

**Planning Justification Report  
Zoning By-law Amendment and Plan of Subdivision  
Township of Uxbridge  
Regional Municipality of Durham  
1093560 Ontario Ltd.**

**February, 2022**

Prepared by  
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Development Coordinators Ltd.

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*Figure 1 Aerial View*

*Figure 2 Conceptual Development Plan*

## 1. Introduction

1093560 Ontario Ltd. is the owner of the property municipally known as 150 Cemetery Road. The property is located on the west side of Cemetery Road, north of Toronto St. The property is currently zoned for low density residential uses (i.e. single family dwelling). The owner wants to divide the parcel of land by plan of subdivision. The draft plan of subdivision proposes 5 blocks of townhouses and one block for a semi-detached dwelling, all on a public road. The draft plan proposes a total of 25 units (23 townhouses and 2 semi-detached units). The applicant proposes to convey the land outside of the proposed development to a public body (e.g. Town, LSRCA etc.). Semi-detached dwellings and townhouses are not permitted in the current zone; therefore, a zoning by-law amendment is required.

A pre-consultation meeting between the proponent, the Township of Uxbridge and the Region of Durham was held on Friday, July 10<sup>th</sup>, 2020 and a checklist was provided to the proponent and its consultants by the Region. The checklist required the submission of the following documents in conjunction with a zoning amendment application:

- Draft Plan of Subdivision; prepared by our firm (MSPC) and dated Feb, 2022
- Planning Justification Report; prepared by our firm (MSPC) and dated Feb, 2022
- Neighbourhood Plan (to be prepared by the municipality);
- Archaeological Assessment; prepared by Earthworks Archaeological Services Inc. and dated Jan, 2021
- Phase One Environmental Site Assessment (ESA) Report or Site Screening Questionnaire; The Site Screening Questionnaire was prepared by Toronto Inspection Ltd and dated Jan, 2021
- Noise Study; prepared by YCA Engineering Limited and dated Jan, 2020
- Environmental Impact Study/Natural Heritage Evaluation; prepared by GHD Limited and dated April, 2021
- Edge Management Plan;
- Geotechnical Evaluation; prepared by Toronto Inspection Ltd and dated Jan, 2021
- Hydrogeological Study, including Water Balance; prepared by Toronto Inspection Ltd and dated Feb, 2021
- Phosphorus Offsetting Study/Phosphorus Reduction Strategy; prepared by Politis Engineering Ltd. and dated Jan, 2022
- Landform Conservation Plan; Included in the our Planning Justification Report
- Functional Servicing Report; prepared by Politis Engineering Ltd. and dated Jan, 2022

This *Planning Justification Report* examines whether the proposed amendment to the Township's Zoning By-law and, the application for a Plan of Subdivision, to permit 23 townhomes and one semi-detached dwelling on lands owned by 1093560 Ontario Ltd.:

(i) comply with the Planning Act; (ii) are consistent with the Provincial Policy Statement, 2020; (iii) conform to the Growth Plan for the Greater Golden Horseshoe, 2019; (iv) conform to the Greenbelt Plan, 2017; (v) conform to the Oak Ridges Moraine Conservation Plan, 2017; (vi) conform to the Lake Simcoe Protection Plan, 2009; (vii) conform to the Region of Durham's Official Plan, 1993; (viii) conform to the Township of Uxbridge's Official Plan, 1970; and, (ix) meet the general principles of good planning.

## **2. Retainer**

*Michael Smith Planning Consultants; Development Coordinators Ltd.* was retained in March of 2021 to prepare applications for Draft Plan Subdivision and Zoning By-law Amendment along with a *Planning Justification Report* to support applications.

## **3. General Description of Property and Proposed Development**

The property is located on the west side of Cemetery Road, just north of Toronto Street South. It is municipally known as 150 Cemetery Road and legally described as Part of Lot 27, Concession 6. The property is approximately 4.377ha in size with 97.66m of frontage on Cemetery Road (refer to figure 1).

The land proposed for development (Subject Land) via draft plan of subdivision is approximately 0.970ha. The draft plan 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 (refer to figure 2).

The land to be retained, shown as "other lands owned by applicant" on the draft plan, is 3.40ha in size. To the west of Blocks 5 and 6 on the draft plan, the retained land slopes down to a pond and then flattens out towards the rail line located immediately to the west of the retained land. If the development is approved, it is the intent of the applicant to convey the Retained Land to a Public Body.

The Subject Land is relatively flat and clear of vegetation, with some boundary trees along the north, east and south property lines. The Retained Land contains more significant trees down the slope, around the pond and westerly to the rail line. The area between the pond and rail line is identified as a wetland in the Township's Official Plan.

The property is current zoned *Residential Cluster (RC)* according to the Township's Zoning By-law. Townhouse and semi-detached dwellings are not permitted in the *Residential Cluster (RC)* zone. Therefore, to facilitate the development the owner is submitting applications for draft plan of subdivision and a zoning by-law amendment. It is anticipated that if the applications are approved and once the townhouses and semi-



- Education
- Child care
- Government Offices
  - Federal
  - Provincial
  - Regional
  - Municipal
  - Other
- Senior Residences
- Community Facility
- Health-care Facility
- Hospital
- Library
- Place of Worship
- Transportation Nodes
- Recreation Parks
- Regional Trails
  - Conservation Area
  - Oak Ridges Trail
  - Trans Canada Trail
  - Waterfront Trail
  - Community Trail
- Parks and Conservation Area
- Recreation Facility
- Lots / Concessions

This map has been produced from a variety of sources. The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials. The Region hereby disclaims all representations and warranties.

