town and the prominent gateway location of the subject site. As required by 9B.3.4.d), architectural control guidelines will be developed as a condition of the draft plan approval.

3.7 Envision Durham - Regional Official Plan (Adopted 2023)

A new Regional Official Plan was adopted by the Durham Regional Council in May 2023 and has been forwarded to the Ministry of Municipal Affairs and Housing for review and approval.

The subject property is proposed to be designated under the Durham Regional Official Plan (2023) as Natural Linkage and Natural Core areas within the Oak Ridges Moraine Area, part of the region's greenlands system (see figures 12 & 13 below).



Figure 12 - Durham Regional Official Plan (2023) Map 1 (As Amended)

LEGEND

-  Subject Lands
-  Natural Linkage Area
-  Natural Core Area
-  ORM Natural Core and Natural Linkage Area
-  Countryside Area
-  Lake Simcoe Protection Plan Boundary

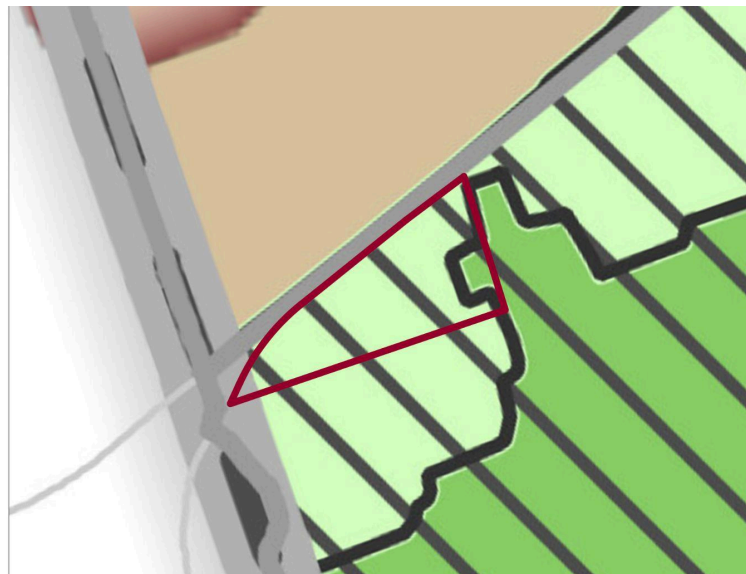


Figure 13 - Durham Regional Official Plan (2023) Map 2b (As Amended)

The proposed development conforms to the policies listed below.

Oak Ridges Moraine Areas

7.1.19 Limit new permitted uses within areas of the Oak Ridges Moraine, as shown on Map 2b, to:

a) within Natural Core Areas: conservation and resource management, uses accessory to existing residential uses, infrastructure, low intensity recreational uses and unserviced parks, agricultural uses and accessory uses, as well as on-farm diversified uses and agriculture-related uses in Oak Ridges Moraine Prime Agricultural Areas, provided they meet the policies of the Oak Ridges Moraine Conservation Plan;

b) within Natural Linkage Areas: uses identified in a) above, as well as mineral aggregate operations, wayside pits and accessory uses, provided they meet the policies of the Oak Ridges Moraine Conservation Plan; and

7.1.27 Prohibit development and site alteration within key natural heritage features and/or key hydrologic features and their related minimum vegetation protection zones. Conservation and resource management, low-intensity recreational uses, and development and site alteration within the habitat of endangered and threatened species may be permitted, in accordance with the policies of the Oak Ridges Moraine Conservation Plan.

7.1.30 Require that an environmental impact study, in accordance with Policy 7.4.15, shall include a natural heritage and/or a hydrological evaluation, as detailed in the Oak Ridges Moraine Conservation Plan, where new development or site alteration is proposed within the minimum area of influence surrounding a key natural heritage feature and/or key hydrologic feature.



7.1.32 Require that applications for development or site alteration be reviewed to ensure that planning and construction practices maintain connectivity between key natural heritage features, key hydrologic features and adjacent lands within Natural Core Areas and Natural Linkages Areas.

7.4 Regional Natural Heritage System

7.4.2 Permit refinements to the regional natural heritage system, outside of provincial natural heritage system areas, through the secondary planning process and/or approved planning applications, without an amendment to this Plan. Such refinements shall be supported by appropriate technical studies and must be in accordance with applicable provincial plans and the policies of this Plan.

7.4.3 Require policies that protect the regional natural heritage system as well as those that identify enhancement areas and linkage areas as part of area municipal official plans, where appropriate.

7.4.4 Prohibit development and site alteration within the regional natural heritage system, except as permitted by the applicable provincial plans including:

- a) legally existing uses that conform to area municipal official plans and zoning by-laws;*
- b) new buildings and structures and the full range of uses for existing and new agricultural uses, agricultural-related uses and on-farm diversified uses and normal farm practices, subject to the key natural heritage features policies in this section;*
- c) naturalized stormwater management systems and facilities and passive recreational uses if an approved environmental impact study demonstrates that construction will have no negative impact; and*
- d) new infrastructure if authorized through an Environmental Assessment or if no reasonable alternative location exists and an environmental impact study demonstrates that construction will have no negative impact.*

7.4.5 Require an environmental impact study for development and site alteration within 120 metres of the natural heritage system.

7.4.6 Maintain hedgerows within the regional natural heritage system where they serve an important linkage and/or habitat function, as determined by an approved site-specific study.

7.4.11 Prohibit development or site alteration in key natural heritage features and/or key hydrologic features, including any associated vegetation protection zone, with the exception of:

- f) retrofits of existing stormwater management works where no other alternative exists, not including the establishment of new stormwater management works;*

As per the ROPA to the 2022 Durham Regional Official Plan, exception policy 10.4.25 allows for rural employment uses on the site.

10.4.25 Notwithstanding any other provisions of this Plan, rural employment uses, consistent with Policy 6.5.22, although the subject site may be serviced with municipal water subject to Regional approval and



required supporting studies, are permitted on 123 Regional Highway 47 (Part Lots 13 and 14, Concession 1, Assessment #18-29-010-002-001-00) Township of Uxbridge. Development shall only proceed by plan of subdivision and an amendment to the zoning by-law. In addition, site plan approval shall be required for each lot in the plan of subdivision to ensure that development is in conformity with the applicable policies of the Oak Ridges Moraine Conservation Plan.

