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PLANNING RATIONALE REPORT

Uxbridge Industrial Site, Lots 12 & 13
45 and 47 Anderson Boulevard, Uxbridge Ontario



Prepared For:
ECMI Properties (125 Villarboit) Inc.
April, 2021

EXECUTIVE SUMMARY

A zoning by-law amendment is being filed on behalf of ECMI Properties (125 Villarboit) Inc. ('ECMI', 'Applicant'), in support of a waste transfer facility for soil within an industrial subdivision. The lands municipally known as 45 and 47 Anderson Road, identified as lots 12 and 13 of Uxbridge Industrial Subdivision plan 40M-2336, Town of Uxbridge, respectively, are located at the north east corner of York Durham Line and Durham 47 and are approximately 3.58 hectares (8.85 acres) in size ('Site').

The site is currently zoned Rural Industrial, with a holding provision: (H) M1-36 on Lot 12 and (H) M1-39 on Lot 13. This proposal is seeking to rezone the site to permit a Waste Transfer Facility for Soil. Other requested amendments to the zoning by-law include a change to minimum landscaped area and providing additional clarity in determining the front, side and rear lot lines on the site. The requested rezoning proposal is in keeping with other industrial zones in the subdivision including Lot 17, which is zoned (H) M1-42 and permits "a transfer station for the sorting and separating of construction waste materials for delivery to both recycling and disposal facilities".

The site is currently designated Rural Settlement- Rural Employment Area within the Durham Region Official Plan. It is situated within the Oak Ridges Moraine (ORM) Countryside Area and is part of a Landform Conservation Area (Category 2) in both the Durham Region Official Plan and the Oak Ridges Moraine Conservation Plan.

According to the Source Water Protection Information Atlas from the Ministry of Environment, Conservation and Parks, the site is not located in a Wellhead Protection Area or a Groundwater Under Direct Influence (GUDI) Wellhead Protection Area (WHPA), nor is it considered a Highly Vulnerable Aquifer. However, the site is located within a Significant Groundwater Recharge Area (SGRA) and within the WHPA-Q1 and WHPA- Q2, with a moderate stress classification. A waste transfer station can be permitted here as water taking is not required for the site.

Detailed studies completed in support of the proposed subdivision include investigations related to engineering (servicing availability, erosion sediment control, stormwater management), soils (geotechnical, hydrogeological), traffic, and noise, dust and odour assessment (including best practices management plans and development plans).

The proposed industrial subdivision represents an efficient use of land and infrastructure and is consistent with and has regard for the Planning Act, Provincial Policy Statement and conforms to the Growth Plan, Oak Ridges Moraine Conservation Plan, and current applicable Municipal land use policies as well as Toronto Region Conservation Authority's CTC Source Water Protection Plan. The Uxbridge industrial site will contribute to the existing economic base and become a viable economic opportunity for the Town of Uxbridge. Growth will proceed in a logical manner to make efficient use of land, resources and municipal infrastructure.

The proposed development represents good planning and we recommend its approval.

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1.0 INTRODUCTION

The enclosed Planning Rationale Report has been prepared for ECMI Properties (125 Villarboit) Inc. (ECMI) in support of their application to amend the Township of Uxbridge Zoning By-law 81-19 (July 2020 Office Consolidation), for lands located in the Township of Uxbridge ("Town").

ECMI owns lands municipally known as 45 and 47 Anderson Boulevard in the Township of Uxbridge and are identified within the Uxbridge Industrial subdivision as Lots 12 and 13 of subdivision Plan 40M-2336 ('Site'). The total site area is approximately 3.58 hectares (8.85 acres) in size and is located at the north east corner of York Durham Line and Durham 47 (Figures 1 and 2). The Uxbridge Industrial Subdivision 40M-2336 was developed by Empire Communities in year 2006.

The site is currently dual zoned as Rural Industrial with holding provisions as (H) M1-36 on Lot 12 and (H) M1-39 on Lot 13. The enclosed application is seeking to rezone the site to permit a provincially regulated use of a Waste Transfer Facility for Soil, allow changes to minimum landscaped area, and provide additional clarity in determining the front, side and rear lot lines on the site.

Waste Transfer Stations / Waste Transfer Facilities are sites where waste (specifically here, non-hazardous soil and construction debris) is handled, inspected, sampled, sorted, classified, bulked, remediated and stored (i.e. processed). The act of 'processing' and improving soil for beneficial reuse is an environmentally sustainable operation which prevents reusable and valuable soil from ending up in landfills. This process is vital to the success of many private and public projects (including those initiated by the Province and many municipalities in Ontario). The soil is then transferred to a final destination (for example: engineered fill for a construction project, fill material for mine reclamation, capping fill material for closed landfills, and interim cover material for operating landfills). The proposed rezoning of Lots 12 and 13 will make use of currently vacant industrial lands and create economic opportunity in the Township of Uxbridge.

The proposed development will consist of one Butler building with ground floor area of approximately 3,200 m². It will be located in the south west corner of the site; to the north and east of the building the project proposes outside storage; there is also a 6m berm adjacent to the north and east property lines that was built to mitigate impact from the industrial subdivision on the sensitive uses to the east (rural zone, with residential units). The Site has been designed to pull the building (and operations) as far from the adjacent sensitive uses as possible to ensure any perceived or actual impact on sensitive uses is minimized.

2.0 FORMAL PRE-CONSULTATION AND SUPPORTING DOCUMENTATION

On behalf of the Applicant, Armstrong Planning & Project Management attended a Pre-Consultation Meeting held on February 15, 2019 and received comments from the Township of Uxbridge as well as Region of Durham. In response, please find enclosed an application and supporting documentation for a zoning by-law amendment. The following documents have been included to facilitate staff's review of the enclosed application:

- Detailed Concept Plan (Site Plan), prepared by Baldassarra Architects, dated March 16, 2021;
- Preliminary Draft Zoning By-Law Amendment;
- Commenting Matrix;

- Planning Rationale, prepared by Armstrong Planning & Project Management, dated April 07, 2021;
- Topographic Survey, prepared by R-PE Surveying Ltd., dated July 2, 2020;
- Sample Building Elevation pre-fabricated building, prepared by Metal Pro Buildings dated February 09, 2021;
- Traffic Impact Study, prepared by WSP, dated March 22, 2021;
- Stormwater Management Report, prepared by WSP, dated April 01, 2021 (see report for erosion and sediment control);
- Site Grading & Servicing Drawings, prepared by WSP, dated March 26, 2021;
- Hydrogeological and Geotechnical Investigation, prepared by WSP, dated March 25, 2021; and
- Compatibility & Mitigation Study: Air Quality, Dust, Odour & Noise, prepared by SLR, dated February 26, 2021.

3.0 PURPOSE OF THE APPLICATION

The enclosed development proposal is seeking to rezone the site to permit a Waste Transfer Facility for Soil, including certain site-specific provisions related to minimum landscaped areas and to provide additional clarity in determining the front, side and rear yards on the site.

As part of the pre-consultation meeting held on February 15, 2019 in support of the proposed waste transfer facility for soil, the Region noted that it was premature to determine if a regional official plan amendment is required to permit the proposed use. The Region noted that as per Regional Official Plan (ROP) mapping, the east portion of the subject site is located within an area of high aquifer vulnerability. A waste transfer processing facility is listed as high-risk land uses outlined by Schedule E, Table E5. The Region noted that further study is required to determine if the proposed uses are permitted within an area of high aquifer vulnerability. This is discussed further in this report, however, ROP mapping is high level and in order to identify lands impacted by this designation, the Groundwater Source Protection Information Atlas from the Ministry of Environment, Conservation and Parks (MECP) was reviewed. This Provincial mapping provides a greater level of mapping detail, and more recent data for the site. Based on the Atlas, the site is not within the highly vulnerable aquifer area therefore it is our opinion that a waste transfer station is permitted on the site, and an amendment to the Regional Official Plan is not required.

The Region noted that the Regional Official Plan (ROP) designates the subject site as Rural Settlement-Rural Employment Area within the Countryside Area. The site is situated within the Oak Ridges Moraine (ORM) Countryside Area and is part of a Landform Conservation Area. Within the ORM designation, only applications for development and site alternation that conform to the Oak Ridges Moraine Conservation Plan (ORMCP) will be considered. Conformity with the Oak Ridges Moraine Conservation Plan is discussed herein and it is our opinion that the proposed development will keep disturbance of the landform character of the area to a minimum.

Through further discussions, the Region stated that they had determined that the proposed use was considered a Landfill and therefore, as per Policy 2.3.36, this submission would require an official plan amendment. It is our professional opinion that there is a distinct difference between a “Landfill” and a “Waste Transfer Facility”, as explicitly identified in the Regional definition outlined below.

As per Policy 2.3.36 of Durham Regional Official Plan (Consolidated May, 2020) ('Regional Official Plan') states "The establishment of new landfill sites, or the expansion, or increase in capacity of existing landfill sites, shall require an amendment to this Plan." The Regional Official Plan further, defines a "Landfill Site" as:

"Landfill Site: means any land or building or structure in which waste is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste (excluding waste transfer, recycling and composting facilities). For the purpose of this Plan, waste includes ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse and such other wastes as designated under the Environmental Protection Act." (**emphasis added**).

The definition of a Landfill Site within the ROP provides a specific exemption to waste transfer stations.; however, the ROP does not define "Waste Transfer Station". The term is also not defined by the Township of Uxbridge Official Plan or Township of Uxbridge Zoning By-law. As a result, the most appropriate place to seek a definition is under *the Environmental Protection Act*; it provides direction on a number of issues related to the environment including waste management which is regulated through Ontario Regulation 347 (O. Reg. 347).

Ontario Regulation 347 provides direction on how to protect public health and safety by tracking disposal of hazardous and non-hazardous waste. The Act, through O.Reg. 347, has provided a clear difference between a "landfill" site ("landfilling") and a "local waste transfer facility" provides distinct definitions for both uses. Specifically, the following definitions are included in Ontario Regulation 347:

"landfilling" means the disposal of waste by deposit, under controlled conditions, on land or on land covered by water, and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals;

It should be inferred then that a "landfill", is the land or location where materials and items are permanently deposited under controlled conditions.

"local waste transfer facility" is a site:

- (a) *at which waste from field operations is received, bulked, temporarily stored and transferred,*
- (b) *that is owned or controlled by the person who undertakes the field operations referred to in clause (a) or by a person on whose behalf those field operations are undertaken,*
- (c) *at which no waste is received other than waste from field operations, and*
- (d) *that is used primarily for functions other than waste management;*

Generally, waste brought to and deposited at a landfill, stays at a landfill permanently where it is covered and left; and waste brought to a waste transfer facility remains onsite temporarily where it is processed and shipped to other facilities for re-use or for final deposition which may or may not include a landfill.

The use proposed on site is a “Local Waste Transfer Facility” for soil according to the definition provided by the *Environmental Protection Act* as outlined by O.Reg. 347. As explained in Section 5.2 of this report, the proposed facility will handle, inspect, sample, sort, classify, bulk, remediate and temporarily store (i.e. process) waste on site. Once the waste has been processed it will be shipped off site for re-use or if a byproduct cannot be re-used it will go to a landfill. The act of ‘processing’ and improving soil for beneficial reuse is an environmentally sustainable operation that allows the reuse of valuable soil diverting it from landfills. The soil is only temporarily on site and is then transferred to a final destination (for example: engineered fill for a construction project, fill material for mine reclamation, capping fill material for closed landfills, and interim cover material for operating landfills). No soil will be landfilled on site.

Upon review of the above definitions, it is our opinion that the proposed use is not a landfill site as soil materials are intended to be stored temporarily for processing and then transported to other locations. As a result, the proposed use does not require an official plan amendment; it requires only a zoning by-law amendment.

This interpretation is supported by the recent rezoning approved for Lot 17 in the same Uxbridge Industrial subdivision. The approved rezoning (with holding symbol) permits many uses including a waste transfer station for the sorting and separation of construction waste materials for delivery to both recycling and disposal facilities under (H)M1-42; Open Storage is also permitted in relation to the use. Furthermore, it is our understanding that the rezoning for Lot 17 was approved without the requirement of a Regional or Local Official Plan Amendment (OPA).

As the proposed use is not a landfill site as defined by the Region and/or the Environmental Protection Act, the site is not within an area of high aquifer vulnerability, and the proposed development conforms to the ORMCP, it is our professional opinion that only a zoning by-law amendment is required to allow the proposed waste transfer facility / station (for soil).