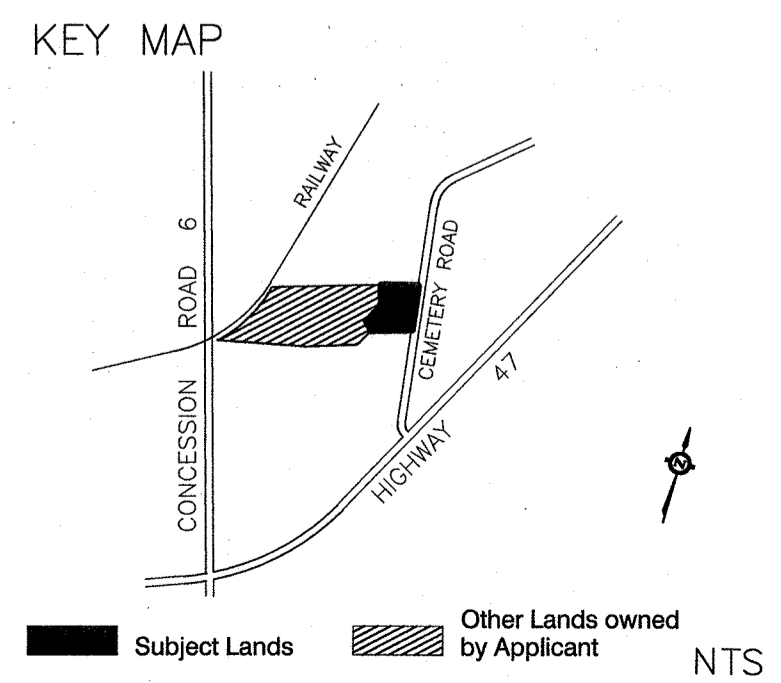
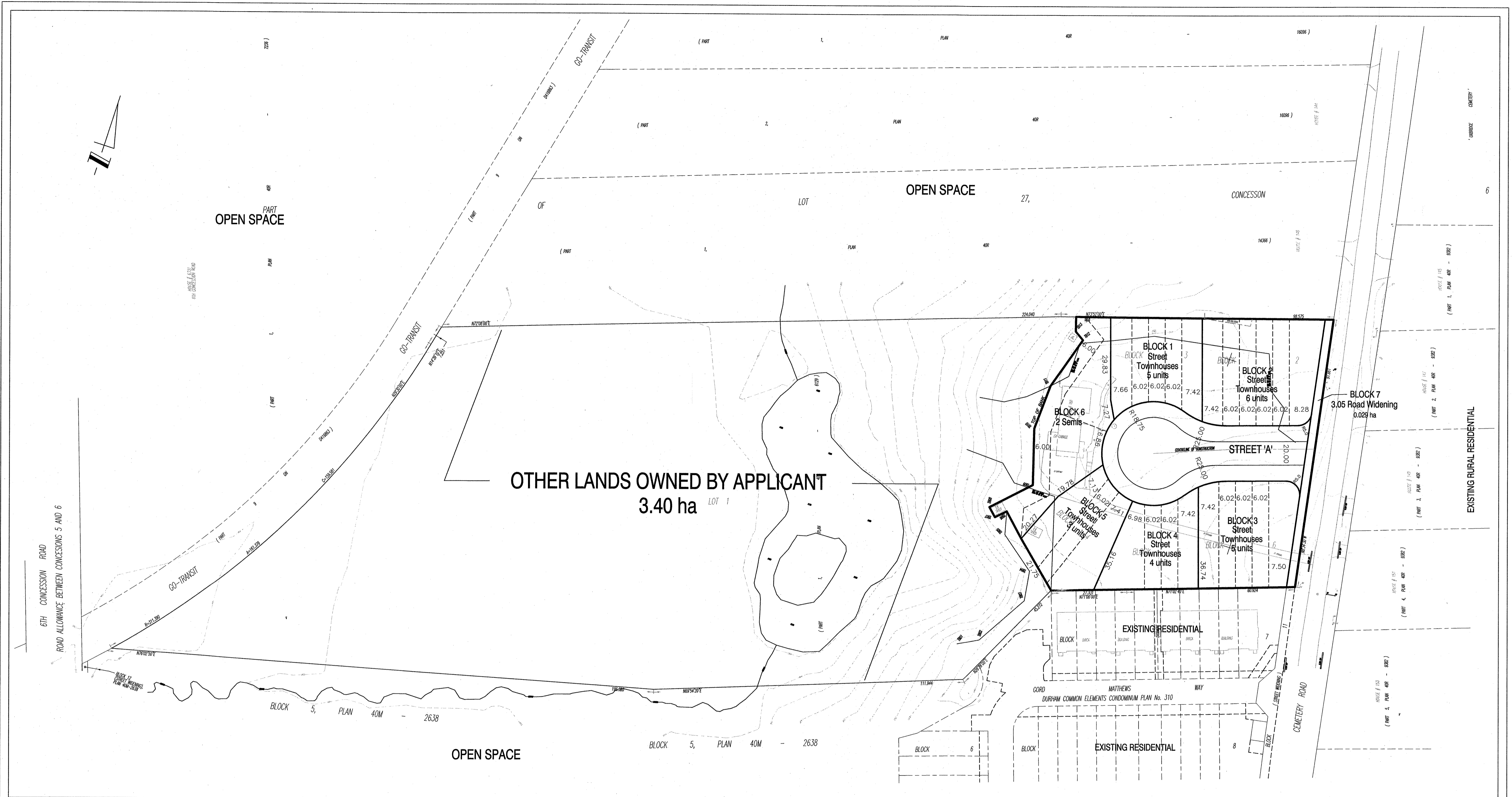
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0 151.90 303.8  
Meters

1: 5,980



Figure 1



LAND USE SCHEDULE

LAND USE	LOT & BLOCK No.	UNITS	AREA (ha)
STREET TOWNHOUSE UNITS	1-5	23	0.606
2 SEMI-DETACHED UNITS	6	2	0.147
ROAD WIDENING	7		0.029
ROADS ST. 'A' 73m @ 18m R.O.W.			0.188
<b>TOTAL</b>		<b>25</b>	<b>0.970</b>

OWNER'S AUTHORIZATION

I, **FABIO FOLAN**, having the authority to bind the Corporation, hereby authorize **MICHAEL SMITH PLANNING CONSULTANTS DEVELOPMENT COORDINATORS LTD.** to prepare and submit this Draft Plan of Subdivision for approval.