Development approval shall be in accordance with the following:

- a) plans and supporting studies which address the applicable policies of Sections 20, 22, 23, 26, 43, 45, 46 and 47 the Oak Ridges Moraine Conservation Plan;*
- b) plans and supporting studies that address the Complete Application requirements set out in Table 1 of this Plan;*
- c) plans and supporting studies that address Section 3.16, Development Application Pre-Consultation and Submission Requirements of the Township of Uxbridge Official Plan and illustrate conformity with the applicable policies of the Region of Durham Official Plan and illustrate conformity with the Township of Uxbridge Official Plan; and*
- d) the subject site is located at the western gateway to the Township of Uxbridge, as such any buildings and sites shall be designed to the highest standards of urban design and sustainable development. In addition, the location and design of the parking areas and open storage shall ensure that their impact is minimized as much as possible, particularly along Regional Highway 47 where their location will be generally prohibited. To meet this criterion architectural control guidelines shall be developed as a condition of draft plan approval of the plan of subdivision.*

The proposed development conforms to the policies of the 2023 adopted Durham Region Official Plan. The proposal encourages employment growth within the region and contributes to the employment targets set out by the Durham Regional Official Plan. The proposed development will also be retaining the significant woodland on site and will not impact the key hydrological feature adjacent to the site.

The proposal implements the intent of the previous ROPA, which permits employment uses on the subject lands through policy 10.4.25 in this 2023 adopted ROP.

3.8 Township of Uxbridge Official Plan (2014 Consolidation)

The subject property is designated under the Township of Uxbridge Official Plan (2014) as Natural Linkage and Natural Core areas within the Oak Ridges Moraine Conservation Plan Area (see figure 14 below).



LEGEND

-  Subject Lands
-  Natural Linkage Area
-  Countryside Area
-  Natural Core Area
-  Roads
-  Railway
-  Policy Area 1.9.4.3.
iii Industrial



Figure 14 -Township of Uxbridge Official Plan Oak Ridges Moraine Land Use Map

The proposed development conforms to the policies listed below.

1.1 General

1.1.2 In addition to the detailed policies and designations of this Official Plan, the applicable policies in the Durham Regional Official Plan, amended from time to time, apply to the Township of Uxbridge.

1.1.3 The Official Plan for the Township of Uxbridge shall be amended forthwith to conform with future amendments to the Durham Regional Official Plan as they are approved by the Minister. It is recognized, however, that in the future some time may lapse before this Official Plan can be amended to conform to the Durham Regional Official Plan as amended from time to time. In the event of conflict between the provisions of this Official Plan and the provisions of the Durham Regional Official Plan, the provisions of the Durham Regional Official Plan shall prevail to the extent of that conflict.

1.2.3 Strategic Directions, Goals and Objectives

Strategic directions to achieve the Community Vision, and related goals and objectives are established in Table 1.1 to the Plan.

2. Uxbridge's Economy Now and in the Future

2. To ensure the health of the Township's local economy by supporting its business and tourism sectors.

3. Managing Growth for Sustainable Development

3. To manage the growth of the community in a sustainable manner that balances environmental protection, the preferred lifestyle of residents, and economic viability.



3.3 To encourage an appropriate mix of residential, commercial and industrial development to maintain a viable tax base while protecting the rural and small town character of the community.

4. Environmental Protection

4. To protect, enhance and restore natural resources in Uxbridge Township in a manner that contributes to the community's quality of life, identity and economy.

4.2 To preserve and protect the Oak Ridges Moraine and Natural Heritage System established by the Greenbelt Plan.

1.9.4.1 Natural Core Area

i) Purpose

The Natural Core Area designation on Schedules "A" and "H" recognizes areas identified in the Moraine Plan with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas. The purpose of the designation of these areas is to maintain, and where possible improve or restore, the ecological integrity of the Moraine Area.

ii) Permitted Uses

The following uses are permitted in the Natural Core Area designation subject to all the other policies of Section 1.9 of this Plan and the applicable regulations of the Zoning By-law:

a) Fish, wildlife and forest management;

b) Conservation projects and flood and erosion control projects;

c) Agricultural uses;

d) Transportation, infrastructure and utilities in accordance with the provisions of Section 1.9.9.8 of this Plan;

e) Home occupations/home businesses;

f) Home industries;

g) Bed and breakfast establishments;

h) Farm vacation homes;

i) Low intensity recreational uses in accordance with the provisions of Section 1.9.9.7 of this Plan);

j) Unserviced parks;

k) Recreational trails in accordance with the provisions of Section 1.9.9.9 of this Plan; and,

l) Accessory uses.



1.9.4.2 Natural Linkage Area

i) Purpose

The Natural Linkage Area designation on Schedules “A” and “H” recognizes areas identified in the Moraine Plan forming part of a central corridor system that support or have the potential to support the movement of plants and animals among the lands designated Natural Core and Linkage Area, as well as river valleys and stream corridors. The purpose of the designation of these areas is to maintain, and where possible to improve or restore, the ecological integrity of the Moraine Area and to maintain, and where possible improve or restore, regional-scale open space linkages between lands in the Natural Core Area designations and along river valleys and stream corridors.

ii) Permitted Uses

The following uses are permitted in the Natural Linkage Area designation subject to all the other policies of Section 1.9 of this Plan and the applicable regulations of the Zoning By-law:

- a) Fish, wildlife and forest management;*
- b) Conservation projects and flood and erosion control projects;*
- c) Agricultural uses;*
- d) Transportation, infrastructure and utilities in accordance with the provisions of Section 1.9.9.8 of this Plan;*
- e) Home occupations/home businesses;*
- f) Home industries;*
- g) Bed and breakfast establishments;*
- h) Farm vacation homes;*
- i) Low intensity recreational uses in accordance with the provisions of Section 1.9.9.7 of this Plan;*
- j) Unserviced parks;*
- k) Recreational trails in accordance with the provisions of Section 1.9.9.9 of this Plan;*
- l) Mineral aggregate operations and wayside pits in accordance with the provisions of Section 1.9.9.1 of this Plan; and,*
- m) Accessory uses.*

1.9.5 Development Review

ii) Connectivity Every application for development or site alteration shall identify planning, design and construction practices that ensure that no building or other site alterations impede the



movement of plants and animals among key natural heritage features, hydrologically sensitive features and adjacent land within the “Natural Core Areas” and “Natural Linkage Areas” designated on Schedules “A” and “H”.

iii) Key Natural Heritage Features All development and site alteration will be prohibited in key natural heritage features and the related minimum vegetation protection zone, with the exception of certain limited uses specified in Section 22(2) of the Moraine Plan. An application for development or site alteration in the minimum area of influence shall be accompanied by a natural heritage evaluation in accordance with the provisions of Part III, Section 23 of the Moraine Plan. Development or site alteration may also be prohibited in the minimum area of influence based on the results of the natural heritage evaluation which may establish a greater minimum vegetation protection zone. Key natural heritage features include wetlands; significant portions of the habitat of endangered, rare and threatened species; fish habitat including watercourses and water bodies; areas of natural and scientific interest (ANSI) (life science); environmentally significant areas (ESA); significant valleylands; significant woodlands; significant wildlife habitat and sand barrens, savannahs and tallgrass prairies. These, together with the minimum vegetation protection zone, are identified on Schedules “B” and “I” to this Plan with the exception of significant valleylands, significant wildlife habitat and the habitat of endangered, rare and threatened species. These features are to be identified using criteria established by the Province. Fish habitat on the Oak Ridges Moraine will include, but not be limited to, all hydrologically sensitive features with surface water characteristics.