It is our understanding that ECMI (through York Environmental Solutions Ltd. as the site operator), will also be submitting an application for Environmental Compliance Approval (ECA) to the Ministry of Environment, Conservation and Parks (MECP) and that the site must receive its ECA prior to commencing any operations on site. The requirements of the ECA Application are discussed in Section 5.2 of this report.

4.0 SUBJECT LANDS

4.1 General Location

The site, municipally known as 45 and 47 Anderson Boulevard, Township of Uxbridge are legally described as follows:

PINs: 268300132 & 268300131

Lots 12 and 13, of Plan 40m2336, Township of Uxbridge, Regional Municipality of Durham.

The property is within an industrial subdivision located at the north east corner of York Durham Line and Durham Regional Road 47 (Figure 2) and is approximately 3.58 hectares (8.85 acres) in size. The site is accessed from Anderson Boulevard and is currently vacant. An existing berm and noise fence, approximately 6 metres in height, runs parallel to the north and east property line separating the site from the rural lots, with residential units (to the east).

4.2 Surrounding Land Use

The area surrounding the proposed development site is a mix of industrial, commercial and rural-residential areas. The immediate land uses adjacent to the site are described below (Figure 1):

North: The lands located immediately north are being used for agricultural purposes.

South: Located immediately south are a combination of commercial and industrial businesses that are part of the Uxbridge Industrial Subdivision 40M-2336 (i.e. Best Way Stone Limited, Viking Company (print shop), Kenco Construction Ltd., Deluxe Stair and Railing Ltd., Tooling Development Inc., and a storage yard). Lands south of RR47 are used for agricultural purposes.

East: To the east are rural uses with residential units.

West: Located immediately to the west are various rural industrial facilities located along Anderson Boulevard that are part of the Uxbridge Industrial Subdivision 40M-2336 including: Drilling, pile driving and heavy equipment rental facility; and

- waste transfer facility / waste transfer station (Lot 17) (Figure 2 and 3)

5.0 PROPOSED DEVELOPMENT

5.1 Development Proposal

The development proposes to construct a waste transfer facility for soil on site. The site is located within the Uxbridge Industrial Subdivision 40M-2336, that is approved and zoned for industrial uses (Figure 3). A copy of the site plan by Baldassarra Architects, dated March 26, 2021 is enclosed with this submission and outlines the general layout proposed for the site (Figure 4).

The development is comprised of a +/- 3,200 sq.m. pre-engineered Butler building located on the south end of the site with vehicular parking east of the building and an outdoor storage area that will be used for temporary soil storage located along the north end of the site. An existing berm (+/- 6 metres) is located along the north and east property lines.

Butler Building

The proposed +/- 3,200 m² Butler building will be a pre-fabricated building installed on a slab-on-grade concrete pad designed to support functions of the waste transfer facility. The building will have a setback of approximately 110 meters to the north property line and 80 meters to the east property line abutting agricultural and large residential lots. Sample elevations have been provided by the pre-fab manufacturer and are submitted as part of this application.

Parking area

Thirty-nine (39) parking spaces, including 2 accessible spaces, are located within the front yard, on the west side of the proposed Butler building. A traffic study was completed and confirms that the proposed parking supply not only meets the minimum parking requirement as outlined in the zoning by-law; it also provides sufficient parking as needed for the specific use proposed on site.

Outdoor Storage Area

The area of the outdoor storage is as approximately 7,164.09 m² and is located at the north end of the site, between the existing berm located to the north and east, and the Butler building to the south. The storage area is to be constructed on a concrete slab-on-grade. Soil storage at the Site will be completed within bunkers (made of stackable concrete blocks) with defined sides.

The outdoor storage area is approximately 37.5 metres and 45.0 metres from the north and east property lines respectively providing sufficient separation from the existing residential and agricultural uses that surround the site and well exceeding the minimum required rear yard setback of 20.0 metres.

Retaining Wall

A retaining wall is proposed to be constructed on the interior side of the existing on-site berm at a setback of approximately 37.5 metres and 45.0 metres from the north and east property lines respectively. Detailed designs have not yet been prepared.

Landscape area

A landscape area of approximately 17,480 m² will be provided around the proposed development adjacent to the north (approximately 33.78m deep) and east (approximately 44.39m deep) property lines. The berm is located within these landscape strips. In addition, there is a 3.0 metre landscape strip adjacent to the south property line and adjacent to the west property line.

On-site Retention Infiltration Chamber

An on-site retention infiltration chamber is proposed to control stormwater runoff quantities and improve infiltration ensuring the water balance is met on site. Further details are provided in the Hydrogeological report by WSP dated March 25, 2021.

Septic Tank

The Uxbridge Industrial Subdivision does not have access to shared sanitary services and so each lot is expected to provide private sanitary services. Lot 12/13 has been designed to include a septic system as identified by the servicing plan that has provided space outside the parking area for a septic field and reserve septic bed if needed.

5.2 Operational Characteristics of the Facility

The proposed waste transfer station / processing facility ('facility') processes solid non-hazardous waste as per the requirements of Ontario Regulation 558, including soils containing construction and demolition debris from commercial and industrial sources.

In order for the development to proceed, an Environmental Compliance Approval (ECA) application and certificate is required as waste transfer station activities are regulated under the EPA. Through the ECA application, certain studies will be required to ensure the use complies with Provincial standards and details related to business operations will be determined. Additionally, neighbours will be notified of the application and the application will be posted under the Environmental Bill of Rights (EBR) registry for 45 days for public comment. Once all requirements of the ECA process are met, the operations will only then be permitted under strict regulations through site specific ECA. The use will be monitored and regulated by the Province (MECP) for its entire lifespan and operations.

The soil processing procedure is described in Figure 5. Incoming non-hazardous soil / material (classified as per the requirements of Regulation 558) from construction and demolition projects will be brought to the facility and processed for beneficial reuse. Processing will include soil handling, soil inspection, sampling, classification, sorting, homogenization, bulking, soil treatment (bioremediation and manual manipulation) and temporary soil storage. Soil processing will all be in accordance to provincial guidelines and regulations as per O.reg 558. Once processing is complete, the various components will be shipped offsite.

The outdoor storage area will be constructed on a concrete slab base where clean soils will be stored. There will be no impact to the quality of runoff with the exception of possible sediment loading that can, and will, be mitigated on site. All water runoff from the outside storage area will be directed to catch basins on-site with sediment control measures in place. In addition, stockpiles that require some bio-remedial treatment will be covered with a low permeable membrane to prevent any sediment runoff from the stockpile. The Butler building is also to be constructed on a concrete slab.

According to the Hydrogeological and Geological Investigation by WSP, dated March 25, 2021, the site should have no water quality concerns for both the soils in the outdoor storage area and within the Butler building. Details on the sediment control measures proposed on site are provided in greater detail in the Stormwater Management Report by WSP, dated April 01, 2021.

The Site will operate in accordance with municipal and provincial regulations as they apply.

The site will be constructed, operated and maintained in an environmentally safe manner to ensure there are no adverse solitary or cumulative impacts on the environment, particularly the soil, surface water and groundwater resources. The Owner will ensure the construction and operation of the facility protects the health and safety of all persons and minimizes surface water ponding and leachate breakouts, and in accordance with the Provincial regulations applicable by the ECA that will be issued for the site.

5.3 Site Servicing

The current Uxbridge Industrial Subdivision is designed with watermain and storm services along Anderson Boulevard which directs all stormwater discharge to the existing stormwater management pond (SWM) located downstream. As per the Uxbridge Phase 2 SWM Report, the SWM pond is designed to accept stormwater discharge for the entire subdivision, including Lot 12 and 13 (the site), provided that the site's post development condition is equal to or less than the 67% impervious. According to the SWM Report, since the site will discharge at or below the allowable release rate which is calculated using a runoff coefficient of 0.67, in conjunction with onsite sedimentation controls (as outlined in the SWM Report by WSP) the downstream SWM pond can provide the full 80% total suspended solids removal standard, as per the TRCA criteria.

Under the post-development conditions, the following was proposed:

- Watermain – the site (made up of two lots) has two existing water service connections (fire and domestic), both of which are capped at the property line. The existing services will be abandoned as they conflict with the proposed septic bed. New fire and domestic water services for the combined site are proposed through this submission.

- Stormwater – the site (made up of two lots) has two existing stormwater service connections, both of which are capped at the property line, as well as an existing 525 storm sewer that conveys external flows from the east. Based on the current design, both connections will be abandoned because their current location conflicts with the proposed site design. One new storm connection will be constructed to convey storm runoff from the site to the existing storm sewer on Anderson Blvd and ultimately to the subdivision's stormwater management pond. The 525mm storm sewer is proposed to be re-routed through the site and re-connected to the existing storm sewer on Anderson Blvd independent of the site's storm water connection.

Runoff from the outside soil storage area will be directed to on-site catch basins with sediment control measures in place ensuring that water released from site meets the Storm Sewer Use by-law prior to discharge. In addition, the proposed outdoor soil storage area is to be constructed on a concrete slab base for the storage of dry soils. As a result, runoff from the outside soil storage area during operations is not anticipated to influence groundwater quality or impact receiving surface waters. The soils in the outdoor storage area will also have no impact on runoff water quality and any possible sediment loading will be controlled onsite through the use of sediment control measures. Stockpiles that require some bio remedial treatment will be covered with a low permeable membrane, and runoff from those stockpiles is not expected to impact water quality.

- Sanitary Sewage – The site is not connected to sanitary services and none are available in the adjacent right-of-way. A septic tank and septic field are proposed as outlined further on the engineering servicing plan. Detailed drawings will be prepared during the Site Plan design stage.

Overall, the site will be designed to meet specific design criteria in terms of water balance, water quality, water quantity and erosion control measures to minimize environmental impacts during construction and during future operations on the site. For further details, refer to the Stormwater Management Plan, Site Servicing Plan, Erosion Sediment Control Plan and a Geotechnical & Hydrogeological Investigation by WSP enclosed with this application.

6.0 PLANNING FRAMEWORK

The proposed development of the subject site has been reviewed in accordance with the relevant sections of the Planning Act, Provincial Policy Statement, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Durham Region Official Plan, Oak Ridges Moraine Conservation Plan, Environmental Protection Act, Clean Water Act, CTC Source Water Protection Plan, and the Township of Uxbridge Zoning By-law; each are discussed further below:

6.1 The Planning Act, 1990 (Consolidated September 18, 2020)

The Planning Act, 1990 (Consolidated September 18, 2020), establishes the overall regulatory framework for land use planning in Ontario.

Section 1.1 sets out the purposes of the Act which are to:

- (a) To promote sustainable economic development in a health natural environment within the policy and by the means provided under this Act;*
- (b) To provide for a land use planning system led by provincial policy;*
- (c) To integrate matters of provincial interest in provincial and municipal planning decisions;*

- (d) To encourage co-operation and co-ordination among various interests;*
- (e) To recognize the decision-making authority and accountability of municipal councils in planning.*

Section 2, Part of the Planning Act sets out matters of provincial interest when considering an application under the Act. Matters of provincial interests include:

- (a) the protection of ecological systems, including natural areas, features and functions;*
- (b) the protection of the agricultural resources of the Province;*
- (c) the conservation and management of natural resources and the mineral resource base;*
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- (e) the supply, efficient use and conservation of energy and water;*
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (g) the minimization of waste;*
- (h) the orderly development of safe and healthy communities;*
 - (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- (j) the adequate provision of a full range of housing, including affordable housing;*
- (k) the adequate provision of employment opportunities;*
- (l) the protection of the financial and economic well-being of the Province and its municipalities;*
- (m) the co-ordination of planning activities of public bodies;*
- (n) the resolution of planning conflicts involving public and private interests;*
- (o) the protection of public health and safety;*
- (p) the appropriate location of growth and development;*
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- (r) the promotion of built form that,*
 - (i) is well-designed,*
 - (ii) encourages a sense of place, and*
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.*

The Act integrates matters of provincial interest into provincial and municipal planning decisions by requiring that all municipal decisions and planning documents be consistent with the Provincial Policy Statement and conform to or do not conflict with provincial plans.

It is our professional opinion that the proposed development represents orderly development and has taken related policies into consideration to ensure compliance with the Act.

6.2 Provincial Policy Statement, 2020 (in effect, May 1, 2020)

The Provincial Policy Statement (PPS, 2020) provides policy direction on land use planning and development matters of Provincial interest while ensuring the protection of Provincial resources, public health and safety, and the quality of the natural and built environments. The planning policies of the PPS are divided into three categories: Building Strong Healthy Communities, Wise Use and Management of Resources, and Protecting Public Health and Safety. All planning decisions in Ontario must be consistent with the policies of the PPS.

Section 1.0 Building Strong Healthy Communities

Section 1.1 of the PPS contains requirements for managing and directing land use to achieve efficient and resilient development land use patterns.

