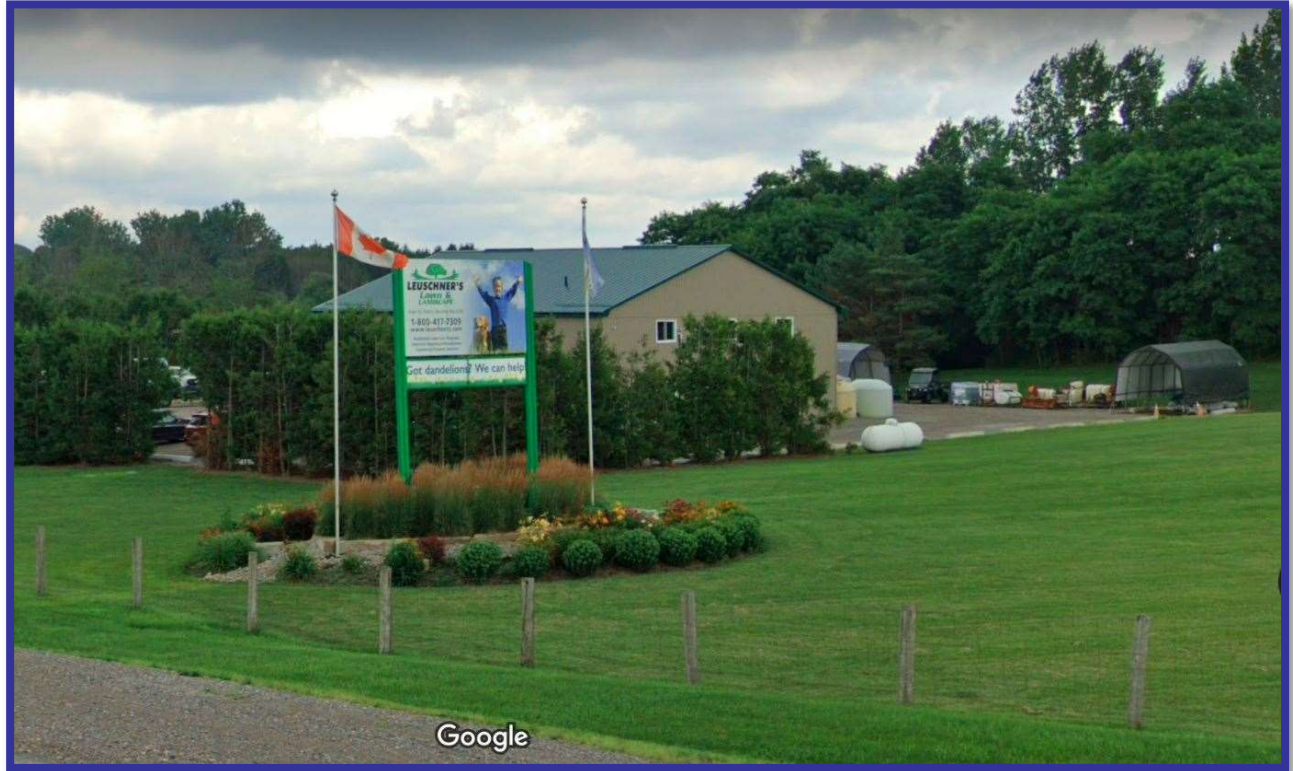


PLANNING JUSTIFICATION BRIEF



Source: Google Street View

Jeannine Leuschner
341 Regional Highway 47
Goodwood

June 2023

Alexander Planning Inc.

Land Use Planning
P.O. Box 289
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1.0 INTRODUCTION

Alexander Planning Inc. has been retained by Jeannine Leuschner, Owner of property municipally known as 341 Regional Highway 47 in Goodwood, to provide land use planning services associated with her property located east of Goodwood. The property has frontage of 415 metres on the south side of Highway 47 and currently contains one existing single detached residential dwelling located on the western portion of the property and an existing commercial lawncare operation on the eastern portion of the property. The Owner is proposing to divide the property to separate the existing residential use from the existing commercial use.