*[Signature]* 2022-02-07  
Date

SURVEYOR'S CERTIFICATE

I, **RALPH CAHONA**, hereby certify that the boundaries of the lands to be subdivided as shown on this plan and their relationship to the adjacent lands are accurately and correctly shown.

*[Signature]* 2022-02-07  
Date  
O.L.S.

INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

- a. shown on draft plan
- b. shown on draft plan
- c. shown on draft plan
- d. refer to land use schedule herein
- e. shown on draft plan
- f. shown on draft plan
- g. shown on draft plan
- h. water supply available
- i. Sandy Loam/clay
- j. shown on draft plan
- k. water, sanitary sewer, storm sewer & electrical
- l. none

DRAFT PLAN OF SUBDIVISION  
1093560 ONTARIO LIMITED (O/A CORAL CREEK HOMES)  
150 CEMETERY ROAD  
PART OF LOT 27, CONCESSION 6  
GEOGRAPHIC TOWNSHIP OF UXBRIDGE  
NOW IN THE  
TOWNSHIP OF UXBRIDGE  
REGIONAL MUNICIPALITY OF DURHAM

0m	25m	50m
METRIC: DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048		
No.	Revisions	Date
1.		
2.		
3.		
4.		

**Michael Smith** PLANNING CONSULTANTS DEVELOPMENT COORDINATORS LTD.  
 Drawn by: VT Date: FEBRUARY 4, 2022 Drawing Number: 1298-00  
 Checked by: M.R.E.S. Scale: 1 : 750  
 Approved by: M.R.E.S.

Figure 2

detached dwellings have been constructed, the owner will submit an application for part lot control to divide the development into individual lots.

#### **Planning Act, R.S.O. 1990, c.P.13, as amended**

According to Section 2 of the *Planning Act*, a decision of council of a municipality must have regard to matters of provincial interest. Further, Section 3(5) of the *Planning Act*, requires the decision of council to be consistent with the policy statements issued under the *Planning Act* and conform to provincial plans.

As outlined in this report, in the preparation of the zoning amendment application and the plan of subdivision application, we have had regard to matters of provincial interest. Furthermore, it is our opinion that the applications are consistent with the provincial policy statement and provincial plans.

#### **4. Provincial Policy Statement (PPS), 2020**

The *Provincial Policy Statement (PPS)* provides policy direction on matters of provincial interest related to land use planning and development. In addition, the *PPS* provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment.

##### (i) Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

*Policy 1.1.1., provides that “Healthy, liveable and safe communities are sustained by: 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), recreational, park and open space, and other uses to meet the long-term needs;”*

The development will add to the range and mix of housing types within the municipality.

##### (ii) Section 1.1.3 Settlement Areas

The *PPS* provides that Settlement Areas shall be the focus of growth and development. The vitality and regeneration of Settlement Areas shall be promoted.

The Subject Land is within the built boundary of the Township of Uxbridge which is a considered a Settlement Area. In addition, the development proposes to intensify an existing lot of record which will assist in the regeneration of the settlement area.

(iii) Section 1.4 Housing

The proposed development adds to the range of housing types and densities within the Township of Uxbridge. The development will be constructed within the built boundary of the Township, utilizing the existing services and infrastructure.

(iv) Section 1.6 Infrastructure and Public Service Facilities

Within this section of the *PPS*, it states that existing infrastructure should be optimized. By permitting development on the Subject Land, Cemetery Road will be better utilized. The proposed development will be utilizing the existing municipal sewage and water services, which is preferred by the *PPS*.

(v) Section 1.8 Energy Conservation, Air Quality and Climate Change

This section of the *PPS* provides that “*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: a) promote compact form and structure of nodes and corridors; b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial and institutional uses and other areas; e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.*”

The development of 25 units on the Subject Land promotes compact form, active transportation as future residents can walk or cycle to the nearby commercial uses and, the use of existing transit as the development is within walking distance of the transit routes along Toronto St.

(vi) Section 2.1 Natural Heritage

Policy 2.1.1 states “*Natural features and areas shall be protected for the long term.*” It is anticipated that through the zoning amendment application, the portion of the Retained Land which contain Natural Heritage features (i.e. wetlands, significant forest) will be zoned to protect these features for the long term.

In addition to the above, and as required in Policies 2.1.4 and 2.1.5 of the *PPS*, a Natural Heritage Evaluation (NHE) in support of the proposed development was



completed. The NHE concluded that no negative impacts were anticipated on any Key Natural Heritage Feature provided the recommendations of the NHE are implemented.

(vii) Section 2.5 Mineral Aggregate Resources

The applicant's land (Subject Land and Retained Land) are identified in the Region of Durham's Official Plan as being within "Areas of high potential aggregate resources". According to Policy 2.5 of the PPS, "*Mineral aggregate resources shall be protected for long-term use*". However, the PPS in Policy 2.5.2.5 provides that development which would preclude new operations or access to a mineral aggregate resource can be permitted if:

- resource use would not be feasible; or
- the proposed land use or development serves a greater long-term public interest; and
- issues of public health, public safety and environmental impact are addressed.

Given that the applicant's land is within a settlement boundary, partial covered by natural heritage features and is in close proximity to other sensitive land uses, it is our opinion that the use of the applicant's land for mineral aggregate extraction would not be feasible, would not be in the public interest and would significantly impact the natural heritage features on the property.