Schedules “B” and “I” are based on mapping provided by the Province of Ontario. No amendment will be required to the Schedule where minor changes are proposed based on studies carried out in accordance with the provisions of the Moraine Plan or through new information provided by the Province of Ontario.

Notwithstanding the foregoing, any change to Schedules “B” and “I” which affects the boundary of an area of natural and scientific interest (life science), provincially significant wetlands, habitat of endangered, rare and threatened species or fish habitat will only be made after confirmation by the Province of Ontario and, in the case of fish habitat, by the Department of Fisheries and Oceans or its delegate. In addition, where any changes are made to features, the revised mapping will be circulated to the Province, the Region and the applicable Conservation Authority.

2.1.5.2 Employment

The employment forecast for the Township for the planning period is 8,970 jobs. The Township will strive to accommodate a significant percentage of these jobs in the Urban Area, recognizing the limited amount of available land for employment uses. In addition, employment will occur in the industrial parks in the rural area, including the Pioneer Industrial Park immediately to the south of the Urban Area on Regional Road Highway 47. Employment will also occur throughout the rural area through resource development including agriculture and aggregates, and in the hamlets.

3.4 Plans of Subdivision

Only those plans of subdivision or condominium shall be approved for development which:

- i) comply with the designations and policies of this Plan;*
- ii) can be supplied with adequate services and community facilities; and,*



iii) will not adversely affect the financial status of the Township and the Region.

5.2.2 Stormwater Management

Prior to the final approval of plans of subdivision, plans of condominium or other significant new development applications in the Secondary Plan Area, a stormwater management plan and associated landscaping plan must be prepared by the applicant, and approved by the Township, in consultation with the Region of Durham and the Conservation Authority. Such plans must be prepared based on terms of reference Township of Uxbridge 5-5 Office Consolidation January 2014 approved in advance by the Township, in consultation with the Region of Durham and the Conservation Authority.

5.7.4 Development Evaluation Criteria

v) Sewer and Water Services and Stormwater Management Development shall be serviced in accordance with the provisions of Section 5.2 of this Plan and Section 5.4.5 of the Durham Regional Official Plan, and provided that the Township, in consultation with the Region of Durham, is satisfied that the development can be serviced appropriately with the proposed private services, and that the quantity and quality of surface and groundwater will be maintained.

The proposed development conforms to the policies in the Town of Uxbridge Official Plan. The proposed subdivision encourages employment growth and keeps with the character of the surrounding area. The planned subdivision is to be municipally serviced from available water service at Paisley Ln and Hwy 47. Sanitary services are to be provided in accordance with the Region of Durham through on-site septic beds.

The proposed development has been developed in consideration of the key natural heritage features on site. As required by section 1.9.5 of the Town's Official Plan, development is prohibited in key natural heritage features and the related minimum vegetation protection zone. The Environmental Impact Study prepared for the property by Cambium Inc confirms that the proposed development will have no impacts to the key natural heritage and hydrologic features on or adjacent to the site. Although part of the development and stormwater management pond encroaches within the woodland VPZ, it will not impact the natural heritage system in and surrounding the site. Per the opinion of the EIS, the remaining VPZ is sufficient enough to protect the significant woodlands on site.

The planning applications are accompanied with the applicable supporting plans and reports determined through the Pre-Consultation Meeting and the associated checklist, consistent with the requirements of Section 3.16 of the Township of Uxbridge Official Plan.

Sections 1.1.2 and 1.1.3 of the Town's Official Plan state that applicable policies of the Durham Regional Official Plan, as amended, shall apply to the Township of Uxbridge. Furthermore, in the event of a conflict between the provisions of the Uxbridge Official Plan and the DROP, the DROP shall prevail. The proposed rural employment use is permitted under site specific policy 9B.3.4 of the DROP, and the proposed development is in conformity with the additional site specific provisions under the policy.



v. a public park; and

vi. a public use in accordance with the provisions of Section 5.18 hereof.

c. Accessory Uses Uses, buildings or structures accessory to any of the foregoing listed permitted uses are permitted provided such are in accordance with the provisions of Section 5.1 hereof.

4.4.3 REGULATIONS FOR PERMITTED NON-RESIDENTIAL USES

<i>Minimum Lot Area Requirement</i>	<i>40m</i>
<i>Minimum Lot Frontage Requirement</i>	<i>200m</i>
<i>Minimum Front Yard Depth</i>	<i>30m</i>
<i>Minimum Exterior Side Yard Width</i>	<i>30m</i>
<i>Minimum Interior Side Yard Width</i>	<i>30m</i>
<i>Minimum Rear Yard Depth</i>	<i>30m</i>
<i>Maximum Lot Coverage of All Buildings</i>	<i>5%</i>
<i>Minimum Setback from Provincial Highway</i>	<i>48m</i>
<i>Minimum Setback from Regional Road - Type "A"</i>	<i>48m</i>
<i>Minimum Setback from Regional Road - Type "B"</i>	<i>43m</i>
<i>Minimum Setback from Township Road</i>	<i>40m</i>
<i>Minimum Landscaped Open Space Requirement</i>	<i>10%</i>
<i>Maximum Height of Buildings</i>	<i>10m</i>

4.4.5.80 RURAL NO. 80 (RU-80) ZONE

a. Within the Rural Exception No. 80 (RU-80) Zone located in Part of Lots 13 and 14, Concession 1, in the Township of Uxbridge, and shown on Schedule "A3" of Zoning By-law 81-19, as amended, notwithstanding any other provisions of the Rural (RU) Zone to the contrary, in addition to the permitted uses in the Rural (RU) Zone, a golf range shall also be a permitted use subject to the following regulations:



i. PERMITTED BUILDINGS AND STRUCTURES

- 25 tee blocks maximum
- Buildings and structures existing as of March 2004
- 38 space parking lot

ii. ACCESSORY USES Accessory uses shall be permitted in the existing buildings and structures.

iii. REGULATIONS FOR PERMITTED USES

- Minimum Setback of Driving Range from Durham Road No. 47 33 metres
- Minimum Setback of Driving Range from east property boundary 120 metres
- Parking Requirement 38 spaces including one handicapped space

3.9.2 Proposed Zoning

The Rural Industrial (M1) Zone will permit the addition of employment/industrial uses consistent with the rural employment permissions of the DROP. The proposed Rural Industrial (M1) Zone is compatible with the surrounding area of the subject lands, which includes lands with the rural industrial zoning adjacent to the north.