The site promotes efficient development and land use patterns and minimizes land consumption and servicing costs by building within an existing subdivision, and utilizing the existing water and stormwater connections currently available. The existing subdivision was approved without access to sanitary services and it is understood that all lots have been or will be built out with private septic systems. As such, a septic system has been included in the engineering design, ensuring complete access to servicing is available.

Rural Areas in Municipalities:

Section 1.1.4. of the PPS recognizes the importance of viable rural areas to the economic success of the Province. Viable rural areas are supported by, but not limited to, building upon rural character, using rural infrastructure and public service facilities efficiently, 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.

The site is within a Rural Employment Area in the Regional Official Plan and is located in an approved and registered industrial subdivision surrounded by existing industrial uses. The proposed rezoning on the site is in keeping with the zoning that is approved on Lot 17 within the same subdivision, that is zoned to permit a waste transfer station. Such land use precedents contribute to establishing the industrial character of this existing Rural Employment Area.

Rural Lands in Municipalities:

When directing development on rural lands, Section 1.1.5 requires planning authorities to consider policies contained in Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

It is our opinion that the development proposal conforms with the intent of these policies. As mentioned above, the site is located within an existing industrial subdivision that is surrounded by industrial land uses. In addition, although not yet built out, Lot 17 was recently rezoned to permit a waste transfer station. The proposed development of Lot 12/13 as a waste transfer facility (for soils) is consistent with the existing industrial character of the area. The site will utilize existing infrastructure including municipal water and storm sewer connections. Although the site does not have access to sanitary services, the proposed development will include a septic system to provide sanitary services on site. A copy of the engineering grading plan prepared by WSP, dated March 26, 2021 is enclosed in this submission.

Land Use Compatibility

Section 1.2.6.1 of the PPS recognizes that planning authorities shall protect the long-term viability of existing or planned industrial uses and that development of sensitive uses are permitted if potential impacts are minimized and mitigated. Likewise, new industrial uses are permitted but must minimize negative impacts on adjacent sensitive uses, like residential.

The proposed waste transfer facility for soil is compatible with existing and permitted industrial uses within the subdivision and studies show, that as designed the facility has no negative impact on the adjacent land uses. The site is located within an industrial subdivision and surrounded with industrial businesses including Lot 17, in the same subdivision, which was rezoned to permit a waste transfer station.

Located to the north and east of the site are several large rural residential and agricultural lots where homes are present. The residential dwellings are located approximately 100-135m from the shared property line; in addition, the proposed industrial building is setback approximately 110m to the north property line and 80m from the east property line further separating the processing facility from the more sensitive land uses. The site is also physically separated from the sensitive land uses by an existing 6m tall berm

In support of this proposal, a copy of the Compatibility and Mitigation Study for Air Quality, Dust, Odour, and Noise as well as an Odour Best Management Practices Plan prepared by SLR, dated February 26, 2021 is enclosed in this application. The report concludes that the proposed use is in compliance with the applicable environmental regulations and that no additional mitigation measures are required. Adverse air quality, dust and odour impacts are not expected from the proposed use. Furthermore, mitigation and control measures are in place to ensure the industry's Best Management Practices Plan are implemented. Adverse noise impacts are also not anticipated as the requirements of the Town of Uxbridge Noise by-law and MECP Guidelines are met.

Sewage, Water and Stormwater

Section 1.6.6 of the PPS requires that sewage, water and stormwater services accommodate forecasted growth and promote the efficient use and optimization of existing municipal sewage and water services.

The site meets the intent of this policy as it makes use of existing connections to water and storm services along Anderson Boulevard and a stormwater management pond was constructed to service the overall Uxbridge Industrial Subdivision. As sanitary services are not available, a septic tank is proposed as part of this development and as per the approved subdivision.

An on-site retention infiltration chamber is included in this proposed design and support groundwater recharge and water balance on site. The proposed infiltration chamber will enhance the overall water quality and water balance of the existing site. A copy of the Stormwater Management Report by WSP dated April 01, 2021 has been submitted as part of this application.

The proposed development makes efficient use of and optimizes existing municipal infrastructure and conforms to the intent of Section 1.6.6.

Waste Management Systems

Section 1.6.10 states that Waste Management Systems (which includes facilities for transfer stations) *“need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives”*.

The proposal meets the intent of these policies as Waste Transfer Stations are sites where waste (specifically here, non-hazardous soil and construction debris) is handled, inspected, sampled, sorted, classified, bulked, remediated and stored (i.e. processed). The act of ‘processing’ and improving soil for beneficial reuse is an environmentally sustainable operation which prevents reusable and valuable soil from ending up in landfills. This process is vital to the success of many private and public construction and development projects (including those initiated by the Province and many municipalities in Ontario).

Long Term Economic Prosperity

Section 1.7 of the PPS believes that long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness.

The proposed development of a Waste Transfer Station is an environmentally sustainable operation that improves soil for beneficial reuse such that valuable soil can be reused and decreases the amount of soil sent to landfills. The site is located in an industrial subdivision, is surrounded by existing industrial businesses, fits into the existing industrial character of the subdivision and will create a viable opportunity for economic growth for the Township of Uxbridge.

Section 2: Wise Use and Management of Resources

Section 2.2.1 requires that planning authorities protect, improve or restore the quality and quantity of water and ensure stormwater management practices minimize stormwater volumes and contaminant loads. Section 2.2.2 requires that development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.

According to the Ministry's Source Water Protection Atlas mapping, the site is not located in a wellhead protection area or a Groundwater Under Direct Influence (GUDI) wellhead protection area, nor is it considered a highly vulnerable aquifer. However, the site is located within a Significant Groundwater Recharge Area (SGRA). The site is also located within the Wellhead Protection Area WHPA-Q1 and WHPA- Q2, with a moderate stress classification which means if additional water taking is required, then recharge will be needed to offset any recharge loss.

It is our opinion that the proposed development meets the intent of this policy. A Stormwater Management Report by WSP dated April 01, 2021, was prepared to address stormwater volumes, water balance and water quality and provides recommendations on erosion control measures during construction. The conclusions indicate that the proposed development can meet the applicable requirements and objectives of Section 2.2.1. As part of this proposal, an on-site retention infiltration chamber was proposed for ground water retention (by encouraging and facilitating recharge on site) and control of runoff ensuring that Significant Groundwater Recharge Area requirements are met. The site is currently vacant and the on-site retention infiltration chamber will provide an overall enhancement to the site's existing stormwater condition.

In addition, the site's proposed outside storage area will have water runoff directed to catch basins with sediment control measures to ensure that discharge from site meets the Storm Sewer Use by-law prior to release into the municipal stormwater system. The proposed outdoor soil storage area is to be constructed on a concrete slab base, and as a result runoff from the outside storage area during operations is not anticipated to influence groundwater quality or receiving surface water. According to the Hydrogeological and Geotechnical Report by WSP, dated March 25, 2021, the soils in the outdoor storage area will also have no impacts on runoff water quality. In the event of potential sediment loading (if any), it will be mitigated through onsite controls which includes the implementation of sediment control measures prior to the commencement of construction and until the end of construction; a continuous siltation fence to be constructed along the perimeter of the proposed development; stabilizing any disturbed areas as quickly as possible and may be achieved by sodding, seeding, mulching, hydro-seeding, planting, etc.; and stockpiles that do require some bio remedial treatment will be covered with a low permeable membrane to prevent runoff from those stockpiles. Routine inspection and maintenance of these on-site measures will be in place to protect the downstream receiving watercourse and to ensure these measures function properly and effectively.

Additional details for on-site erosion sediment control are provided in the SWM Report by WSP, dated April 01, 2021.

Section 3: Protecting Health and Safety

Section 3 relates to policies for mitigating potential risks to public health or safety or of property damage from natural hazards (sites that are prone to flooding and erosion hazards, or along river / streams) or man-made hazards (mining operations, oil, gas). Section 3.2.2 further requires that sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the new development.

The site is not within the Greenbelt area nor is it within a key natural heritage area as per the Durham Regional Official Plan Schedule 'B'- Map 'B1b'. It is within TRCA jurisdiction but has not been identified within the regulated area. TRCA mapping also indicates there are no water course tributaries located within the site, or floodplains, and as shown on the Ministry's Source Water Protection Atlas mapping, the site is not located in a wellhead protection area or a Groundwater Under Direct Influence (GUDI) wellhead protection area, and is not identified a highly vulnerable aquifer.

The site is located within a Significant Groundwater Recharge Area (SGRA) with a vulnerability score of 2 (low; there are no associated policies within this area). The site is also located within the Wellhead Protection Area WHPA-Q1 and WHPA- Q2, with a moderate stress classification which means if additional water taking is required, then recharge will be needed to offset any recharge loss. Since there will be no water taking on site, this policy is not applicable.

Overall, the proposed development supports efficient development patterns, optimizes the use of land and existing infrastructure and contributes to the economic viability of an existing industrial subdivision. The waste transfer facility has been thoughtfully designed to eliminate impacts on adjacent sensitive uses, does not present a risk to public health and safety and conforms to policies presented in the PPS. In addition, according to the SWM report by WSP dated April 01, 2021, the site has been prepared such that it is designed to meet TRCA requirements for water quality, water quantity, water balance, and erosion control during construction to ensure compliance with the related provincial policies and TRCA criteria.

It is our professional opinion that the proposed rezoning conforms to the Provincial Policy Statement.

6.3 Growth Plan for the Greater Golden Horseshoe (Consolidation 2020)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) was initially released in 2006 and was most recently updated in August 2020, builds on other key provincial initiatives such as the PPS. It aims to create complete communities, revitalize downtowns, expand housing options, curb sprawl and reduce gridlock. The document provides direction on where and how to grow throughout the Greater Golden Horseshoe (which includes Haldimand County) to the year 2051.

Overall, the Growth Plan is supportive of employment opportunities and completeness in the Greater Golden Horseshoe (Section 2.2.5.1) and municipalities in the rural area 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 (Section 2.2.9). The proposed development is designed within a Rural Employment Area as designated by the Regional Official Plan. The existing site is vacant and is situated in an approved industrial subdivision surrounded by existing industrial uses, including lot 17, which was also rezoned to permit a waste transfer station. If approved, this development will allow the site to maximize its potential and also create a viable economic opportunity for the Township of Uxbridge. Furthermore, the role of a waste transfer station is an environmentally sustainable business that is vital to decreasing total volume of soil directed to landfills as the incoming soil will be sorted for reuse and /or processed into reusable soil for other purposes.

Section 2.2.5.5 states that *"in planning for employment, surface parking will be minimized and the development of active transportation networks and transit-supportive built form will be facilitated."* A

Traffic Impact Study by WSP dated March 22, 2021 indicates there are limited active transportation facilities present within vicinity of the site and no future infrastructure is planned to service pedestrians, cyclists or transit ridership up to at least the 2027 horizon year.

Section 2.2.5.6 and 2.2.5.13 of the Growth Plan diverts responsibility to identify Employment Areas to Upper-and Single-tier municipalities for their long-term protection and to establish minimum employment density targets through their official plans. Currently the Region has not identified any density target requirements for Employment Areas in Sub-Section 8C of the Durham Official Plan.

The Growth Plan encourages municipalities to prioritize opportunities for optimization and improved efficiency within existing water and wastewater systems (Section 3.2.6). The site has access to existing water and stormwater services and a septic system will be constructed per the approved subdivision design. An on-site retention infiltration chamber is proposed and will enhance the site's existing condition by providing storm water retention and infiltration. Similarly, Section 3.2.7 of the Growth Plan requires that proposals for plans of subdivision, secondary plan, vacant land of condominium or site plan will be supported by a stormwater management plan. As part of this rezoning application, a stormwater management report has been provided to ensure the site can meet requirements related to water quality, water quantity, water balance and sediment control.

For the reasons discussed above, it is our professional opinion that the proposed development conforms with the Growth Plan.

6.4 Oak Ridges Moraine Conservation Plan, May 2017

The Oak Ridges Moraine Conservation Plan (ORMCP) is established under the Oak Ridges Moraine Conservation Act, 2001. The Plan divides the Moraine into four land use designations: Natural Core Areas, Natural Linkage Areas, Countryside Areas and Settlement Areas.

The subject site is designated as Rural Settlements- Countryside Areas within the ORMCP and part of a Landform Conservation Area (Category 2) (Figures 6 and 7). The ORMCP protects the wellhead protection area and designation. The site is not located within a wellhead protection area (WHPA) (Figure 8). It is located with the WHPA-Q1 and WHPA-Q2 which means if additional water taking is required, then recharge will be needed to offset any recharge loss (Figure 8). As there will be no water-taking on site, this policy is not applicable.