It is therefore our opinion that the proposed applications and development is consistent with the PPS.

## **5. Growth Plan for the Greater Golden Horseshoe (GP), 2019**

The GP is the Province of Ontario's initiative to plan for growth and development that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. In this regard, the GP provides policies that implement the province's vision for building strong, prosperous communities.

According to the GP, population growth will be accommodated by directing development to settlement areas. The Subject Land is located within the built boundary of the Township of Uxbridge, which is consider a settlement area.

The GP further provides that growth will be accommodated by: 1) directing a significant portion of new growth to the built-up areas of the community through intensification; 2) reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments; 3) encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open spaces and easy access to

local stores and services; and, 4) directing major growth to settlement areas that offer municipal water and wastewater systems and limiting growth in settlement areas that are serviced by other forms of water and wastewater services.

In this regard, the proposed development constitutes infilling within the boundaries of the Township of Uxbridge settlement area. The proposed development is of a compact design containing 23 townhouses and one semi-detached dwelling. The proposed development would promote intensification due to the Subject Land originally having only one dwelling. The development assists the municipality in creating a complete community by adding to the mix of residential land uses and densities; and, lastly, the development will take place on existing municipal water and wastewater services.

It would be our opinion that the proposed applications and development would conform to the *GP*.

## **6. Greenbelt Plan (GBP), 2017**

According to Schedule 1 of the Provincial *GBP*, the Subject Land is located within the Oak Ridges Moraine Area. According to Section 2.1 of the *GBP*, the requirements of the *Oak Ridges Moraine Conservation Plan (ORMCP)*, continue to apply and the Protected Countryside policies do not apply with the exception of Section 3.3.

Section 3.3 of the *GBP* (Parkland, Open Space and Trails) encourages stakeholders to create a system of public parkland, open spaces and trails. Schedule 'B' of the Township's Official Plan provides the location of Parks, Open Spaces and both existing and proposed Trails. According to Schedule 'B', the Subject Land is not identified as having any of these features. However if approved, the development will be required to pay a park levy to the municipality. This will assist in the municipality in creating or securing new parks, open spaces and trails.

In light of the information above, it is our opinion that the applications and the proposed development conforms to the *GBP*.

## **7. Oak Ridges Moraine Conservation Plan (ORMCP), 2017**

The Subject Land is within the *ORMCP* area and therefore the policies of the *ORMCP* apply. According to Map 5 of the *ORMCP* the Subject Land is designated *Settlement Area*.

The *ORMCP* sets out general objectives including; protecting the ecological and hydrological integrity of the Oak Ridges Moraine Area, providing for land and resource uses and development that are compatible with other objectives of the Plan and

providing for continued development within existing urban settlement areas and recognizing existing rural settlements.

Within Section 18 the *ORMCP* provides that settlement areas are to be the focal point of growth by: encouraging the development of communities that provide convenient access to an appropriate mix of employment, transportation options and local services and a full range of housing and public service facilities, protecting the natural environment, promoting efficient land use through intensification and redevelopment, and so forth. The proposed development includes the intensification and redevelopment of an under-developed parcel of land containing one dwelling, to a planned subdivision with 25 dwellings.

Under the *ORMCP*, the proposed development would be considered a major development. The definition of a “*Major Development*” in the *ORMCP* is as follows, “*means development consisting of, (a) the creation of four or more lots.....*”.

Under Section 18, which sets out the policies for Settlement Areas, sub-section (4) states, “*New lots may be created in Settlement Areas, subject to the provisions of this Plan that are listed in subsections 19 (3) and 31 (4)*”.

Section 19, sub-section (3) provides the following, “*The following provisions apply with respect to land in the Settlement Areas:*

1. *Sections 21 to 26.*
2. *Subsection 27 (3).*
3. *Sections 28 and 29.*
4. *Subsections 30 (1), (12) and (13).*
5. *The Table to this Part*”.

Section 21 of the *ORMCP* sets out the policies for establishing Minimum Area of Influence and Minimum Vegetation Protection Zone. According to the Township’s official plan, the Subject Land is within the Minimum Area of Influence of a Key Natural Heritage Feature (*KNHF*). The *KNHF* is located on the Retained Land and includes wetlands and a significant forest. In this regard, the policies of Section 22 and 23 apply.

Section 22 of the *ORMCP* sets out the policies for a *KNHF*. According to the Natural Heritage Evaluation (*NHE*) prepared by GHD Ltd., the Subject Land does not contain any *KNHFs*. The *NHE* does identify two *KNHFs* on the Retained Land being a wetland and significant woodland. As noted above, the Subject Land is within the minimum area of influence of a key natural heritage feature; therefore, the remaining policies of Section 22 apply.

Sub-section (3), of Section 22 provides the following, “*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*". A NHE was prepared by GHD Ltd. in support of the proposed development. The report states that no negative impacts are anticipated to the Oak Ridges Moraine or any Key Natural Heritage Features as a result of the proposed development.

Section 23 of the *ORMCP* sets out the policies regarding preparing a *NHE*. As stated above, the *NHE* concluded that no negative impact is anticipated on the Oak Ridges Moraine or any Key Natural Heritage Features.

Section 24 of the *ORMCP* sets out the policies regarding Watershed Plans, which states that major developments must conform to the applicable watershed plan. A watershed plan for the Township of Uxbridge was completed by the Lake Simcoe Region Conservation Authority in 1997. According to the Uxbridge Brook Watershed Plan, the Subject Land falls within the Subwatershed 5. The watershed plan outlines recommendations in Table 7.2 for lands that fall within Subwatershed 5. We have reviewed Table 7.5 of the watershed plan, and the proposed development meets all the applicable recommendations.