4.18 RURAL INDUSTRIAL (M1) ZONE

4.18.1 PERMITTED USES

No person shall within a Rural Industrial (M1) Zone use any land or erect, alter or use any building or structure except for one or more of the following uses:

a. Residential Uses Prohibited

b. Non-Residential Uses

- i. an agricultural produce warehouse;*
- ii. a cartage, express or transport terminal or yard;*
- iii. a farm implement sales and supply establishment;*
- iv. a feed mill; v. a general contractor's yard and related workshop facilities;*
- vi. a light equipment sales and rental establishment;*
- vii. a light industrial manufacturing, processing, assembling or fabricating plant;*
- viii. a machine or welding shop;*
- ix. a motor vehicle body shop;*
- x. a motor vehicle repair garage;*



- xi. a plumbing, heating and air conditioning supply establishment;*
- xii. a public use in accordance with the provisions of Section 5.18 hereof.*
- xiii. a warehouse; and xiv. a wholesale establishment.*

4.18.2 REGULATIONS FOR PERMITTED NON-RESIDENTIAL USES

<i>Minimum Lot Area Requirement</i>	<i>4,000 m²</i>
<i>Minimum Lot Frontage Requirement</i>	<i>45 m</i>
<i>Minimum Front Yard Depth</i>	<i>15 m</i>
<i>Minimum Exterior Side Yard Width</i>	<i>15 m</i>
<i>Minimum Interior Side Yard Width**</i>	<i>6 m</i>
<i>Minimum Rear Yard Depth</i>	<i>15 m</i>
<i>Maximum Lot Coverage of All Buildings</i>	<i>40%</i>
<i>Minimum Setback from Provincial Highway</i>	<i>33 m</i>
<i>Minimum Setback from Regional Road - Type "A"</i>	<i>33 m</i>
<i>Minimum Setback from Regional Road - Type "B"</i>	<i>28 m</i>
<i>Minimum Setback from Township Road</i>	<i>25 m</i>
<i>Minimum Landscaped Open Space Requirement</i>	<i>10%</i>
<i>Maximum Height of Buildings</i>	<i>12 m</i>

***Where the interior side lot line abuts a Residential Zone, the minimum interior side yard requirement shall be 15 metres.*



4.0 Supporting Studies

The following is a summary of all of the technical reports and materials that were reviewed in part for this planning report and submission. The reports detail the technical merits and policies of the proposed use and development, and cumulatively justify the proposed development. For detailed information, refer to the associated original technical report documents included in this submission.

4.1 Archaeological Report

The Stage 1 and 2 Archaeological Assessment was prepared by AS & G Archaeological Consulting Inc., dated November 21, 2023.

In order to assess and thoroughly document the subject property's archaeological potential and to suggest suitable approaches for the Stage 2 survey, a Stage 1 background study was carried out to gather information about the property's geography, history, prior archaeological fieldwork, and current land condition. In order to catalogue all of the archaeological materials on the site, identify those that need more examination, and suggest future actions, a Stage 2 property assessment was carried out. Due to the unique features of the land, a pedestrian survey approach and a test pit survey method were required for the Stage 2 survey in places that were not appropriate for ploughing.

As a result of the Stage 2 property evaluation, two post-contact Euro-Canadian sites were identified as Site BaGt-47 (Scatter A) and Site BaGt-48 (Scatter B), which included a pedestrian and test pit survey at systematic five-meter intervals. Based on the range of the artefact collection, both sites depict homesteads and/or farmsteads of Euro-Canadians in the mid to late 1800s. Through the conducting of pedestrian surveys, 158 artefacts were found at Site BaGt-47, and 148 artefacts were found at Site BaGt-48.

Two archaeological sites were identified in the Stage 2 assessment as needing more evaluation or impact mitigation. The report recommends the completion of a Stage 3 Site Specific Assessment as part of a larger archaeological examination of the property.

For further information, please see the full Archaeological Report by AS&G Archaeological Consulting Inc.

4.2 Phase 1 ESA Report

The Phase 2 Environmental Site Assessment (ESA) Report was prepared by King EPCM, dated September 3, 2021.

According to Column A of Table 2 of Schedule D, O. Reg. 153/04, and the Durham Region Site Screening Questionnaire, numerous Potentially Contaminating Activities (PCAs) were identified within the Phase 1 study area, and three (3) PCAs were identified within the site property, according to the investigation contained in this report.

1. PCA #27 - *Garages and Maintenance and Repair of Railcars, Marine Vehicles and Aviation Vehicles (within the large historic wooden barn).*



2. PCA #28 - Gasoline and Associated Products Storage in Fixed Tanks (two tanks found, but specifically the residential basement tank in active use is currently leaking).

3. PCA #40 - Pesticides (including Herbicides, Fungicides and Anti-Fouling Agents) Manufacturing, Processing, Bulk Storage and Large-Scale Applications (long history of agricultural practices on the site).

Based on these PCAs, additional Phase 2 ESA investigations are necessary for two (2) Areas of Potential Environmental Concern (APECs):

1. APEC #1 – Area around the historic wooden barn, to ensure that garage maintenance of farm equipment has not caused PHC or VOC discharge.

2. APEC #2 – Area below the residential dwelling, active leaking of heating fuel oil tank.

For further information, please see the full Phase 1 ESA Report by King EPCM.

4.3 Phase 2 ESA Report

The Phase 2 Environmental Site Assessment (ESA) Report was prepared by King EPCM, dated December 14, 2023. Based on the findings of the Phase 1 ESA, the Phase 2 ESA was initiated.

The goal of the Phase 2 ESA was to examine the possible effects of the on-site PCAs identified by the Phase 2 ESA on the soil quality on the property. Twenty (20) soil samples were collected from the demolition sites surrounding the historic residential home and the historic barn during the Phase 2 examination. No pollution was discovered in the soil during the demolition and demarcation procedure and the second round of testing, and every sample met the requirements.

According to the analytical results, the soil quality met the requirements specified in O. Reg. 153/04 for Site Condition Standards. Based on the findings further investigation is not necessary.