6.4.1 Rural Settlements- Countryside Areas

As outlined by Section 13(1), the purpose of Countryside Areas is to encourage agricultural and other rural uses that: provide for the continuation of agricultural and other rural land uses and normal farm practices, maintain the character of rural settlements, and provide for compatible economic development amongst other objectives. Section 13(3) and 13(4) of the ORMCP has listed a range of permitted uses within *Rural Settlements- Countryside Areas* which include, but are not limited to, residential development and small-scale commercial, industrial, and institutional uses.

Based on the above, industrial uses are permitted within the Rural Settlements – Countryside Areas designation. As mentioned in this report, the site is located within an approved industrial subdivision, where it is surrounded by existing industrial uses. If approved, this site will contribute to providing economic opportunities for the Township of Uxbridge.

6.4.2 Landform Conservation Area (Category 2)

The ORMCP identifies the subject property as being within a *Landform Conservation Area (Category 2)*. Section 30 (6) of the ORMCP requires that all applications for development or site alteration proposed in a *Landform Conservation Area* must be accompanied by an appropriate study that identifies planning, design and construction practices that keep disturbances to landform character to a minimum. These include:

- (a) *maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;*
- (b) *limiting the portion of the net developable area of the site that is disturbed to not more than 50 per cent of the total area of the site; and*
- (c) *limiting the portion of the net developable area of the site that has impervious surfaces to not more than 20 per cent of the total area of the site.*

The proposed zoning amendment conforms with Section 30(6) of the ORMCP. The site is part of an existing industrial subdivision that was pre-graded and serviced; no landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form exist on site and therefore will not be disturbed. On this basis, policies in Sections 30(6) of the ORMCP do not apply.

For lands within the Landform Conservation Areas, the ORMCP has specific policies for “major development”, which includes building or buildings with a ground floor area of 500 m² or more. Sections 30(8) and 30(9) requires that development applications for major development with respect to land within a Landform Conservation Area of either category be accompanied by mapping(s) that illustrates topographic elevations, slopes, significant landform features, as well as a landform conservation plan that provides a development strategy identifying the appropriate planning, design and construction practices to minimize disruption to landform character. These include: retention of significant landform features, road alignment and building placement to minimize grading requirements; concentration of development on portions of the site that are not significant; use of innovative building design to minimize grading requirements; and use of selective grading techniques. As mentioned above, the existing industrial subdivision that was pre-graded and serviced and there are no landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form.

6.4.5 Compatible Uses

Section 34 of the ORMCP requires that “a non- agricultural use shall not have an adverse impact on agricultural uses or shall minimize and mitigate such impacts on agricultural uses to the extent possible”. The site is located within an existing industrial subdivision, will not negatively impact agricultural lands and it is not within a Prime Agricultural Area. A Hydrogeological and Geological Investigation by WSP, dated March 25, 2021, has been prepared for this submission. The report concludes that during operations, the proposed waste transfer site is not anticipated to influence groundwater quality or receiving surface waters. The soils in the outdoor storage area will also have no impacts on runoff water quality, with the exception of possibly sediment loading that can be, and is, mitigated through design and implementation of sediment control features. Stockpiles that do require some bio remedial treatment will be covered with a low permeable membrane, and runoff from those stockpiles should create no water quality concerns. Erosion control measures are provided in the Stormwater Management Report by WSP, dated April 01, 2021.

6.4.6 Small-scale commercial, industrial and institutional uses

Section 40 of the ORMCP further outlines policy direction related to permitted industrial uses. The relevant policies applicable to the proposed development are as follows:

- 40.(1) Small-scale commercial, industrial and institutional uses,*
(a) are supportive of, complementary to or essential to uses that are permitted in Countryside Areas under sections 13 (countryside areas), 14 (residential development in country side areas) and 17 (previously authorized uses, buildings and structures in countryside areas);
- 40.(2) An application for a small-scale commercial, industrial or institutional use with respect to land in a Countryside Area shall not be approved unless the applicant demonstrates that,*
(a) it is not feasible to locate the use in a Settlement Area; and
(b) the buildings and structures will be planned, designed and constructed so as not to adversely affect,
(i) the rural character of the Countryside Areas, and
(ii) the ecological integrity of the Plan Area.
- 40.(3) An application for a small-scale commercial, industrial or institutional use with respect to land in a Countryside Area shall not be approved if it is to be located within a prime agricultural area.*
- 40.(5) An application to establish or expand a small-scale commercial, industrial or institutional use shall demonstrate that the new or expanded use will have no adverse impacts on surrounding agricultural operations and lands or that such impacts will be minimized and mitigated to the extent possible.*

It is our opinion that the proposed development conforms to the above policies. Industrial uses are permitted under the Countryside Area designation. The proposed use is located within an existing Employment Area and an approved industrial subdivision. Although, the proposed waste transfer facility for soil is a new use proposed on Lot 12 and 13 it has been permitted elsewhere within the subdivision. Specifically, Lot 17, was recently rezoned to permit a waste transfer facility for construction waste (Figure 2 and 3).

As confirmed by the Region, the site is not within or in proximity to any Prime Agricultural Area, however there are nearby agricultural operations located north of the subject site. Section 40(5) of the ORMCP will permit industrial uses as long as it can be demonstrated that there are no adverse impacts on surrounding agricultural operations or that such impacts can be minimized and mitigated to the extent possible. A Hydrogeological and Geotechnical Investigation by WSP, dated March 25, 2021, is enclosed in this application. It concludes that the site's operations and procedures are not anticipated to influence shallow groundwater or receiving surface water quality. According to the Ministry's Source Water Protection Atlas mapping, the site is not located in a wellhead protection area or a Groundwater Under Direct Influence (GUDI) wellhead protection area, nor is it considered a highly vulnerable aquifer. The site is located within a Significant Groundwater Recharge Area (SGRA) and a Wellhead Protection Area WHPA-Q1 and WHPA- Q2, with a moderate stress classification, which means that the site is required to be recharged to offset any losses if water taking from existing aquifers is needed (Figure 8). This policy is

not applicable as the site currently has access to municipal water connections and will not require any water-taking.

6.4.7 Official Plan Provisions, Wellhead Protection Areas, & Areas of High Aquifer Vulnerability

Section 42 of the ORMCP requires official plans to establish wellhead protection areas to prohibit or restrict certain uses listed in subsections 28 (1) and (2) of the ORMCP, to prohibit other uses that could adversely affect the quality or quantity of groundwater reaching a well, and to encourage restrictions on haulage routes for transportation of chemicals and volatile materials in the wellhead protection areas and in areas of high aquifer vulnerability. The Durham Regional Official Plan (ROP) indicates that the site is not within a wellhead protection area but a portion may be within a high aquifer vulnerability area. The Regional Official Plan mapping is high level and in order to identify lands impacted by this designation we have reviewed the Groundwater Source Protection Information Atlas from the Ministry of Environment, Conservation and Parks (MOECP). This Atlas provides detailed mapping that shows this site is not within the highly vulnerable aquifer area (Figure 8). As compared to the Region's Official Plan Schedules, the Ministry's Source Protection Information Atlas has included additional details for accurately determining the site's property boundaries. For example, the Ministry's interactive mapping enables a property search through municipal address. Once a property has been identified, the mapping provides internal streets, property lot and concession boundaries. There is also a satellite aerial mapping layer and other environmental policy layers available to accurately depict where policy areas (i.e. High Aquifer Vulnerability area) are located and whether they are or are not located within a specific property. The Region's Official Plan does not include this level of detail and as a result it is challenging to accurately determine where a property sits within the mapping. Therefore, as the Ministry's interactive mapping is more detailed, it is our opinion; we based our review on the Ministry's mapping and through this have determined that the subject site is not within a high aquifer vulnerability area.

It is our professional opinion that the proposed rezoning conforms to the policies outlined by the Oak Ridges Moraine Conservation Plan.

6.5 Durham Regional Official Plan (Consolidation May 26, 2020)

The Durham Regional Official Plan is meant to provide direction on land use and development throughout the Region. Specifically, it provides policies that guide where and how population and employment growth can happen and through this growth how infrastructure should be designed and built in an efficient manner while respecting the environment, its features and landforms.

6.5.2 Land Use Designation

The Regional Official Plan (ROP) designates the subject site as Rural Settlement- Rural Employment Area within the Countryside Area in Schedule E, Table E3 (Figure 9). The site is situated within the Oak Ridges Moraine (ORM) Countryside Area (Figure 6 and 10) and is part of a Landform Conservation Area (Category 2) (Figure 7 and 11). Within the ORM designation, only applications for development and site alternation that conform to the ORMCP will be considered (Section 10B.2.1). In addition to Sections 10B.2.15 to 10B.2.16 of the ROP, regional and area municipalities are required to consider landform conservation areas when new development or site alternation is proposed and shall be accompanied by the appropriate studies as required by the ORMCP. Conformity with the Oak Ridges Moraine Conservation Plan was previously discussed in Section 6.4.

Rural Employment Areas shall be developed in accordance with the provisions of Policies 9B.2.26 to 9B.2.29 of the ROP. Relevant policies are as follows:

- 9B.2.26 Rural Employment Areas that have been approved are designated on Schedule 'A' and described in Schedule 'E' – Table 'E3' of this Plan. No new Rural Employment Areas shall be permitted.*
- 9B.2.27 With the Exception of Rural Employment Area 2, which is serviced with municipal water, Rural Employment Areas shall be individually serviced with a private drilled well, and a private sewage disposal system which complies with the standards of the Region and the Ministry of Environment, Conservation and Parks.*
- 9B.2.28 The area municipalities shall ensure that development and site alteration, and the establishment of new uses on existing lots of record in existing Rural Employment Areas are consistent with the policies of the Oak Ridges Moraine Conservation Plan or the Greenbelt Plan, as applicable.*

In response to Sections 9B.2.26, 9B.2.27 and 9B.2.28, the site is situated within an existing Rural Employment Area in Uxbridge and the development does not propose to enlarge or change the current structure or character of the industrial subdivision. The site has been pre-graded and serviced with water and storm sewers and a private sanitary septic system is proposed on the site.

- 9B.2.29 Existing Rural Employment Areas shall:*
- b) contain industries and ancillary uses that are dry in nature, not requiring water as part of their operation;*
 - c) not contain uses that are noxious or polluting;*
 - d) be a low fire risk;*
 - e) not detract from the surrounding natural environment or require significant alterations of the existing topography, waterways or vegetation;*
 - g) have outside storage areas that are well screened and restricted to the interior of the Rural Employment Area;*
 - h) not have a negative impact on agricultural activities; and*
 - i) not have an adverse cumulative impact on the environment, particularly the soil, surface water and groundwater resources.*

The facility will only receive non-hazardous soils / waste (as per the requirements of Regulation 558). A copy of the Compatibility and Mitigation Study for Air Quality, Dust, Odour, and Noise as well as an Odour Best Management Practices Plan prepared by SLR, dated February 26, 2021 is enclosed in this application. The report concludes that the proposal will be in compliance with the applicable environmental regulations and no additional mitigation measures are required. Adverse air quality, dust and odour impacts are not expected and mitigation and control measures are in place to ensure the industry's Best Management Practices Plan are implemented. Furthermore, adverse noise impacts are not anticipated as a result of the proposed industrial use as the requirements of the Township of Uxbridge's Noise by-law and MECP Guidelines can be met.

The proposed building will be sprinklered and will be constructed according to the applicable building code requirements.

The subdivision is generally flat and has been pre-graded and serviced with water and storm sewers. There are no landform features such as steep slopes, kames, kettles, or ravines and ridges in their natural undisturbed form. Conformity with the Oak Ridges Moraine Conservation Plan was previously discussed in Section 6.4.

As part of the subdivision works, mitigation in the form of a 6.0m berm was constructed to provide physical and visual separation between the industrial subdivision including outdoor storage and the adjacent sensitive land uses to the north and east. Studies (including Traffic Impact and Land Use Compatibility) were completed and confirmed that the proposed waste transfer facility for soil will not negatively impact adjacent land uses.

Outdoor storage is proposed along the north and west side of the site and will be screened by a berm and privacy fence. Internal to the site, outdoor storage will be located on a concrete slab-on-grade with repositionable pre-cast concrete blocks to allow flexibility in bin size.

In addition, the proposed land use does not adversely impact surrounding agricultural uses or the environment. As shown on the detailed mappings from the Source Water Protection Information Atlas, the site is not located within a wellhead protection area, or a Groundwater Under Direct Influence wellhead protection area, nor is the site considered to have High Aquifer Vulnerability (Figure 8). However, this site is located in a Significant Groundwater Recharge Area and a wellhead protection area WHPA Q1 and WHPA Q2 which requires that the site be recharged to offset any losses if water taking from existing aquifers is needed (Figure 8). The WHPA Q1 and WHPA Q2 policies are not applicable as there will be no water-taking required.