The property has a total lot area of 4.11 ha and is Zoned "Rural Exception (RU-98) Zone" under site specific Zoning By-law Amendment No. 2012-190. In addition to the permissions of the RU Zone, the RU-98 Zone also permits the existing lawncare operation, parking and storage areas which were developed under an approved Site Plan Agreement. The RU-98 Zone also imposes minimum lot frontage and lot area requirements which reflect the dimensions of the entire property.



Figure 1 Air Photo

Source: Google Earth Pro

The Owner is seeking permission to divide the property to separate the existing residential and commercial portions of the property from each other in accordance with Section 32(1) of the Oak Ridges Moraine Conservation Plan. The residential portion of the property is proposed to have frontage of 283 m and lot area of 2.5 ha. The commercial portion of the property is proposed to have frontage of 131 m and lot area of 1.5 ha. The intent of the proposed Zoning By-law Amendment is to rezone the property to two new site specific Rural Zones to facilitate the proposed lot division by establishing appropriate lot area and frontage provisions for the two uses. In addition, for the commercial portion, the permissions for the lawncare business including parking and outside storage in accordance with the Site Plan Agreement will be carried forward from the RU-98 Zone, and the residential permissions will be removed.

This Planning Justification Report will provide background research, policy support, and planning rationale in support of a proposed Zoning By-Law Amendment to permit the proposed lot division.

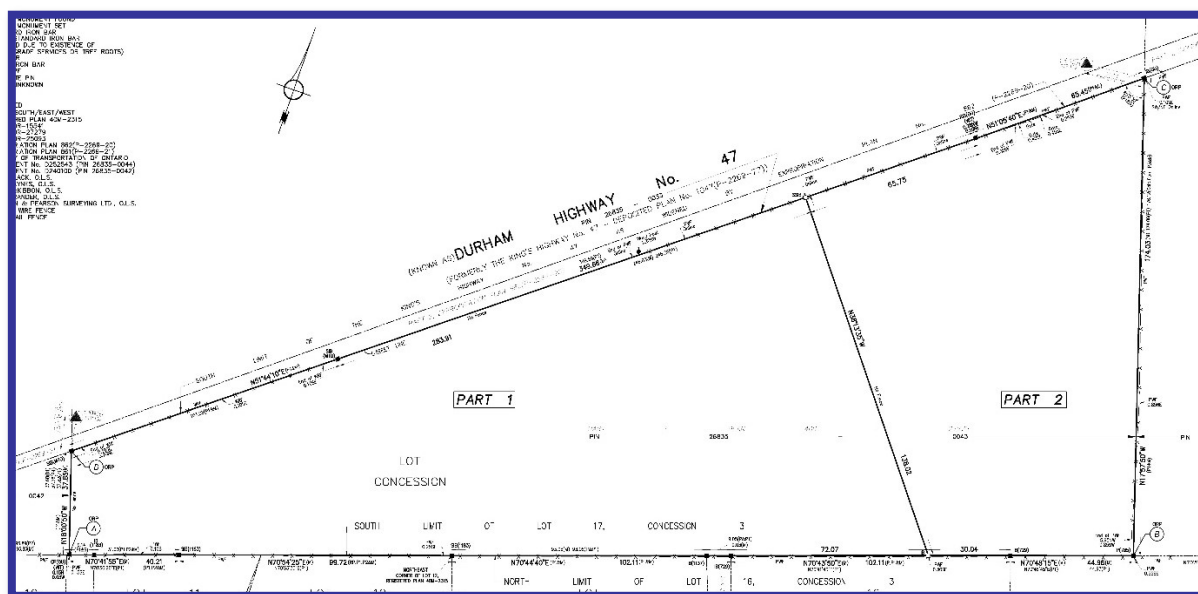


Figure 2 Draft Reference Plan

2.0 SITE AND SURROUNDINGS

The subject property is located on the south side of Regional Highway 47, east of Goodwood in the Town of Uxbridge. The property is legally described as Part of Lot 17, Concession 3, Part 1 Plan 40R-27279 and is municipally known as 341 Highway 47, Goodwood. The subject property has a total lot area of 4.11 ha with frontage of 415 metres on Highway 47.