For further information, please see the full ESA Phase 2 Report by King EPCM.

4.4 Functional Servicing Report

The Functional Servicing Report was prepared by King EPCM, dated November 25, 2023.

This study includes King EPCM's evaluation of the current municipal water main at the junction of Durham Regional Highway 47 and Paisley Lane, along with recommendations for stormwater sewer systems, sanitary concerns, and other areas.

The FSR confirmed that there are sufficient pressures and volumes for the proposed industrial subdivision to connect to the existing water service available at the north side of the intersection of Paisley Ln and Durham Regional Highway 47.

Sanitary service will be provided by on-site sanitary systems (septic beds), with a current reserve area of 1000 m² in accordance with Durham Region standards.



The two zones for stormwater management are Lot #1's uncontrolled western part flowing west, and the remaining portions of the land draining to the centre municipal road grass swale. Following this, all of the stormwater is transported via the swales to a dry pond in the southeast corner of the land.

For further information, please see the full Functional Servicing Report by King EPCM.

4.5 Geotechnical Report

The Geotechnical Report was prepared by King EPCM, dated December 9, 2023.

The purpose of this report is to provide recommendations for the design and construction of a proposed industrial subdivision. Initial foundation designs are conventional strip footings with no basements. The report details King EPCM's borehole drilling program, fieldwork and testing, and design recommendations, along with the slope stability analysis.

Detailed design recommendations based on the results of the geotechnical analysis are contained within the original report.

Top of Bank staking exercise was conducted together with TRCA, and additional 2-D computer modelling of global stability analysis was requested by TRCA as part of the submission process. The proposed driveway and municipal road at the northeast corner of the property, is in close proximity to the staked Top of Bank. Additionally, a second 2-D computer modelling of global stability analysis was conducted for the southeast corner of the property, for the proposed stormwater management dry-pond and the proposed discharge location. The findings concluded that in the north east corner the physical Top of Bank as staked by TRCA is the same as the Long Term Stable Top of Slope, and that in the south east corner there is no physical feature of "Top of Bank" as the general area is considered a rolling hill at an average grade of 10% or shallower.

For further information, please see the full Geotechnical Report by King EPCM.

4.6 Hydrogeological Report

The Hydrogeological Report was prepared by King EPCM, dated December 19, 2023.

This site is situated in a TRCA Significant Groundwater Recharge Area (SGRA) and an Ecologically Significant Groundwater Recharge Area (ESGRA) on low-lying ground. Furthermore, the South Georgian Bay Lake Simcoe Source Protection Plan designates the land as being inside the Recharge Management Area (WHPA-Q/RMA). The location of this site is northwest of the watershed of Duffins Creek. The primary components of the site are silt and sandy clay, with the eastern half having low permeability and the major area having medium permeability.

Eight boreholes were bored at the site from May to July 2023, three of which were close to the current house and barns (BHs101–103) and five of which were spread around the whole property (BHs104–108), as a result of the land's various designations as an aquifer protection area and groundwater recharge region. In June 2023, four fresh boreholes were dug in order to assess on-site permeability using Pask Permeameter apparatus.



The property is situated in the northwest portion of the Duffins Creek Watershed at the Reesor Creek Subwatershed. The basic geology of the area is composed of a silt layer and a sandy gravelly clay layer (found in BHs 102, 103, and 108) on top of brown sandy clay soil. At a depth 18.3-27.4 m below the surface, groundwater is a deep unconfined sandy clay aquifer. The seasonal groundwater table was located approximately 0.9 m below the surface.

The property has a shallow seasonal groundwater table based on the results of the eight monitoring wells that were put in on the recently excavated boreholes.

The water balance changes are +126.3% for total runoff rate and +54.1% for total infiltration rate between pre-development and post-development with LID mitigation measures in place.

The findings concluded that the proposed construction of buildings and driveway combined with proposed LID mitigation measures are not expected to cause adverse changes to the groundwater quality or quantity.

For further information, please see the full Hydrogeological Report by King EPCM.

4.7 Stormwater Management Report

The Stormwater Management Report was prepared by King EPCM, dated December 14, 2023.

The SWM plan has been prepared in accordance with the MOE Stormwater Management Planning and Design Manual, and TRCA Stormwater Technical Guidelines

The stormwater management strategy features a treatment train approach utilising combination of lot level controls and Low Impact Development (LID) measures to minimize potential increases in the volume of runoff and provide, as far as practical, a natural hydrologic response.

The proposed 14-lot industrial subdivision and a new drive aisle results in runoff coefficients for post-development that are greater than the pre-development runoff coefficients, and therefore SWM control measures of both peak flow rates as well as total volume discharged are required.

Due to the high groundwater table in this site, the proposed stormwater facility consists of a dry pond and a multiple outlet structure (orifice + weir + emergency spillway) located northeast corner. All outlets will be discharged into a swale which will be established towards the existing creek on the adjacent property to the east and join the Reesor Creek.

Technical details on the proposed stormwater management plan are contained within the full Stormwater Management Report by King EPCM.

4.8 Transportation Study

A Transportation Study was prepared by TRANS-PLAN, dated January 23, 2024. The scope of work included the assessment of the existing road network, site generation traffic impacts, determination of the need for roadway and intersection improvements, signal warrant analysis, as well as auto turn analysis for functional site ingress and egress.



Traffic study was done for the 2028 build-out horizon year, as well as the following five years for a 2033 horizon year. Although the 2017 Durham Region Transportation Master Plan suggested increasing Highway 47 from two to four traffic lanes, there are presently no scheduled road upgrades in the study region.

The outcomes of the study confirm that the proposed development will have minimal impact to the surrounding network because of the similarities between the overall traffic operations and the future background.

The study concluded that no road improvements are required for the site accesses beyond the construction of the two new access points. A signal warrant was completed at the junction of Highway 47 and Paisley Lane / Proposed Site Access intersection, which determined that a signal was not warranted.

The sightline review undertaken at the two access locations, which confirmed that the available sight distance is acceptable under the TAC requirements. The study found that there is a minor deficit of 5m for the minimum required site distance for left turns at the full move access, however concluded that this available sight distance is expected to be sufficient to allow vehicles to exit the site safely.

For further information, please see the full Transportation Study by TRANS-PLAN.

4.9 Environmental Impact Study

The Environmental Impact Study was prepared by Cambium Inc, dated March 20, 2024.

The study was scoped through an approved Terms of Reference (ToR) that was developed through consultation with the TRCA in June 2023.