To ensure that the proposed use has no adverse impacts on the environment, soil, surface water and groundwater resources, a stormwater management report as well as a hydrogeological and geotechnical investigation were completed and are enclosed in support of this submission. The SWM report concludes that the site can (and will) meet all aspects of water balance, water quality, water quantity and erosion control as designed. The proposed outside storage area will have a concrete slab base and if/as needed stockpiles will be covered in a low permeable membrane to prevent interaction with rainwater and runoff. All runoff from the outside soil storage area will be directed to catch basins on site with sediment control measures in place. In addition, a hydrogeological report concludes that runoff from the outside soil storage area is not anticipated to influence shallow groundwater quality or receiving surface waters.

6.5.3 High Aquifer Vulnerability

Schedule 'B'- Map 'B2' of the ROP indicates that the east portion of the subject site is located within an area of high aquifer vulnerability (Figure 12). A waste transfer processing facility is listed as high-risk land uses outlined by Schedule E, Table E5. As discussed in section 6.4.7 above, Regional Official Plan mapping is high level and in order to identify lands impacted by this designation we have reviewed the Groundwater Source Protection Information Atlas from the Ministry of Environment, Conservation and Parks (MOECP) which provides a greater level of mapping detail, and more recent data for the site. Based on the Atlas, the site is not within the highly vulnerable aquifer area (figure 8 & 14) therefore it is our opinion that a waste transfer station is permitted on the site.

6.5.4 Wellhead Protection Area

A municipal well that services the Uxbridge Industrial Subdivision is located on Anderson Boulevard just east of Paisley Lane. To protect this source of drinking water, Durham Region and the Township of Uxbridge have identified a Wellhead Protection Area/Zone starting at the well and extending northward (Figure 12 & 13). A wellhead protection area or zone is a vulnerable area identified around a wellhead where land use activities have the potential to affect the quality of groundwater feeding the well. The subject site is not within the neighbourhood Wellhead Protection Area (Schedule B – Map B2) as identified in the ROP or as identified by the Township of Uxbridge Zoning By-Law Part Nine: Appendices (Figure 12 and 13). Furthermore, the prohibited land use restrictions listed in Schedule 'E' – Tables 'E5' and 'E6' in the ROP are not applicable.

The Ministry's Source Protection Information Atlas also confirms that the subject site is not within the Wellhead Protection Area (WHPA) (Figure 8). Upon further investigation, the source protection mapping has classified this site within WHPA-Q1 and WHPA- Q2, with a moderate stress classification which apply to policies on taking water from the aquifer and aquifer recharge (Figure 8). The WHPA-Q1 and WHPA-Q2 does not apply as there will be no taking water on site.

According to the above findings, in our professional opinion the waste transfer station proposed conforms to the ROP.

7.0 TORONTO REGION CONSERVATION AUTHORITY

The subject site is within the jurisdiction of the Toronto Region Conservation Authority (TRCA) Duffins Creek Watershed but not within a regulated area and interactive mapping from the TRCA indicates there are no water course tributaries or floodplains identified on or adjacent to the site (Figure 15).

The Clean Water Act (2006) requires local conservation authorities to develop Source Water Protection Plans. The CTC (Credit Valley – Toronto and Regional – Central Lake Ontario) Source Protection Plan was reviewed to ensure water balance criteria on site was designed to maintain pre-development recharge. As shown on the Ministry of the Environment, Conservation and Parks' Source Water Protection Atlas, the site is not located in a Wellhead Protection Area or a Groundwater Under Direct Influence (GUDI) Wellhead Protection Area, nor is it considered a Highly Vulnerable Aquifer (Figure 8). However, the site is located within a Significant Groundwater Recharge Area (SGRA) with a vulnerability score of 2 (low); there are no associated policies for this designation (Figure 8 and 16). The site is also located within the Wellhead Protection Area WHPA-Q1 and WHPA- Q2, with a moderate stress classification which means if additional water taking is required, then recharge will be needed to offset any recharge loss (Figure 8). This policy is not applicable to the site has existing water services and no water taking is required.

To address the water balance criteria, the CTC Source Protection Plan recommends that the best management practices be implemented to maintain pre-development recharge. The proposed development will provide an on-site retention infiltration chamber, to ensure peak off site discharge rates to municipal storm sewers are below the allowable maximum rate. The SWM report indicates that the on-site retention infiltration chamber will enhance overall water retention and infiltration for the site. In addition, under post-development conditions, the site will be designed to achieve water balance, water quantity, water quality and TRCA's erosion control requirements. Therefore, the proposed development

is consistent with the CTC Source Protection Plan. Details of the runoff calculations are provided within the SWM report by WSP dated April 01, 2021.

8.0 TOWN OF UXBRIDGE ZONING BY-LAW

The site is comprised of two parcels identified as Lot 12 and Lot 13 within the Uxbridge Industrial Subdivision (40M-2336). Lot 12 is zoned Holding Rural Industrial Exception No. 36 ((H)M1-36) and Lot 13 is zoned Holding Rural Industrial Exception No. 39 ((H)M1-39; Figure 17). The site is subject to a holding provision that can be lifted upon the full execution of a subdivision agreement and a site plan agreement, and providing a dust, noise and odour management plan, an outdoor illumination plan and compliance with the applicable policies of the Region of Durham Official Plan regarding water usage. A dust, noise, odour management plan as well as an outdoor illumination plan has been enclosed in this submission. The permitted uses for both zones include offices, workshops, accessory uses, as well as other industrial uses under M1-27 Zone such as light industrial manufacturing, processing, assembling or fabricating plant and related research and development uses.

The proposed development requires a zoning by-law amendment to rezone the lands to allow a Waste Transfer Facility for Soil which is not currently a permitted use on site and to update the existing site-specific zoning ((H) M1-36 and (H) M1-39) to facilitate site plan approval of the site as contemplated.

A new site-specific exception is proposed however many of the proposed amendments remain the same (which include prohibited uses, lot area, lot frontage, lot coverage, floor space index, street centreline setbacks, building height, parking and screening) as identified within Holding Rural Industrial Exception No. 36 ((H) M-36) Zone. This application is seeking the following additional amendments to the M1 – Rural Industrial Zone:

Define Site and Lot Lines

- Provide clarification of the overall site, and associated lot lines (front, side and rear).

Permitted Use

- To permit the use of a local waste transfer facility for soils as defined by the Environmental Protection Act and Ontario Regulation 347. **whereas**, a waste transfer facility for soils is currently not permitted.

Minimum Interior Side Yard

- To permit a minimum interior side yard setback of 3 metres **whereas**, a minimum of 6 metres is currently required.

Outdoor storage requirements

- To permit outdoor storage of goods or materials with the lesser of a maximum lot coverage of 30% of the lot area or 8,000 m², excluding visitor parking spaces **whereas**, the lesser of a max lot coverage of 30% or cover an area which is greater than two times the ground floor area of the main or principal building on the lot is currently permitted; and
- Outdoor storage of goods and materials may be located adjacent to a main or principal building on the lot and shall maintain a minimum front yard setback of 15 metres **whereas**, such use is to be located behind the front wall of the main or principal building facing any street.

The proposed site-specific zoning by-law amendment is enclosed as Appendix A.

Although, the proposed use of “Waste Transfer Facility for Soil” is currently not listed as a permitted use by the zoning by-law (under the parent By-law 81-19 or the two site specific exceptions for Lot 12 ((H) M1-36) and Lot 13 ((H) M1-39)) it is also not listed as a prohibited use on the site. In addition, a rezoning application was recently approved for Lot 17, in the same industrial subdivision and permits a waste transfer station for construction materials (as per (H) M1-42); this helps to identify the character of the area by understanding what uses are currently existing (built and active uses) or permitted (as per the by-law) within the industrial subdivision.

The size and location of outside storage is regulated by the zoning by-law and site-specific exceptions; specifically, (H) M1-36 and (H) M1-39 permit outside storage of goods or materials provided it does not exceed 10% maximum coverage of the lot area or (for Lot 13) within the rear yard abutting the east property-line. The proposed zoning is also seeking permission to locate outside storage within the lot abutting the north and east property line and (within the rear yards), but not closer than 20 meters to the north and east property lines. As designed, the proposed outside storage is screened by a 6m berm and although outside storage is not currently permitted in the rear yard of Lot 13, the proposed setbacks and screening provided by the berm result in adequate separation. As proposed, the outside storage is setback over 45m from the east property-line whereas the zoning by-law requires a rear yard setback of 20m.

It is our professional opinion that the proposed re-zoning meets the intent of the Township of Uxbridge Zoning By-law.

9.0 CONCLUSIONS

The proposal represents a significant opportunity for the Town of Uxbridge to grow and attract new industrial businesses in this subdivision. The development is consistent with the Planning Act, Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Oak Ridges Moraine Conservation Plan, and Toronto Region Conservation Authority’s CTC Source Water Protection Plan and meets the goals and intent of the Durham Region Official Plan. In conclusion, the enclosed development proposal represents good planning and we recommend its approval.

We look forward to working with the Township and appropriate agencies throughout the planning process.

Regards,



Stephen Armstrong, RPP
Principal
Armstrong Planning & Project Management



Vimal Lad
Senior Planner, Project Manager
Armstrong Planning & Project Management

Figures



Figure 1: Subject Site
45 & 47 Anderson Boulevard, Uxbridge, Ontario

Source: Google Maps, Armstrong Planning & Project Management

Subject Site (Lots 12 & 13)

Date: April 06, 2021



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Figure 2: Subject Site (Detailed)
45 & 47 Anderson Boulevard, Uxbridge, Ontario

Source: VuMap First Base Solution, Armstrong Planning & Project Management

Subject Site (Lots 12 & 13)

Lot 17

Date: April 06, 2021

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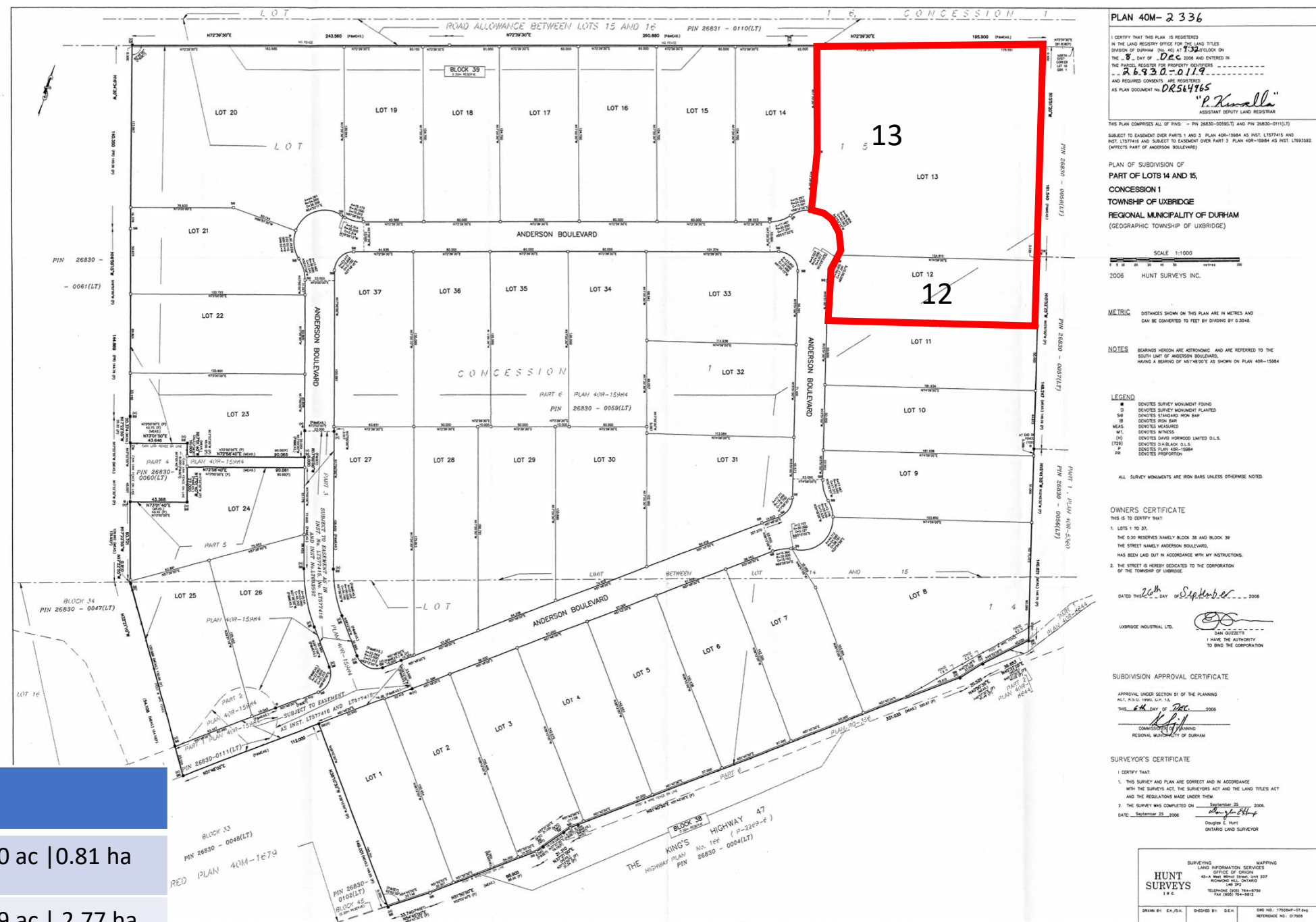