The western portion of the property contains an existing 280 m² two-storey single detached dwelling and accessory structures. The eastern portion contains an existing 260 m² commercial lawncare business, established in 2012 together with a gravel parking and outside storage areas. All existing uses on the property are proposed to remain and no new construction is proposed.

The subject property is surrounded by a range of rural residential, industrial, commercial and agricultural uses including Richters Herbs, Cobra Metal and the LaFarge Goodwood Aggregate operation to the north and east. Farther east is the Wyndance Golf Club. Southwest is the Hamlet of Goodwood. To the south are a number of agricultural fields and an equine operation.

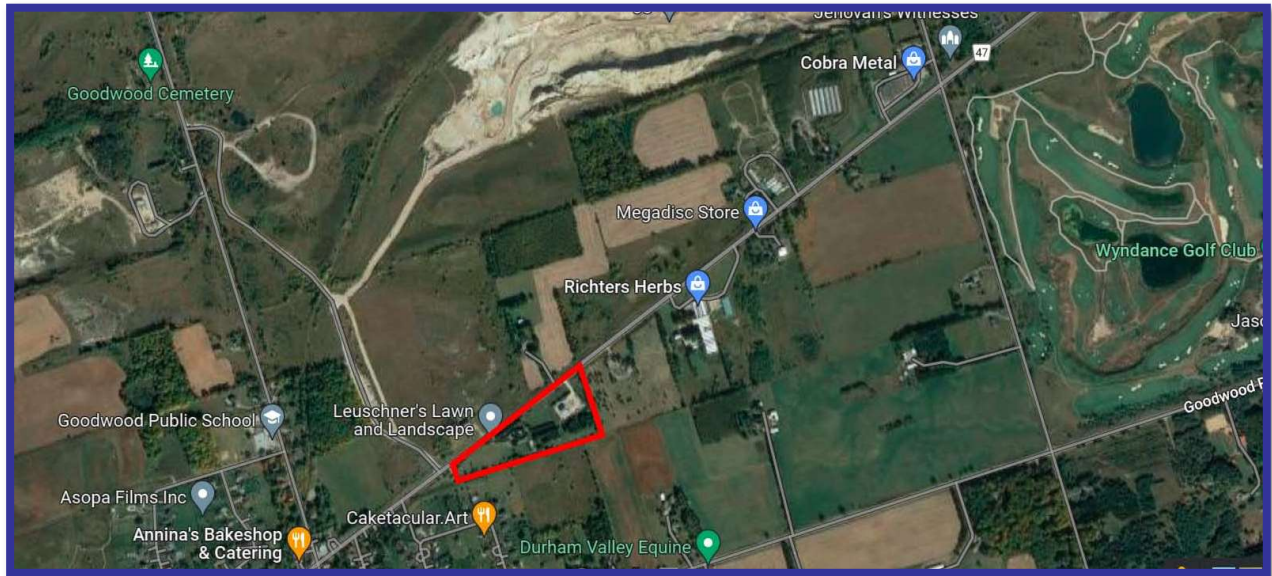


Figure 3 Air Photo

Source Google Maps

3.0 PROPOSAL

The Owner is proposing to rezone the property to permit the division of the lot with the intention of separating the residential use from the commercial use on the property. The existing site specific Zoning By-law No. 2012-190 rezoned the property to the RU-98 Zone, with site specific provisions to permit the commercial lawncare business, parking and outside storage areas in accordance with an approved Site Plan Development Agreement. The site-specific Zoning also included provisions related to lot area, frontage and setbacks.

To facilitate the division of the lot, a Zoning By-law Amendment is required to identify the minimum lot frontage and area requirements for each of the two proposed parcels and to carry forward permissions related to the existing lawncare business.