The purpose of the Environmental Impact Study is to identify the potential impacts to the existing significant natural heritage features on and surrounding the site, as required by the Provincial Policy Statement (PPS, 2020), The Growth Plan for the Greater Golden Horseshoe (GPGGH, 2020) and the Oak Ridges Moraine Conservation Plan (ORMCP, 2017).

The Site is composed of rolling upland features while it slopes toward the west limit. The central meadow/old agricultural field that comprises the majority of the Site is located on relatively high topography and drains toward the forested community and a mapped watercourse to the east of the Site limit.

The Site is outside of the settlement area and lies within Ontario's Ecoregion 6E. The woodlands at the eastern edge of the site are designated as the Natural Core Area by the ORMCP, while the remaining area is designated as Natural Linkage. The subject site is within 120m of a significant woodland, watercourse and wetland.

The study assessed the conformity with the required minimum Vegetation Protection Zones (VPZs), and determined that the proposed development was consistent with the minimum requirements with the expectation of a minor encroachment within the 30m VPZ of the significant woodland.

The significant woodland in the south eastern area of the site is not proposed to be disturbed or removed as part of the proposed development, however the study determined that the 30 m VPZ will not be achievable where a portion of the roadway and part of Block 14 will encroach into the VPZ area. Given the



existing agricultural use, it is determined that the proposed encroachments into the 30 m VPZ should not impact the form or function of the subject woodland. The report concludes that the remaining VPZ is considered sufficient to protect the existing form and function of the significant woodland, provided that the area be maintained as natural vegetation and be allowed to naturally self-sustain. On-site compensation and cash compensation will compensate for the loss of VPZ area.

The EIS concluded that potential negative impacts associated with the proposed development and site alteration can be appropriately minimized through the mitigation recommendations provided. The proposed development can be carried out in a way that will not adversely impact natural heritage and hydrologic features and function identified on or adjacent to the subject Site and the proposed development complies with applicable provincial policy.

For further information, please see the full Environmental Impact Study by Cambium Inc.

4.10 Landform Conservation Plan

The Landform Conservation Plan was prepared by King EPCM, dated December 11, 2023.

The purpose of the Plan is to provide an assessment of the existing topographic character, analysis of site slope, identification of significant landform features, and to develop a strategy that identifies appropriate planning, design and construction practices to minimize disruption to the landform character; as required by Section 30 of the ORMCP.

The Landform Conservation Mapping identified both Category 1 and Category 2 designations on the subject site. The Category 1 lands feature the steeply sloping forested pocket area at the east property boundary. The Category 2 lands include all existing agricultural fields, which generally slopes at 10% grade or less, with exception to a small local rolling hill along the south property boundary at slopes between 10-25% grade.

Based on review of the detailed topographic survey, it was determined that there were no kames or kettles within the Site, while a persistent ravine and ridge system was found along the entirety of the eastern property boundary.

The pre-development general drainage pattern drains into the centre of the property and then discharges eastward into the local watercourse, where this is maintained Post-development but a stormwater management pond is developed at the southeast corner of the site.

There are no earth science ANSI's on the Site.

A single significant landform characteristic is identified on the subject site, a significant ridge and ravine system with slopes >15% near the northeast property boundary. This ridge and ravine system is considered "valley-land" and it is regulated and protected by TRCA regulated offset from Top of Bank.

The Category 1 designated lands containing the woodland at the east property boundary are proposed to be generally not disturbed. The Category 2 designated lands which contain the existing disturbed agricultural fields, and proposed to be developed. The total impervious area calculation of the subject site based on the proposed development is 14.8Ha, 62% of the entire site.

For further information, please see the full Landform Conservation Plan by King EPCM.



5.0 Policy Review and Analysis

5.1 Employment Growth

The proposed development contributes to the employment intensification targets of the Province, the Region of Durham, and the Town of Uxbridge.

The Provincial government supports the intensification of employment usage within municipalities, as indicated in the PPS (2023) section 2.8. Furthermore, outside of employment areas, the province supports industrial, manufacturing, and small-scale warehousing purposes. The Province also encourages employment growth through the Growth Plan. By 2051, the Growth Plan aims to achieve, at a minimum, 7 million jobs and the proposed development contributes to these objectives by proposing employment uses.

The Durham Regional Official Plan also encourages employment growth throughout the region by increasing employment opportunities to create complete, sustainable communities. By supporting the continued growth in employment, the Region hopes to create a diverse and highly skilled workforce.

As stated in section 2.1.5.2 of the Town of Uxbridge Official Plan, there is currently a restricted quantity of land available for work purposes. Therefore, the Town intends to accommodate for more employment uses. The Town is also looking to concentrate employment growth along Highway 47. The proposed development supports the employment growth objectives of the Town by providing employment uses along Hwy 47.

Overall, the proposed development conforms with provincial and local planning legislations by generally encouraging employment growth and contributing to the employment goals and policies of the Province of Ontario, Region of Durham, and the Town of Uxbridge.

5.2 Compatibility with Surrounding Area

An industrial subdivision consisting of various employment and industrial uses is located directly opposite from the subject lands, across Highway 47. The proposed development proposes a similar and compatible industrial subdivision. These uses are similar and demonstrate compatibility between the existing land uses and the proposed development. By proposing similar uses to those existing uses to the north, the proposed development will maintain and continue the overall character of the area.

The subject lands are surrounded mainly by existing farmland, and there are no perceived negative impacts to these areas. The proposal has regard to the existing natural heritage system and surrounding agricultural practices. The technical studies and reports that have been prepared in support of the proposed development have all considered adjacent properties and uses. Refer to Section 4 for general overviews of these studies; the reports should be consulted in their entirety for additional information.



5.3 Environmental Consideration

As identified in the Environmental Impact Study, the proposed development is in conformity with provincial planning legislations including the PPS, GPGGH, GB and ORMCP. According to these legislations, development and site alteration shall not be permitted in significant woodlands, unless it is demonstrated that there will be no negative impacts on the natural features or their ecological functions.

As identified by the ROPA, in policy 9B.3.4 of the Durham Regional Official Plan, this proposal has been developed in accordance with sections 20, 22, 23, 26, 43, 45, 46 and 47 of the Oak Ridges Moraine Conservation Plan. In accordance with these policies, the proposed development ensures that no impacts are made to any key natural heritage or hydrologic features on or adjacent to the site. The significant woodlands in the southeast corner of the site boundary are being retained. The proposed development seeks to protect and preserve this feature and is not to be included as part of the proposed development.

In addition, the stormwater management pond is not to have any impacts to the significant woodlands on site. Although part of the roadway and part of Block 14 is encroaching into the VPZ area, this will not impact the significant woodland.