Figure 3: Uxbridge Industrial Subdivision Plan 40M-2336
45 & 47 Anderson Boulevard, Uxbridge, Ontario

Source: Armstrong Planning & Project Management

 Subject Site (Lots 12 & 13)

Date: April 06, 2021



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Schematic Flow of Soil
for 45 & 47 Anderson Blvd, Uxbridge ON

APPENDIX 1

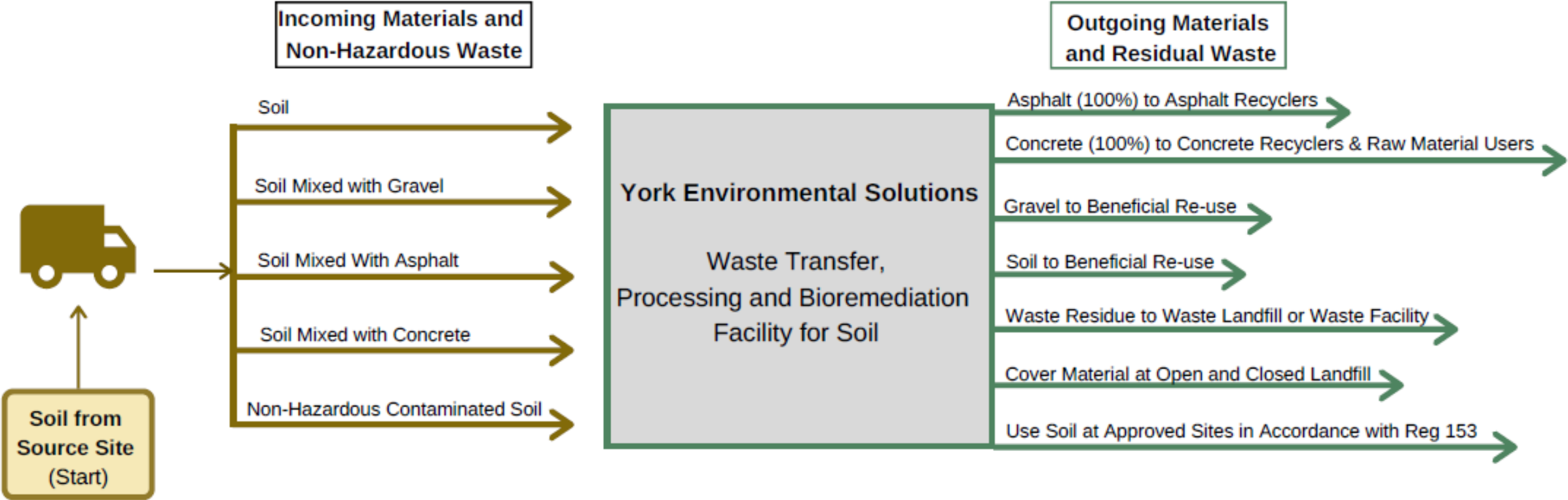


Figure 5: Schematic Flow of Soil (Conceptual)
45 & 47 Anderson Boulevard, Uxbridge, Ontario

Source: Armstrong Planning & Project Management

Date: April 06, 2021



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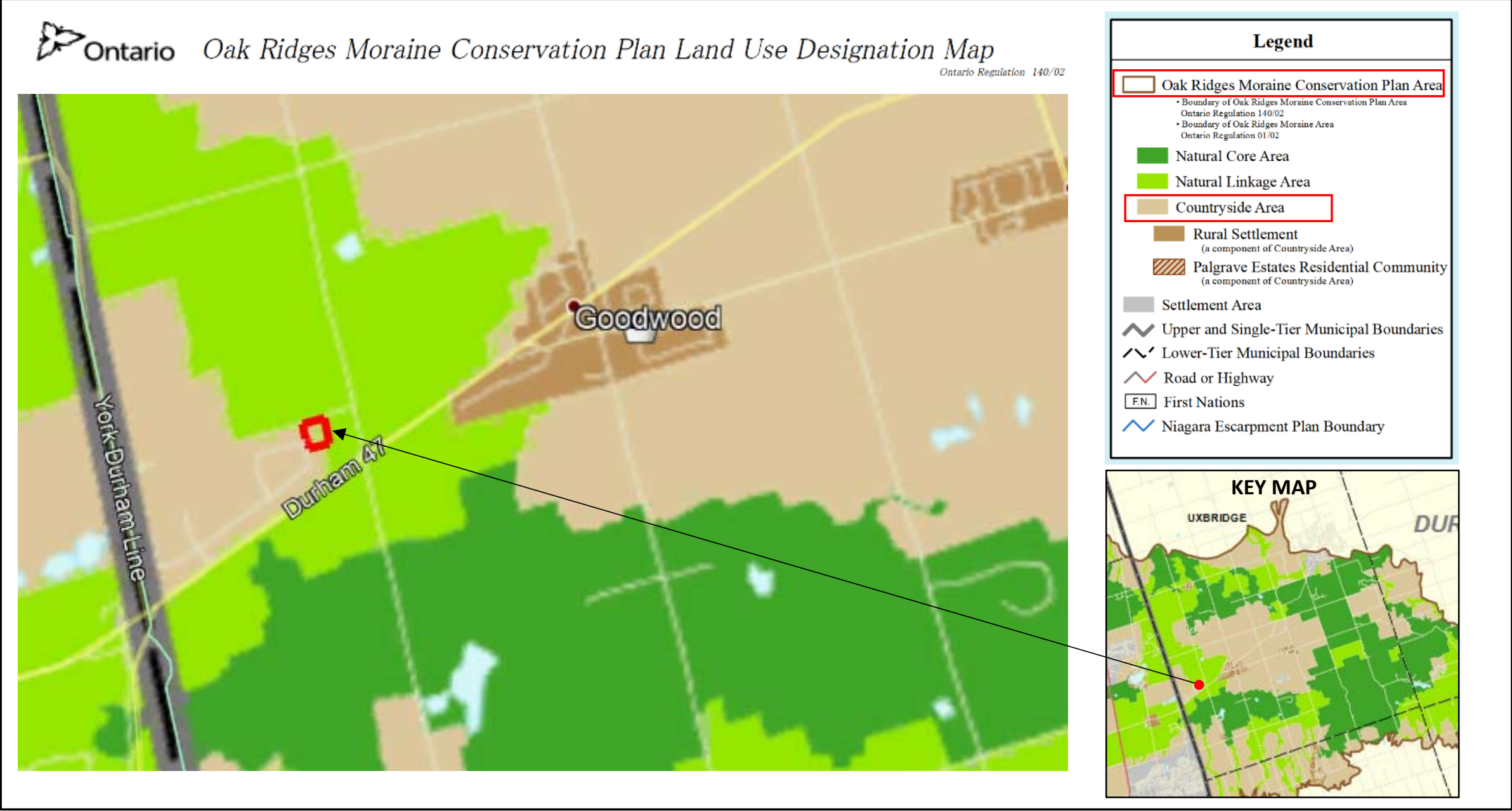


Figure 6: ORMCP Land Use Designation
45 & 47 Anderson Boulevard, Uxbridge, Ontario

Source: Township of Uxbridge Official Plan, Schedule L, Armstrong Planning & Project Management

 Subject Site

Date: April 06, 2021

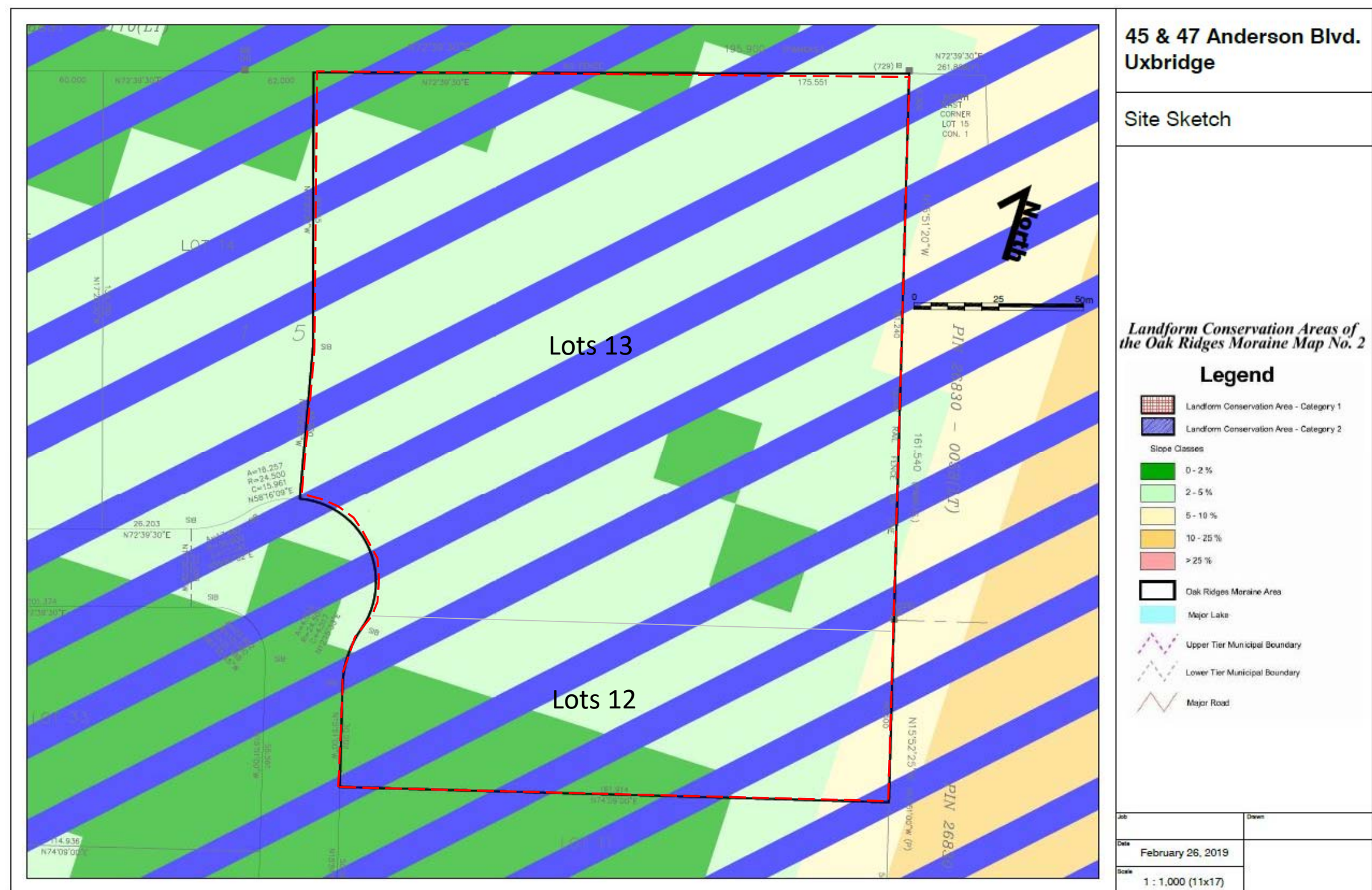


Figure 7: ORMCP Landform Conservation
45 & 47 Anderson Boulevard, Uxbridge, Ontario

Subject Site (Lots 12 & 13)

Source: : Landform Conservation Area of the Oak Ridges Moraine Map No.2, MOECP, Armstrong Planning & Project Management

Date: April 06, 2021



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OFFICIAL PLAN OF THE
REGIONAL MUNICIPALITY
OF DURHAM

Schedule E – Table 'E3'