4.0 POLICY DOCUMENTS

In reviewing the proposed development and preparing this Planning Justification Brief, a number of policy documents were considered. These documents include the Provincial Policy Statement; the Growth Plan for the Greater Golden Horseshoe; the Region of Durham Official Plan; the Town of Uxbridge Official Plan and the Town Zoning By-law.

4.1 Provincial Policy Statement, 2020

The *Provincial Policy Statement* 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. This review identifies the following relevant policies in the PPS 2020.

Section 1.1.1 of the PPS promotes efficient development and land use patterns and the accommodation of employment uses, including commercial uses to meet long term needs.

The PPS recognizes that rural areas are important to quality of life and the economic success of the Province. Section 1.1.4.1 provides policy guidance to support healthy, integrated and viable rural areas by building on rural character, promoting diversification of the economic base and employment opportunities. Section 1.1.5 identifies permitted uses and encourages development that is compatible with the rural landscape. The policies of the PPS also promote economic development and the provision of an appropriate range and mix of housing options.

The proposed development supports the policies of the PPS through the retention of existing rural commercial and residential uses. The proposed lot division to separate the two uses does not offend the Provincial Policy Statement, 2020.

4.2 A Place to Grow, 2019

A Place to Grow (Growth Plan 2019, August 2020 Consolidation) builds on the Provincial Policy Statement to establish a unique land use planning framework for the Greater Golden Horseshoe that supports the achievement of complete communities, a thriving economy, a clean and healthy environment and social equity. It 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. It provides policies for where and how to grow, infrastructure to support growth and protect natural heritage features, cultural heritage sites and non-renewable resources. The Growth Plan is based on the development of complete communities, prioritizing intensification and integration of infrastructure and land use planning, providing a range and mix of housing and the protection of agricultural, natural heritage and cultural resources. The proposed rezoning to permit the separation from each other of legally existing uses on the lot does not offend the policies of the Growth Plan.

4.3 Greenbelt Plan, 2017

The Greenbelt Plan, together with the Oak Ridges Moraine Conservation Plan (ORMCP), identifies where urbanization should and should not occur in order to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring on this landscape. The Greenbelt Plan mapping identifies the subject property as being within the Oak Ridges Moraine Area. Section 2.1 of the Greenbelt Plan states that "The requirements of the ORMCP made under the Oak Ridges Moraine Conservation Act 2001, continue to apply and the Protected Countryside policies do not apply". As such, the policies of the Greenbelt Plan do not apply. Rather, policy direction in this area is deferred to the Oak Ridges Moraine Conservation Plan.

4.4 Oak Ridges Moraine Conservation Plan, 2017

The Oak Ridges Moraine Conservation Plan (ORMCP) is an ecologically based plan that provides land use and resource management direction for land and water within the Moraine, an area stretching 160 kilometers from the Trent River in the east to the Niagara Escarpment in the west. The Moraine has a unique concentration of environmental, geological and hydrological systems which make its ecosystem vital to south-central Ontario. The ORMCP is intended to protect the ecological and hydrological integrity of the Oak Ridges Moraine Area and ensure that only land and resource uses that maintain, improve or restore the ecological and hydrological functions of the Moraine are permitted.

The Oak Ridges Moraine Conservation Plan divides the Moraine into four land use designations: Natural Core Areas; Natural Linkage Areas; Countryside Areas; and Settlement Areas. The subject property is identified as Countryside Area on Provincial mapping. Further, the Town Official Plan

identifies the subject property as being located within a Landform Conservation Area, Category 2. The Landform Conservation Areas designation is intended to identify areas with significant landscape character. The Countryside Areas are areas of existing rural land use and are intended to provide for the continuation of agricultural and other rural land uses. Permitted uses in the Countryside Area include small scale commercial uses and existing residential uses.

Section 32(1) of the ORMCP outlines policies related to the creation of lots in the Countryside Area, stating that a lot may be created in limited circumstances, including the *“Severance from each other of parts of a lot that are devoted to different uses, but only if the uses are legally established at the time of the application for severance”*.