As stated in the EIS, the remaining VPZ is considered to be sufficient to protect the woodlands, along with the on-site compensation and cash in-lieu compensation to compensate for the loss of VPZ area.

The EIS concluded that potential negative impacts associated with the proposed development and site alteration can be appropriately minimized through the mitigation recommendations provided. The proposed development can be carried out in a way that will not adversely impact natural heritage and hydrologic features and function identified on or adjacent to the subject Site and the proposed development complies with applicable provincial policy.

Overall, the proposed subdivision has been designed in consideration of the natural heritage system.

5.4 Implementing ROPA

The proposed subdivision and zoning by-law amendment both implement the intent of the Regional Official Plan Amendment. The Amendment was made to permit rural employment uses on the subject site. The proposed development proposes a rural industrial subdivision through a plan of subdivision and zoning by-law amendment, in accordance with the site specific policy 9B.3.4 in the Durham Regional Official Plan. Furthermore, the proposal was also developed in consideration with the policies of the ORMCP including sections 20, 22, 23, 26, 43, 45, 46 and 47.



6.0 Conclusions

This Planning Justification Report is in support of the proposed Draft Plan of Subdivision application for the subject lands at 123 Highway 47. Policies at the provincial, regional, and local level were reviewed in their entirety to determine how the proposed development conforms to or is consistent with them. After an extensive review of the applicable land use planning policies, we conclude that the proposed development meets the tests as prescribed in the planning policies referenced in this report.

It is our opinion that the proposed Draft Plan of Subdivision & Zoning By-law applications are justified and represent good planning for the following reasons:

- The proposed development conforms to the policies of the Provincial Policy Statement (PPS);
- The proposed development conforms to the policies of the Growth Plan
- The proposed development conforms to the policies of the Greenbelt Plan and Oak Ridges Moraine Conservation Plan;
- The proposed development conforms to the policies of the Region of Durham Official Plan;
- The proposed development conforms to the policies of the Town of Uxbridge Official Plan;
- The required studies have been undertaken and completed to inform the appropriate development potential and to mitigate impact of the proposed development on surrounding land uses;
- The proposal protects the Natural Heritage System;
- The proposed development is in consideration of the existing natural heritage features on and surrounding the site; and
- The proposal is of an appropriate scale and density for the area.

The proposed development is appropriate for this site, constitutes good land use planning and is in the public interest. It is our opinion that the proposed applications for a Draft Plan of Subdivision and Zoning By-Law Amendment should be approved.

Respectfully submitted,

GROUNDSWELL URBAN PLANNERS INC.

Heath Purtell-Sharp, MCIP, RPP
Senior Planner, Partner

Piraveina Raveendiran, B.U.R.P.I
Junior Planner



7.0 Appendices

7.1 LPAT Decision

7.2 Regional Official Plan Amendment

7.3 Draft Plan of Subdivision

Applications for Draft Plan of Subdivision & Zoning By-Law Amendment
123 Hwy 47
Township of Uxbridge



APPENDIX 7.1 - LPAT DECISION

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: December 23, 2020

CASE NO(S): PL150909

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 1477037 Ontario Limited
Subject: Application to amend Zoning By-law No. ZBA-87-28 - Refusal or neglect of the Township of Uxbridge to make a decision

Existing Zoning: Major Open Space
Proposed Zoning: Site Specific (To be determined)
Purpose: To permit the construction of a driving range facility

Property Address/Description: Part Lots 12, 13 & 14, Concession 1
Municipality: Township of Uxbridge
Municipality File No.: ZBA-87-28
LPAT Case No.: PL150909
LPAT File No.: PL150909
LPAT Case Name: 1477037 Ontario Limited v. Uxbridge (Township)

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 1477037 Ontario Limited
Subject: Request to amend the Official Plan - Failure of the Regional Municipality of Durham to adopt the requested amendment

Existing Designation: Major Open Space
Proposed Designated: Rural Industrial
Purpose: To permit the construction of a driving range facility

Property Address/Description: Part Lots 12, 13 & 14, Concession 1
Municipality: Township of Uxbridge

Approval Authority File No.: 87-094-D
LPAT Case No.: PL150909
LPAT File No.: PL161094

Heard: December 2, 2020 by video hearing

APPEARANCES:

Parties

Counsel

1477037 Ontario Limited	Annik Forristal
Township of Uxbridge	Qunito Annibale
Regional Municipality of Durham	Kevin Ryan

DECISION DELIVERED BY M. ARPINO AND ORDER OF THE TRIBUNAL

[1] This Local Planning Appeals Tribunal proceeding was originally scheduled as a Case Management Conference. The Tribunal was advised that the Parties have worked together and have come to an agreement regarding the Appeals. This Proceeding was converted to a Settlement Hearing at the request of the Parties.

[2] 1477037 Ontario Limited (“Appellant”) owns land identified as Part Lots 12,13 & 14, Concession 1 (“Subject Land”) in the Township of Uxbridge (“Township”). The Subject Land is within the Durham Region (“Region”), and is subject to the Oak Ridges Moraine conservation Plan (“ORMCP”).

[3] The Appellant seeks to develop the Subject Land, and requires an Amendment of the Durham Region Official Plan (“ROPA”) and Amendment of the Township Zoning By-law No. ZBA-87-28 (“ZBA”).

[4] The Appellant submitted applications for ROPA and ZBA (“Applications”). The matters before the Tribunal are appeals filed pursuant to s. 34(11) and 22(7) of the *Planning Act*, failure to make decisions on the Applications within the prescribed time

frame (` Appeals`).

[5] This Settlement Hearing was scheduled for the Parties to present their planning evidence and submissions in support of the agreement regarding proposed ROPA and ZBA.

[6] At the commencement of this Proceeding the Tribunal was informed that although the Parties have an agreement regarding the ROPA, they have not reached consensus regarding the ZBA.

[7] Annik Forristal, Counsel for the Appellant, requested that the Appeal of the ZBA be adjourned *sine die*. The request for adjournment was made on consent of the Parties to allow them to further consider the proposed ZBA. The Tribunal granted the adjournment of the Appeal of the ZBA.

[8] The Parties made submissions and requested that the Tribunal approve the proposed ROPA.

[9] In order for the Tribunal to approve the agreement regarding the ROPA, the Parties must satisfy the Tribunal that the proposed ROPA is consistent with the Provincial Policy Statement, 2020 ("PPS"); conforms with the ORMCP; conforms with the Region's OP, and conforms with the Town OP. The ROPA must have due regard for the relevant matters of provincial interest as set out in s. 2 of the Act; the Tribunal must be satisfied that the proposed ROPA is in the public interest and represents good planning.