Rural Employment Areas

Part Lots 13, 14 & 15,
Concession 1 (former
Uxbridge Township)

Figure 9: Region of Durham Official Plan (Rural Employment Area)

45 & 47 Anderson Boulevard, Uxbridge, Ontario

 Subject Site (Lots 12 & 13)

Source: Region of Durham Official Plan , Armstrong Planning & Project Management

Date: April 06, 2021



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REGIONAL MUNICIPALITY
OF DURHAM



SCHEDULE 'A' - MAP 'A2'
REGIONAL STRUCTURE

LEGEND



LEGEND

URBAN SYSTEM

- URBAN AREA BOUNDARY
- REGIONAL CENTRE
- * URBAN GROWTH CENTRE
- REGIONAL CORRIDOR
- LIVING AREAS
- EMPLOYMENT AREAS
- MUNICIPAL SERVICE
- AREAS DEVELOPABLE ON FULL/PARTIAL MUNICIPAL SERVICES
- AREAS DEVELOPABLE ON MUNICIPAL WATER SYSTEMS & PRIVATE WASTE DISPOSAL SYSTEMS
- AREAS DEVELOPABLE ON PRIVATE WELLS & MUNICIPAL SEWER SYSTEMS
- AREAS DEVELOPABLE ON PRIVATE WELLS & PRIVATE WASTE DISPOSAL SYSTEMS
- BUILT BOUNDARY

GREENLANDS SYSTEM

- MAJOR OPEN SPACE AREAS
- WATERFRONT AREAS
- OAK RIDGES MORaine BOUNDARY
- OAK RIDGES MORaine AREAS
- GREENBELT BOUNDARY
- ▲ TOURIST ACTIVITY / RECREATIONAL NODE
- ▲ WATERFRONT PLACE
- OPEN SPACE LINKAGE
- WATERFRONT LINKS

TRANSPORTATION SYSTEM

SEE SCHEDULE C FOR DESIGNATIONS
THE FOLLOWING IS SHOWN SELECTIVELY, FOR EASE OF INTERPRETATION OF OTHER DESIGNATIONS ONLY.

- | EXISTING | | FUTURE |
|-------------------|--|-------------------|
| --- ARTERIAL ROAD | | --- ARTERIAL ROAD |
| --- FREEWAY | | --- FREEWAY |
| --- INTERCHANGE | | --- INTERCHANGE |
| --- GO RAIL | | --- GO RAIL |
| ● GO STATION | | ● GO STATION |

Figure 10: Region of Durham Official Plan (Regional Structure)

45 & 47 Anderson Boulevard, Uxbridge, Ontario

Source: Region of Durham Official Plan ,Armstrong Planning & Project Management

 Subject Site

Date: April 06, 2021



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REGIONAL MUNICIPALITY
OF DURHAM

SCHEDULE 'B' - MAP 'B4'
OAK RIDGES MORaine
LANDFORM CONSERVATION

LEGEND

- LANDFORM CONSERVATION AREA - CATEGORY 1
- LANDFORM CONSERVATION AREA - CATEGORY 2
- OAK RIDGES MORaine CONSERVATION PLAN AREA BOUNDARY
- URBAN AREA
- LANDS APPEALED TO OMB,
REFER TO POLICY 14.13.7.

Figure 11: Region of Durham Official Plan - Landform Conservation
45 & 47 Anderson Boulevard, Uxbridge, Ontario

Source: Region of Durham Official Plan ,Armstrong Planning & Project Management

Subject Site

Date: April 06, 2021



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OFFICIAL PLAN OF THE
REGIONAL MUNICIPALITY
OF DURHAM

SCHEDULE 'B' - MAP 'B2' **HIGH AQUIFER VULNERABILITY AND** **WELLHEAD PROTECTION AREAS**

LEGEND






-  HIGH AQUIFER VULNERABILITY AREAS
-  WELLHEAD PROTECTION AREAS
-  OAK RIDGES MORaine CONSERVATION PLAN AREA BOUNDARY
-  URBAN AREA
-  LANDS APPEALED TO OMB,
REFER TO POLICY 14.13.7.

Figure 12: Region of Durham Official Plan - High Aquifer Vulnerability and Wellhead Protection

45 & 47 Anderson Boulevard, Uxbridge, Ontario

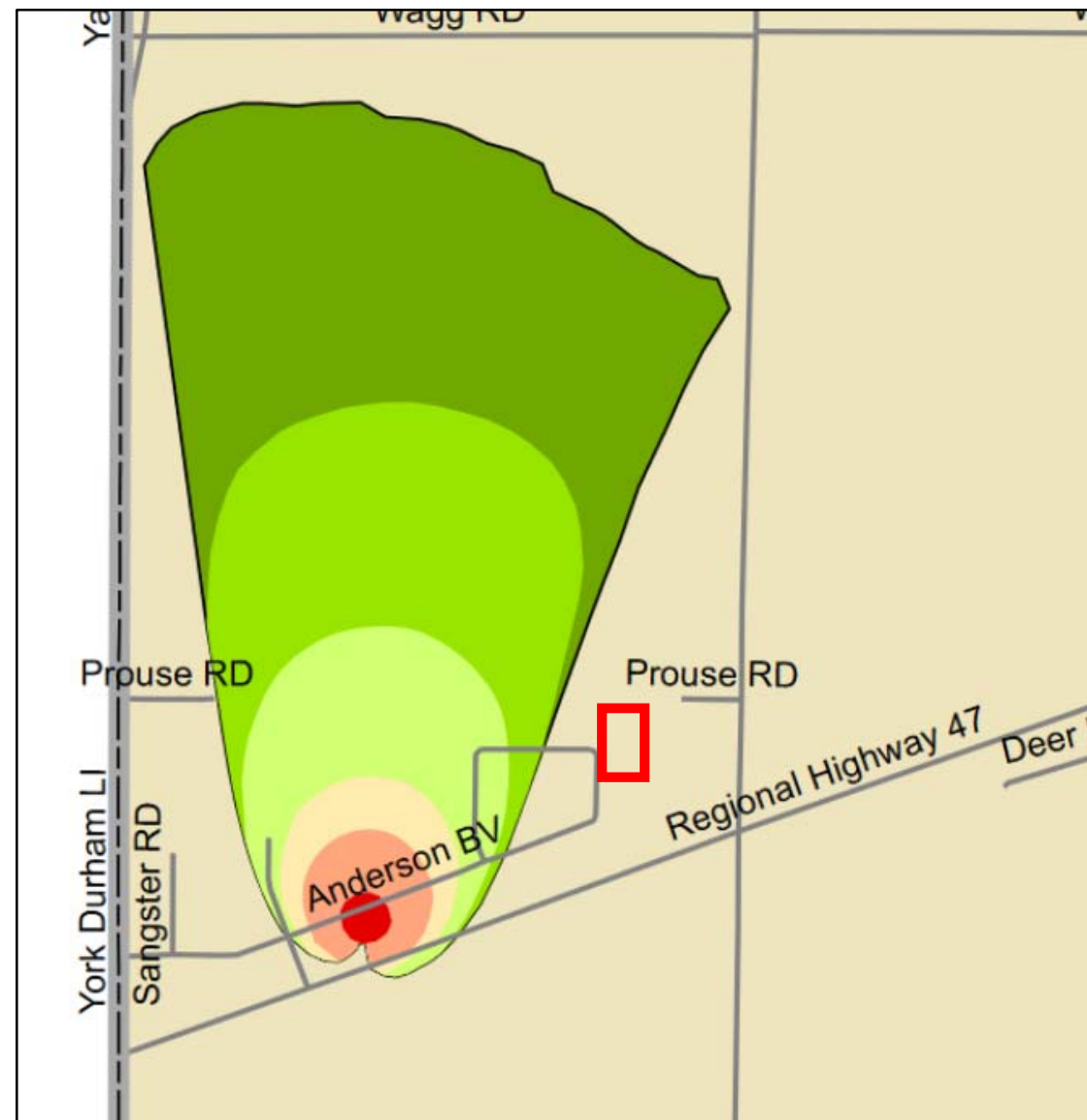
Source: Region of Durham Official Plan ,Armstrong Planning & Project Management

 Subject Site

Date: April 06, 2021



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Town of Uxbridge Zoning By-Law Part Nine: Appendices

Legend


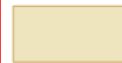






-  Township of Uxbridge Boundary
-  Oak Ridges Moraine Conservation Plan Area
-  50 Day Wellhead Protection Zone
-  1 Year Wellhead Protection Zone
-  2 Year Wellhead Protection Zone
-  5 Year Wellhead Protection Zone
-  10 Year Wellhead Protection Zone
-  25 Year Wellhead Protection Zone

Figure 13: Town of Uxbridge Zoning By-Law - Wellhead Protection Areas

45 & 47 Anderson Boulevard, Uxbridge, Ontario

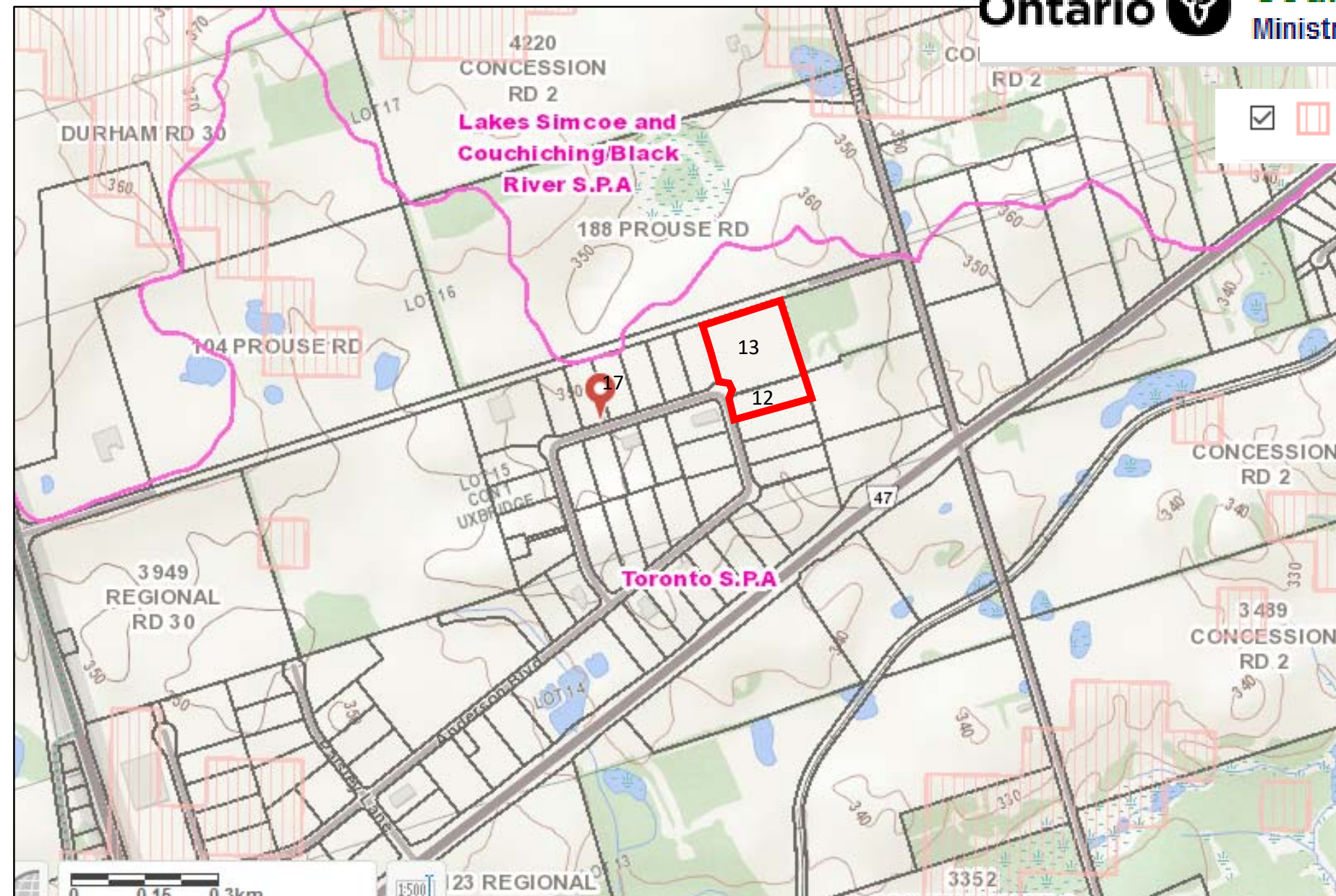
 Subject Site


Source: Town of Uxbridge Zoning By-law 81-19 (as amended) July 2020 consolidation ,Armstrong Planning & Project Management