Section 25 of the *ORMCP* sets out the policies regarding Water Budgets and Water Conservation Plan. This section directs upper and single tier municipalities to complete a water budget and water conservation plan for their particular jurisdiction and does not directly apply to specific developments. Therefore, the policies of Section 25 do not apply to the Subject Land or proposed development.

Section 26 of the *ORMCP* sets out the policies regarding Key Hydrologic Features (*KHF*). Similar to Section 22, the Subject Land does not contain any *KHF*. However, the Retained Land does contain a *KHF* and the Subject Land is within the minimum area of influence. Therefore, the policies of Section 26 do apply to the proposed development.

Sub-sections (3) and (4), of Section 26 requires the preparation of a hydrologic evaluation. This report has been prepared by Toronto Inspections Ltd. The report addresses the *ORMCP* policies 26 (4) (a to d).

Section 27 of the *ORMCP* sets out the policies regarding Subwatersheds. Sub-section (3) states, "*With respect to land in Settlement Areas, in considering applications for development or site alteration with respect to land in a subwatershed the approval authority shall consider the importance of,*

- a) *ensuring that natural vegetation is maintained, and where possible improved or restored; and*
- b) *keeping to minimum impervious surfaces and their impact on water quality and quantity*".

Regarding (a), the possibility of maintaining, improving, or restoring the natural vegetation of the Subject Land are very slim since majority of the land will be developed. That being said, the natural vegetation on the Retained Land will be maintained and improved by ecological off-setting.

Regarding (b), Pre and Post-Development Water Balance Calculations were prepared by Toronto Inspections Ltd. which outlines the impervious surfaces and the impact it has on the water quality and quantity.

Section 28 of the *ORMCP* sets out the policies for lands within Wellhead Protection Areas. According to the *ORMCP*, the *Region of Durham's Official Plan* and the *Township of Uxbridge's Official Plan*, the Subject Land is within an area identified as Wellhead Protection Area. Sub-section (1) states the uses that are prohibited in a Wellhead Protection Area. The prohibited uses stated in (1) will not be proposed in the development, therefore, the proposed development conforms to the policies of this section.

Section 29 of the *ORMCP* pertains to lands within Areas of High Aquifer Vulnerability. According to the *ORMCP*, the *Region of Durham's Official Plan* and the *Township of Uxbridge's Official Plan*, the Subject Land is within an area identified as an Area of High Aquifer Vulnerability. The following uses are prohibited within an area of High Aquifer Vulnerability,

1. *“Generation and storage of hazardous waste or liquid industrial waste.*
2. *Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.*
3. *Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.*
4. *Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.”*

Like Section 28 of the *ORMCP*, the uses noted above are not proposed, therefore, the proposed development conforms to the policies of this section.

Section 30 of the *ORMCP* sets out the policies for lands that are designated Landform Conservation Areas. Sub-section (1) identifies the two types of Landform Conservation Areas, Category 1 and Category 2. The Subject Land is within a Landform Conservation Areas (Category 2).

Sub-section (12) states the following, *“An application for development or site alteration with respect to land in an area of natural and scientific interest (earth science) or the related minimum area of influence shall be accompanied by an earth science heritage evaluation that....”*. Which is followed by what an earth science heritage evaluation

should include. However, the Subject Land is not considered an area of natural and scientific interest (earth science) therefore, the sub-section does not apply.

Regarding sub-section (13), it provides the following, *“With respect to land in Settlement Areas, in considering applications for development or site alteration within landform conservation areas (Category 1 and 2) the approval authority shall consider the importance of adopting planning, design and construction practices that will keep disturbance to landform character to a minimum, so as to satisfy the requirements of subsections (5) to (11) if possible”*. During the approval process, the requirements set out for landform conservation area will be taken into consideration.

Section 31, sub-section (4) provides the following, *“The following provisions of this Part apply to land in the Settlement Areas:*

1. *Subsections 41 (1), (4) and (5).*
2. *Sections 42 to 47”.*

Section 41, sub-section (1) set outs types of infrastructure, policies regarding how municipalities must address existing infrastructure, and policies regarding new infrastructure or upgrading existing infrastructure. The proposed development will be using existing infrastructure; therefore, it conforms to the sub-section.

Sub-section (4) has regard to new infrastructure, upgrading and extending existing infrastructure into key natural heritage features and key hydrological features, which is prohibited. As stated above, the proposed development will be using existing infrastructure; therefore, it conforms to the sub-section.

Sub-section (5) sets out the requirements needed to construct new infrastructure, upgrade or extend existing infrastructure into key natural heritage features and key hydrological features. As stated above, the proposed development will be using existing infrastructure; therefore, it conforms to the sub-section.

Section 42 of the *ORMCP* pertains to official plan provisions, wellhead protection areas, areas of high aquifer vulnerability. As stated above, the Subject Land is within a wellhead protection area and an area of high aquifer vulnerability. As well, the explanation regarding the two have been explain fully above.

Section 43 of the *ORMCP* provides the policies regarding sewage and water services. The section states that an application for major development shall be accompanied by a sewage and water system plan that demonstrates and is followed by the criteria that must be included in the plan. A site servicing plan was prepared by Politis Engineering Ltd. and has been included as part of the submission package.

Section 44 of the *ORMCP* sets out the policies regarding partial services. The proposed development will be on full municipal sewage and water services; therefore, this section does not pertain to the development.

Section 45, sub-section (1) of the *ORMCP* states, “*An application for major development shall be accompanied by a stormwater management plan, as set out in section 46*”. A Stormwater Management Plan was prepared by Politis Engineering Ltd. and has been included as part of the submission.

Section 46 of the *ORMCP* provides the policies regarding Stormwater Management Plans and the requirements of the plan. As stated above, a Stormwater Management Plan, prepared by Politis Engineering Ltd. has been included as part of the submission. The Stormwater Management Report has taken the requirements outlined in the *ORMCP* into consideration.