The proposed lot division is intended to separate the residential use of the property from the commercial use of the property. The proposed division is permitted under the Policies of the ORMCP. In addition, given that no new construction is proposed and all facilities are existing on the site, the policies related to Landform Conservation are also satisfied.

4.5 Durham Region Official Plan, 2020 Consolidation

Schedule A, Map A2 of the Durham Region Official Plan designates the subject property as Oak Ridges Moraine. Schedule B, Map B3 designates the property ORM Countryside Area. The property is not identified as a Prime Agricultural Area. Map B4 identifies the lands as Landform Conservation Area, Category 2.

Section 10B.1.3 of the Regional Official Plan states that the provisions of the ORMCP shall apply to all of the lands identified as Oak Ridges Moraine on Schedule A. Section 10B.2.1 requires that only applications for development which conform with the ORMCP will be considered. Subsection c) identifies permitted uses within the Countryside Area, including residential uses and small-scale commercial uses. No new construction on the lot is proposed and all uses are as existing. The division of the lot to separate the existing residential use from the existing commercial use is permitted under the ORMCP. As such, the proposed development satisfies the policies of the Durham Region Official Plan.

4.6 Town of Uxbridge Official Plan, 2014 Consolidation

The Uxbridge Official Plan designates the subject property as Countryside Area and Landform Conservation Area Category 2. The Uxbridge Official Plan deals primarily with the urban areas of the township and policy related to development in the rural area is generally deferred to the Regional level. However, the Uxbridge Official Plan does contain some policies with regard to the ORMCP, which are very similar to policies in the Regional Official Plan and the ORMCP itself.

Section 1.9 of the Town Official Plan outlines policies related to the ORMCP area. Section 1.9.9.6 provides policy direction related to lot creation in the ORM area, echoing Section 32(1) of the ORMCP regarding separation of parts of a lot devoted to different uses. Section 1.9.5 subsection vi) provides that applications for development within a Landform Conservation Area Category 1 or 2 must identify planning, design and construction practices which will keep disturbance of the landform character to a minimum. Given that no construction is proposed, no disturbance to the landform character is anticipated. As such, the proposed zoning by-law amendment to facilitate the separation of existing uses on the lot is in conformity with the policies of the Uxbridge Official Plan.