EVIDENCE AND SUBMISSIONS

[10] The Tribunal received extensive planning evidence regarding the Appeals. Brad Rogers a Registered Professional Planner retained by the Appellant provided a sworn affidavit being Exhibit 1.

[11] The Tribunal also received an sworn Affidavit of Elizabeth Howson MCIP RPP, Exhibit 2. Ms. Howson has provided planning services to the Township since 1994, her Affidavit is Exhibit 2.

[12] The Appellant called Mr. Rogers to give evidence in support of the proposed ROPA. Ms. Forristal requested that he be qualified to provide opinion evidence regarding land use planning matters. The Tribunal did not receive any objections to the request.

[13] After having reviewed Mr. Rogers' curriculum vitae, and after hearing evidence in support of the request, the Tribunal qualified Mr. Rogers to provide opinion evidence in land use planning matters.

[14] Mr. Rogers adopted everything in Exhibit 1 as his oral evidence. He provided a brief explanation of the history of the development of the Subject Land, which commenced in 1987.

[15] He referred the Tribunal to Tab 31 of Exhibit 1 which is the proposed ROPA. Mr. Rogers informed the Tribunal that the proposed ROPA would not change the designation of the Subject Land; the effect of the amendment would be to permit employment uses.

[16] The proposed ROPA stipulates that development on the Subject Land may only proceed by plan of subdivision and after the ZBA is finalized. Further, Site Plan Approval must be completed prior to development of any lot on the Subject Land.

[17] Mr. Rogers stated that the Subject Land has sufficient access to municipal services and is well suited for growth and development. The Subject Land is located at the western entrance to the Township. He opined that the proposed ROPA is in keeping with the character of the area.

[18] Mr. Rogers stated that in his professional opinion the ROPA is consistent with the

Provincial Policy Statement, 2020 (“PPS”). He stated that he reviewed the applicable provisions of the ORMCP, and in his professional opinion the ROPA conforms to it.

[19] Mr. Rogers also stated that it was his opinion that the ROPA conforms with both the Region, and the Township Official Plans.

[20] Mr. Rogers further opined that the proposed ROPA is appropriate, desirable and represents good planning. He recommended that the Tribunal approve the ROPA as submitted by the Parties.

FINDINGS

[21] The Tribunal reviewed the record and the proposed ROPA and carefully considered the evidence and submissions presented at the Settlement Hearing. The Tribunal accepts the uncontested opinions and recommendations of the sole expert witness, Mr. Rogers. Accordingly, the Tribunal, having regard for the relevant matters of provincial interest and the decisions of the Region and the Township to endorse the proposed ROPA, determined that the proposed ROPA is consistent with the PPS; conforms with the ORMCP; conform with the Region’s OP; conforms with the Township’s OP; is in the public interest; and represents good planning.

ORDER

[22] The Tribunal Orders that the appeal filed by 1477037 Ontario Limited with respect to the Official Plan Amendment is allowed, in part, and that the Region of Durham’s Official Plan is hereby amended in the manner set out in Attachment 1 to this Order. The Tribunal authorizes the municipal clerk to assign a number to this by-law for record keeping purposes.

[23] The Tribunal Orders that the appeal filed by 1477037 Ontario Limited with respect to the Zoning By-law Amendment is adjourned *sine die* and may be brought back before the Tribunal upon the issuance by 1477037 Ontario Limited of 60 days’

written notice to the Tribunal, the Township of Uxbridge and the Region of Durham.

"M. Arpino"

M. ARPINO
MEMBER

If there is an attachment referred to in this document,
please visit www.olt.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Ontario Land Tribunals

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

Applications for Draft Plan of Subdivision & Zoning By-Law Amendment
123 Hwy 47
Township of Uxbridge



APPENDIX 7.2 - REGIONAL OFFICIAL PLAN AMENDMENT

ATTACHMENT 1

Draft Regional Official Plan Amendment Application 87-094

Amendment # to the Durham Regional Official Plan

Purpose and Effect:

The purpose of this Amendment is to permit rural employment uses on the subject site, as well as to provide for the protection of the natural environment including natural heritage and hydrologic features.

Location:

123 Regional Highway 47 (Part Lots 13 and 14, Concession 1), Township of Uxbridge

Basis:

This Amendment will permit rural employment uses on the subject site. The application was submitted in 1987 and subsequently referred to the Ontario Municipal Board (now Local Planning Appeal Tribunal). Provisions for the protection of the natural heritage and hydrologic features of the subject site are also paramount.

Amendment:

The Durham Regional Official Plan is hereby amended by adding the following policy to Section 9B.3:

“9B.3.4 Notwithstanding any other provisions of this plan, rural employment uses, consistent with policy 9B.2.27, although the subject site may be serviced with municipal water subject to Regional approval and required supporting studies, and policy 9B.2.29, are permitted on 123 Regional Highway 47 (Part Lots 13 and 14, Concession 1, Assessment #18-29-010-002-001-00) Township of Uxbridge. Development shall only proceed by plan of subdivision and an amendment to the zoning by-law. In addition, site plan approval shall be required for each lot in the plan of subdivision to ensure that development is in conformity with the applicable policies of the Oak Ridges Moraine Conservation Plan. Development approval shall be in accordance with the following:

- a) Plans and supporting studies which address the applicable policies of Sections 20, 22, 23, 26, 43, 45, 46 and 47 the Oak Ridges Moraine Conservation Plan;*
- b) Plans and supporting studies that address the Complete Application requirements set out in Schedule E, Table E8 of this plan;*

- c) *Plans and supporting studies that address Section 3.16, Development Application Pre-Consultation and Submission Requirements of the Township of Uxbridge Official Plan and illustrate conformity with the applicable policies of the Region of Durham Official Plan and illustrate conformity with the Township of Uxbridge Official Plan; and,*
- d) *The subject site is located at the western gateway to the Township of Uxbridge, as such any buildings and sites shall be designed to the highest standards of urban design and sustainable development. In addition, the location and design of the parking areas and open storage shall ensure that their impact is minimized as much as possible, particularly along Regional Highway 47 where their location will be generally prohibited. To meet this criterion architectural control guidelines shall be developed as a condition of draft plan approval of the plan of subdivision.”*

Implementation and Interpretation:

The provisions set forth in the Durham Regional Official Plan regarding the implementation of the Plan shall apply in regard to this Amendment.

Applications for Draft Plan of Subdivision & Zoning By-Law Amendment
123 Hwy 47
Township of Uxbridge



APPENDIX 7.3 - DRAFT PLAN OF SUBDIVISION