Section 47 of the *ORMCP* pertains to prohibiting new Rapid Infiltration Basins and new Rapid Infiltration Columns. As stated above, a grading and drainage plan has been included as part of the submission and it concludes that Rapid Infiltration Basins and Rapid Infiltration Columns are not included as part of the proposed development.

Given the information above, it would be our opinion that the applications and development are in conformity with the *ORMCP*.

## **8. Lake Simcoe Protection Plan (LSPP), 2009**

The Subject Land is within the Lake Simcoe watershed and therefore the policies of the *LSPP* apply. The objectives of the *LSPP* focus on protecting, improving, or restoring the elements that contribute to the ecological health of Lake Simcoe. In this regard, most of the policies within the *LSPP* deal with development on or near the shores of Lake Simcoe, on or near tributaries of Lake Simcoe, within Recharge Areas and in or near Key Natural Heritage and Key Hydrologic Features that are outside of settlement areas, the Greenbelt Plan and the Oak Ridges Moraine Plan.

Policy 4.8DP of the *LSPP* requires that a storm water management plan (SWM) be submitted which demonstrates conformity to policy 4.8DP a - e. A Stormwater Management Report has been prepared as part of the Functional Servicing Report (*FSR*). The Stormwater Management Report has been prepared to be in conformity to the *LSPP* policies regarding Stormwater Management Reports.

Policy 4.9DP of the *LSPP* requires that any stormwater management works established to serve new major development must be designed to the enhanced protection level specified in Chapter 3 of the MOE’s 2003 design manual. This policy however, does not apply if the works are intended to serve an infill development or a redevelopment within

a settlement area. The proposed development in an infill development; therefore, the policy does not apply.

The *LSPP* has separate requirements depending on whether the proposed development is located within an existing settlement area or outside an existing settlement area. The Subject Land is located within an existing settlement area and are therefore subject to the following policies under the plan:

Policy 6.32-DP provides the following, “*Policies 6.32 – 6.34 apply to existing settlement areas and areas of Lake Simcoe adjacent to these lands, including the littoral zone, and these areas are not subject to policies 6.1 – 6.3, 6.5, 6.11 and policies 6.20 – 6.29*”.

Policy 6.33-DP states the following, “*An application for development or site alteration shall, where applicable:*

- a. increase or improve fish habitat in streams, lakes and wetlands, and any adjacent riparian areas;*
- b. include landscaping and habitat restoration that increase the ability of native plants and animals to use valleylands or riparian areas as wildlife habitat and movement corridors;*
- c. seek to avoid, minimize and/or mitigate impacts associated with the quality and quantity of urban run-off into receiving streams, lakes and wetlands; and*
- d. establish or increase the extent and width of a vegetation protection zone adjacent to Lake Simcoe to a minimum of 30 metres where feasible.”*

Included in the submission package with the applications were and Edge Management Plan, a Vegetation Protection, Enhancement and Restoration Plan and an Ecological Offsetting Strategy. The purpose of these plans is to: 1) improve fish habitat in the adjacent wetlands and adjacent riparian areas; and, 2) increase the ability of plants and animals to use the Retained Land as a movement corridor.

It is to be noted that the development proposes a setback greater than 30m from the wetland located on the Retained Land.

Lastly, a *NHE* has been prepared for the submission. The *NHE* concludes the proposed development will have no negative impact to the surrounding natural features.

6.34-DP: *Where, through an application for development or site alteration, a buffer is required to be established as a result of the application of the PPS, the buffer shall be composed of and maintained as natural self-sustaining vegetation.*

As noted above the development proposes a setback greater than 30m from the wetland located on the Retained Land.



The proposed development is in conformity with the *LSPP*.

## **9. Region of Durham Official Plan (ROP), 1993**

According to Schedule 'A' – 'Map A2' of the *ROP* the Subject Land is within the Oak Ridges Moraine Areas. It further indicates that the property is located within a *Living Areas*. The Subject Land, according to Schedule 'B' – 'Map B2', is within a *Wellhead Protection Areas*. According to Schedule 'B' – 'Map B4' of the *ROP*, the Subject Land is within the *Landform Conservation Area – Category 2*.

Policies 2.3.26 to 2.3.29 make mention of prohibited and restricted uses within the Wellhead Protection Areas, they are made mentioned in Table E5 and E6 in the *ROP*. The Subject Land is within the *From 25 year to Limit Capture Zone* of the *Wellhead Protection Areas*. The land use of new lot creation is not prohibited or a restricted use within the 25 year, therefore the proposed development is permitted within the Wellhead Protection Area.

Development within *Living Areas* is to comply with policies 8B.2.1 to 9B.2.3 of the *ROP*.

8B.2.1 advises that *Living Areas* designated on Schedule 'A' should be predominantly used for housing purposes. However, there are additional uses that are permitted within the *Living Areas* designation. The proposed housing development is consistent with the policy.

8B.2.2 states that the following uses: Local Centres and Corridors, major retail uses, and Employment Areas are permitted in the *Living Areas* designation.