5.0 TOWN OF UXBRIDGE ZONING BY-LAW

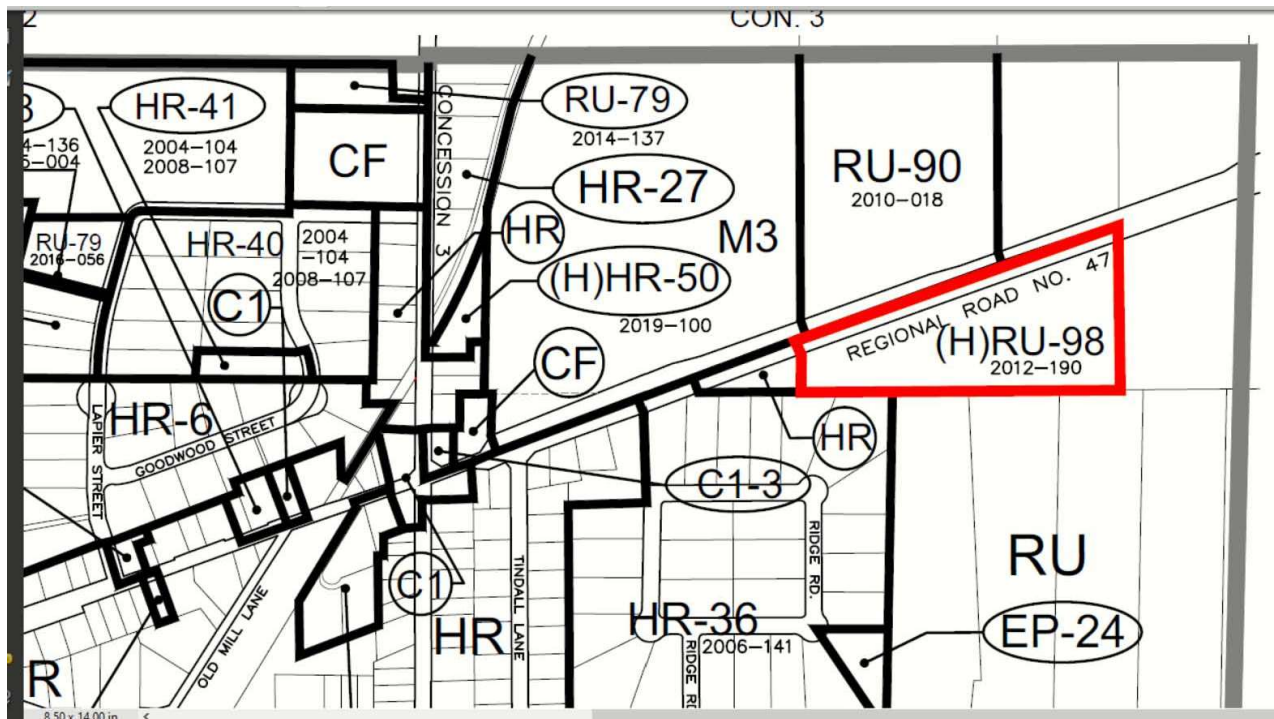


Figure 4 Area Zoning

The subject property is zoned “Rural Exception (RU-98) Zone”. The site specific zoning was intended to permit the development of a commercial lawncare business on the eastern portion of the lot. As part of the site specific amendment, in addition to adding the commercial permissions to the lot, a number of provisions related to lot area, frontage and setbacks were also imposed. In order to permit the division of the lot to separate the existing commercial and residential portions of the property, the applicant is proposing an amendment to the Zoning By-law to rezone the property to two individual site specific Rural Exception Zones with provisions to recognize existing development on the lot.

| Standard 81-19 Rural Zone | Permitted | Proposed Part 1 (Residential) RU-XX Zone | Proposed Part 2 (Commercial) RU-YY Zone |
|---|------------------|---|--|
| Permitted Uses | Residential | Residential | Lawn maintenance and landscaping business. No residential permissions |
| Minimum Lot Frontage | 200 m | 283 m | 130 m |
| Minimum Lot Area | 40 ha | 2.5 ha | 1.5 ha |
| Minimum Front Yard Setback (res) | 15 m | 39 m | 38 m |
| Minimum Rear Yard Setback (res) | 15 m | 40+ m | 40+ m |
| Minimum Interior Side Yard (res) | 6 m | 92 m | 27 m |
| Maximum Coverage (all buildings) | 30% | Less than 30% | Less than 30% |
| Minimum Setback to Street Centreline of Regional Road Type B | 28 m | 40+ m | 40+ m |
| Minimum landscape open space area | 30% | Exceeds 30% | Exceeds 30% |
| Maximum Building Height | 10 m | 7.6 m approx | 6.5 m |
| Parking and Outside Storage | n/a | n/a | Location and size of all permitted buildings, structure, parking and storage areas in accordance with approved Site Plan Development Agreement |

6.0 SUMMARY AND CONCLUSION

The proposed zoning by-law amendment will permit the division of the lot to separate the existing commercial and residential uses on the property. No impacts to neighbouring properties are anticipated as all existing uses will remain and no new construction is proposed. The proposed rezoning and separation of existing uses is appropriate and consistent with the applicable policy documents, including the Provincial Policy Statement (PPS), the Growth Plan, the ORMCP, and the Regional and Town Official Plans. After division, the existing uses will remain. As a result there are no impacts to the diversity of the rural economy. The proposed amendment is appropriate for approval by the Town.

This Planning Justification Report concludes that the proposed development implements the objectives of the policy documents of the Province, the Region and the Town, represents good land use planning and will maintain existing uses in this rural area.

Certificate:

I hereby certify that this report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



Date

**Deborah Alexander, MES, MCIP, RPP
Registered Professional Planner**