8B.2.3 when considering development applications in *Living Areas*, regard shall be had for the following:

- a) *The intent of this Plan to Achieve a compact urban form, including intensive residential, office, retail and service and mixed uses along arterial roads and in conjunction with present and potential transit facilities;*

The proposed development is a compact form of urban residential development. As mentioned before, the Retained Land has an existing single family dwelling and the development on the Subject Land proposes 23 townhouse units and one semi-detached dwelling. The development promotes a higher density housing option and a mix of housing options in the Township of Uxbridge. Further, the Subject Land is in close proximity to a major arterial road (Toronto Street South), which is where many transit stops are located.

b) *The use of good urban design principles including, but not limited to, the following:*

i) *The concentration of commercial uses into Centres and Corridors, with particular emphasis on common internal traffic circulation and restricted access to arterial roads by means of service or collector roads, wherever possible;*

The proposed development is residential in form; therefore, the policy does not pertain to the development.

ii) *The attenuation of noise through measures other than fences, such as innovative designs, berms and the orientation of higher density developments; and*

An environmental noise assessment has been prepared by YCA Engineering Limited. The recommendations of the environmental noise assessment can be implemented through any future subdivision agreement should the proposal be approved.

iii) *The orientation and design of buildings to maximize the exposure to direct sunlight;*

The design of the proposed buildings will maximize the exposure to direct sunlight.

c) *The provisions of convenient pedestrian access to public transit, educational facilities and parks;*

The proposed development is approximately 100 metres from the closest transit stop, approximately 800 metres from the closest park, and approximately 1,500 metres from the closet educational facility.

d) *A grid pattern of roads;*

The proposed development is an infill development and therefore is proposing a public road that terminates in a cul-de-sac.

e) *The provisions and distribution of parks, trails, pathways and educational facilities;*

The proposed development will not have an impact on the provisions and distribution of parks, trails, pathways and educational facilities. In addition, the development will pay park levies and School Board Development charges.

- f) *The types and capacities of the existing municipal services, infrastructure and the feasibility of expansion; and*

The proposed development will be using the existing municipal services (sewage, water, and storm water) and existing infrastructure. The Township of Uxbridge has allocated a number of units for development located in the downtown core and the proposed development would be accounted in those numbers.

- g) *The balance between energy efficiency and cost.*

The homes that will be constructed as part of the proposed development, are proposed to be energy efficient homes.

Given the above, it is our opinion that the applications and proposed development conforms to the *ROP, 1993*.

#### **10. Township of Uxbridge Official Plan (UOP), 1970**

According to Map 1 of the *UOP*, the Subject Land is within the *Uxbridge Urban Area Boundary* and the *Oak Ridges Moraine Conservation Plan Area*. Map 2 of the *UOP* designates the Subject Land as *Residential Area* and *Environmental Constraint Area*. In addition, the Subject Land is in an area of *High Aquifer Vulnerability* and in the *Landform Conservation Area Category 2*, according to Schedules *B1* and *B2* of the *UOP*.

- (i) Section 1 – General Policies – Sub-Section 1.9 – Oak Ridge Moraine Conservation Plan Area

The Subject Land is within the *Oak Ridges Moraine Conservation Plan Area* however, within the *UOP* it states, “.....respect to lands in the *Oak Ridges Moraine Conservation Plan Area* as designated on Schedule “H” to this Plan, the following policies shall apply to lands in the *Moraine* outside the *Uxbridge Urban Area Secondary Plan*....., with the exception that the *Wellhead Protection* policies in Section 1.9.6 shall also apply in the *Uxbridge Urban Area*”. The Subject Land is within the *Uxbridge Urban Area Secondary Plan*; therefore, policies do not apply.

Regarding policy 1.9.6, *Wellhead Protection*, the Subject Land is located within 25 Year *Wellhead Protection Zone*. As discussed previously, creation of a new lot and residential dwellings are not prohibited or restricted uses within a *wellhead protection area*.

(ii) Section 2 Uxbridge Urban Area Secondary Plan – Sub-Section 2.1.6 Oak Ridges Moraine Conservation Plan

Regarding policy 2.1.6.3 - Oak Ridges Moraine Planning Framework - Urban Area states, *“These lands are identified as a “Settlement Area” in the Moraine Plan and, in addition to the other policies of this Plan, .... the following should be noted:*

- (i) All uses permitted in the applicable official plan are permitted in Settlement Areas, subject to the policies of the Moraine Plan, in Sections 19(3) and 31(4).*
- (ii) New lots may be created in Settlement Areas subject to the provisions of Sections 19(3) and 31(4) of the Moraine Plan.*
- (vi) The following uses shall be prohibited on lands identified as “Areas of High Aquifer Vulnerability” on Schedule B1” Oak Ridges Moraine Conservation Plan, Areas of High Aquifer Vulnerability Uxbridge Urban Area:*
  - a) Generation and storage of hazardous waste or liquid industrial waste;*
  - b) Waste disposal sites and facilities, organic soil conditioning and snow storage and disposal facilities;*
  - c) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and, Township of Uxbridge 2-5 Office Consolidation January 2014;*
  - d) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990”.*
- (vii) With respect to lands identified as “Landform Conservation Areas” on Schedule “B2’ Oak Ridges Moraine Conservation Plan, Landform Conservation Areas Uxbridge Urban Area, where development is proposed, the Township will take into consideration in the review of the application planning, design and construction practices that will keep disturbance to landform character to a minimum to satisfy the provisions of Section 30,(1), (12) and (13) of the Moraine Plan, if possible.”*

As mentioned above, in the *Oak Ridge Moraine Conservation Plan* section of this Planning Justification Report, Sections 19 (3) and 31 (4) have been commented on. Regarding Areas of High Aquifer Vulnerability, the proposed development is for one semi-detached dwelling and 23 townhouse dwellings, which are not mentioned in the list of uses that are prohibited; therefore, the proposed development is permitted. As well, regarding the Landform Conservation Areas, Section 30, (1), (12), and (13), have been commented on.

(iii) Section 2 Uxbridge Urban Area Secondary Plan – Sub-section 2.2 – Water Management and Servicing Strategy

Under sub-section 2.2.5 – Sewer Services, policy 2.2.5.2, it provides the following, “*All new development in the Uxbridge Urban Area as identified on Schedule “A” to this Plan, shall be serviced by the municipal sewage collection and treatment system.....*”.

Under sub-section 2.2.6 – Water Supply and Distribution, policy 2.2.6.2, it pertains to the following, “*All new development in the Uxbridge Urban Area as identified on Schedule “A” to this Plan, shall be serviced by the municipal water supply and distribution facilities...*”

The proposed development will be on both municipal sewage services and municipal water services.

(iv) Section 2 Uxbridge Urban Area Secondary Plan – Sub-Section 2.5.5 – Residential Areas

Policy 2 2.5.5.2 regarding permitted uses, buildings and structures states the following, “*The permitted uses, buildings and structures are:*

- (i) low density residential including single detached, single detached link, semi-detached and duplex dwellings;*
- (ii) medium density residential including townhouse dwellings, low rise apartments and stacked townhouses; and,*
- (iii) public parks.”*

The proposed development is for a semi-detached dwelling and 23 townhouse dwellings, which is permitted under the residential areas.

Given the information above, it is our opinion that the applications and proposed development would conform to the Township of Uxbridge’s Official Plan.

## **11. Township Zoning By-law 81-19**

The Subject Land is currently zoned *Residential Cluster (RC)* zone and the Retained Land is zoned Environmental Protection (*EP*) zone. There is no proposed change to the *EP* zone.

Townhouse and semi-detached dwellings are not permitted within the *RC* zone. The zoning amendment application will seek to rezone the Subject Land from a *Residential Cluster (RC)* zone to a site specific *Residential Multiple Density (RM)* zone.

Below is a table that outlines the required provisions of the *RM* zone, as well as the proposed provisions as it relates to each block being created. The numbers that are bolded will require site specific relief.

	Required in the RM zone for Row house	Block 1	Block 2	Block 3	Block 4	Block 5	Required in the RM zone for semi detached	Block 6
<b>Minimum Lot Area</b>	I- 260m <sup>2</sup> E- 300m <sup>2</sup> C- 496m <sup>2</sup>	I- 180m <sup>2</sup> E- 255m <sup>2</sup> C- N/A	I- 230m <sup>2</sup> E- 280m <sup>2</sup> C- 380m <sup>2</sup>	I- 230m <sup>2</sup> E- 280m <sup>2</sup> C- 340m <sup>2</sup>	I- 180m <sup>2</sup> E- 250m <sup>2</sup> C- N/A	I- 240m <sup>2</sup> E- 375m <sup>2</sup> C- N/A	325m <sup>2</sup>	658m <sup>2</sup>
<b>Minimum Lot Frontage</b>	I- 8.5m E- 10m C- 16m	I- 6.0m E- 7.40m C- N/A	I- 6.0m E- 7.40m C- 8.25m	I- 6.0m E- 7.40m C- 7.50m	I- 6.0m E- 7.40m C- N/A	I- 6.0m E- 7.0m C- N/A	10m	8m
<b>Front Yard Depth</b>	8m	6m	6m	6m	6m	6m	8m	6m
<b>Exterior Side Yard Width</b>	8m	N/A	2.0m	1.5m	N/A	N/A	8m	N/A
<b>Interior Side Yard Width</b>	1.8m	1.2m	1.2m	1.2m	1.2m	1.2m	3m	3m
<b>Rear Yard</b>	10m	7.6m	10m	10m	7.3m	10m	10m	6m
<b>Maximum Number of Dwelling Units Having Common Walls</b>	Min 3 Max 8	5	6	5	4	3	N/A	N/A
<b>Minimum Gross Floor Area Per Dwelling Unit</b>	84m <sup>2</sup>	100m <sup>2</sup>	100m <sup>2</sup>	100m <sup>2</sup>	100m <sup>2</sup>	100m <sup>2</sup>	84m <sup>2</sup>	120m <sup>2</sup>
<b>Maximum Lot Coverage of All Buildings</b>	30%	58%	45%	45%	58%	45%	30%	30%
<b>Minimum Setback from Street Centreline</b>	18m	18m	18m	18m	18m	18m	18m	18m
<b>Minimum Landscaped Open Space</b>	30%	25%	30%	30%	22%	30%	30%	30%
<b>Maximum Number of Dwelling Houses Per Lot</b>	1	1	1	1	1	1	1	1
<b>Maximum Height of Buildings</b>	10m	10m	10m	10m	10m	10m	10m	10m

## **12. Conclusion**

Applications to amend the Township's Zoning By-law and approve a Draft Plan of Subdivision have been submitted to the Township. The applications are to facilitate the development of 23 townhouse units.

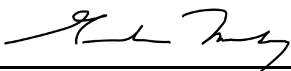
A single family dwelling with a pool and tennis court are currently on the Subject Land. According to the Township's Official Plan the site is designated *Uxbridge Urban Area Secondary Plan Area - Residential Areas*.

The current zoning does not permit the proposed uses. The zoning amendment application seeks to rezone the existing *Residential Cluster (RC)* zone to a site-specific *Residential Multiple Density (RM)* zone. It is noted that the existing *Environmental Protection Area (EP)* zone will remain in place on the land to be retained.

It is our professional opinion that the proposed development and the applications for an amendment to the Township's Zoning By-law and Draft Plan of Subdivision:

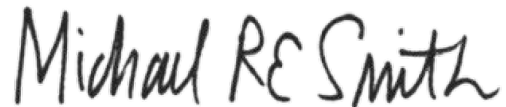
- 1) Are consistent with the Provincial Policy Statement;
- 2) Conform to the polices of the Growth Plan, Oak Ridges Moraine Conservation Plan, Greenbelt Plan and the Lake Simcoe Protection Plan;
- 3) Conform to the policies of the Durham Region Official Plan;
- 4) Conform to the policies of the Township of Uxbridge Official Plan;
- 5) Represent good planning; and,
- 6) Are in the public interest.

Prepared by:



Gord Mahoney, Senior Planner

Approved by:



Michael Smith, MCIP, RPP.  
Principal