Date: April 06, 2021



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☒  Highly Vulnerable Aquifers

The site is not within the Highly Vulnerable Aquifer Area

Figure 14: Water Quality – Highly Vulnerable Aquifers
45 & 47 Anderson Boulevard, Uxbridge, Ontario

 Subject Site (Lots 12 & 13)

Date: April 06, 2021



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Source: Source Protection Information Atlas, MOECP, Armstrong Planning & Project Management

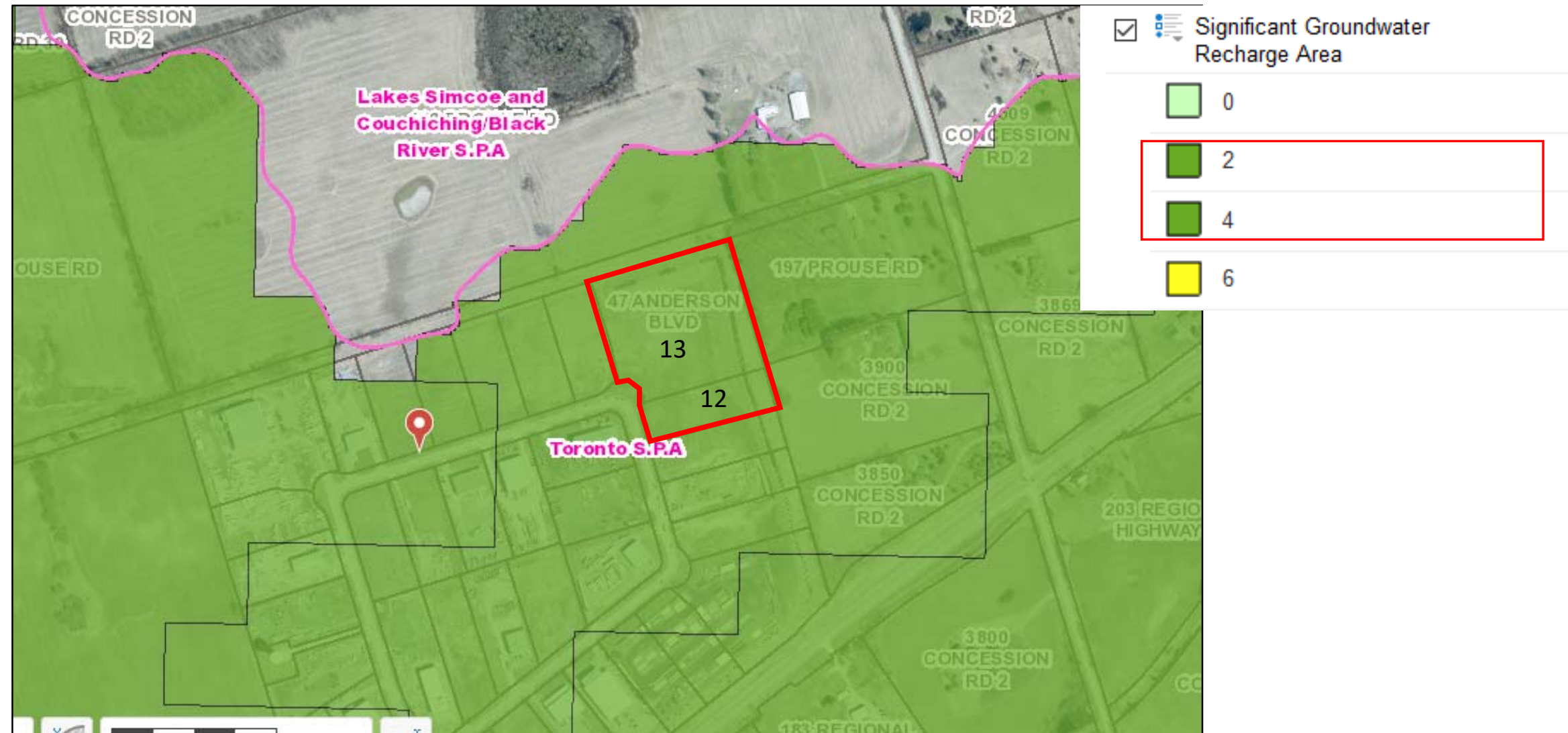


Figure 16: Water Quality – Significant Groundwater Recharge Area
45 & 47 Anderson Boulevard, Uxbridge, Ontario

 Subject Site (Lots 12 & 13)

Source: Source Protection Information Atlas, MOECP, Armstrong Planning & Project Management

Date: April 06, 2021



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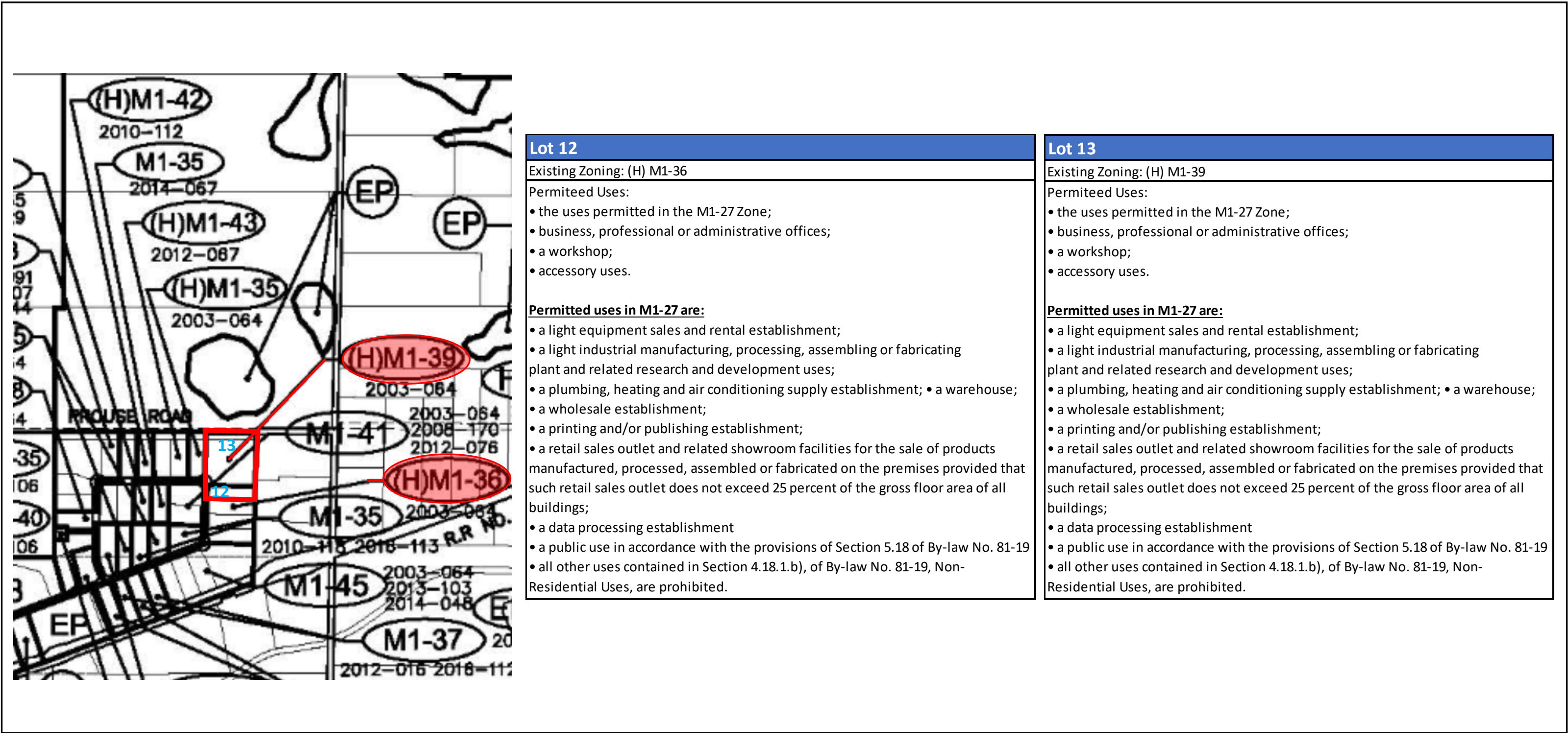


Figure 17: Town of Uxbridge Zoning By-Law
45 & 47 Anderson Boulevard, Uxbridge, Ontario

 Subject Site (Lots 12 & 13)

Source: Town of Uxbridge Zoning By-law 81-19 (as amended) July 2020 consolidation , Armstrong Planning & Project Management

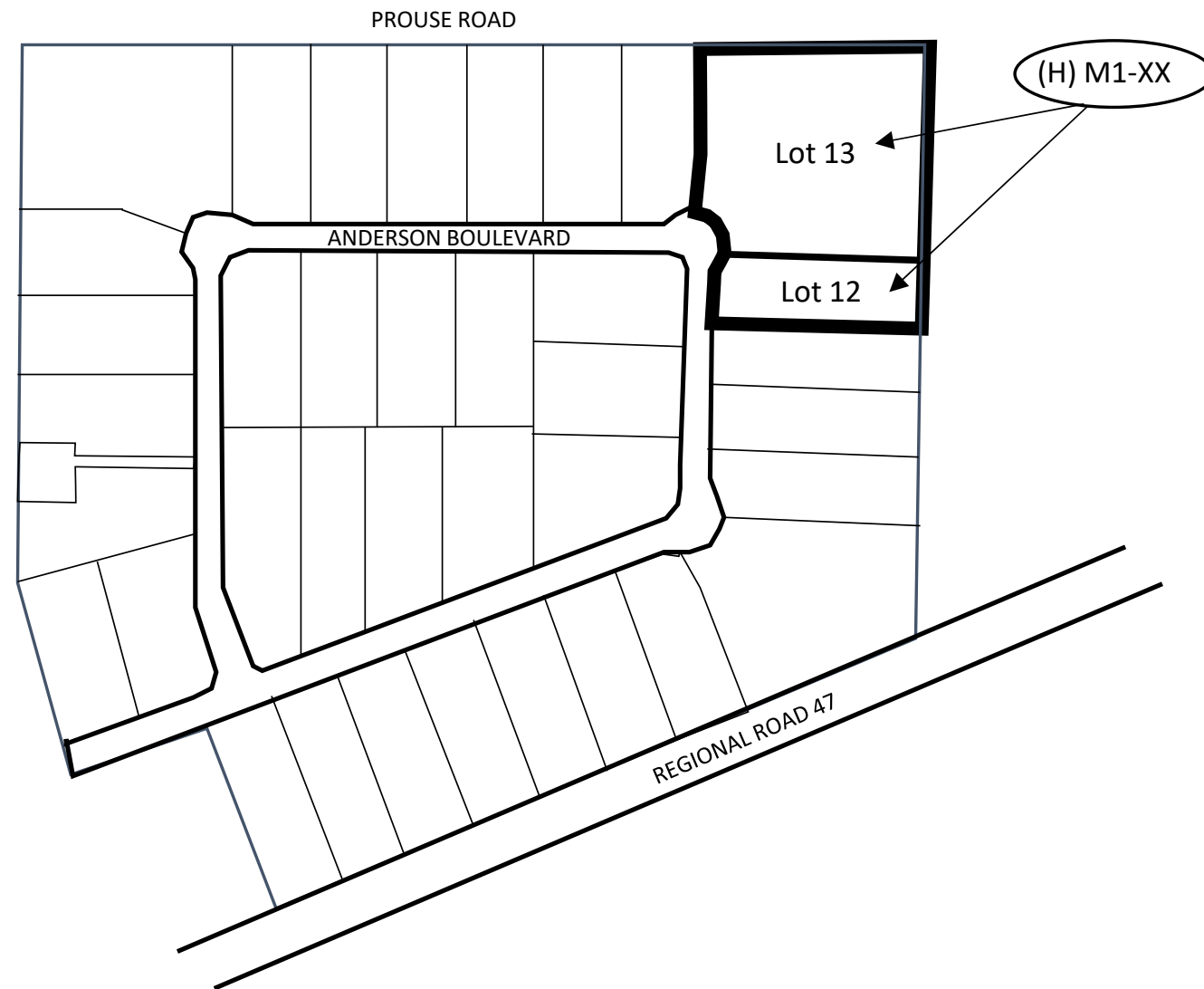


Figure 18: Proposed Town of Uxbridge Zoning By-Law
 45 & 47 Anderson Boulevard, Uxbridge, Ontario

Source: Armstrong Planning & Project Management

 Subject Site (Lots 12 & 13)

Date: April 06, 2021



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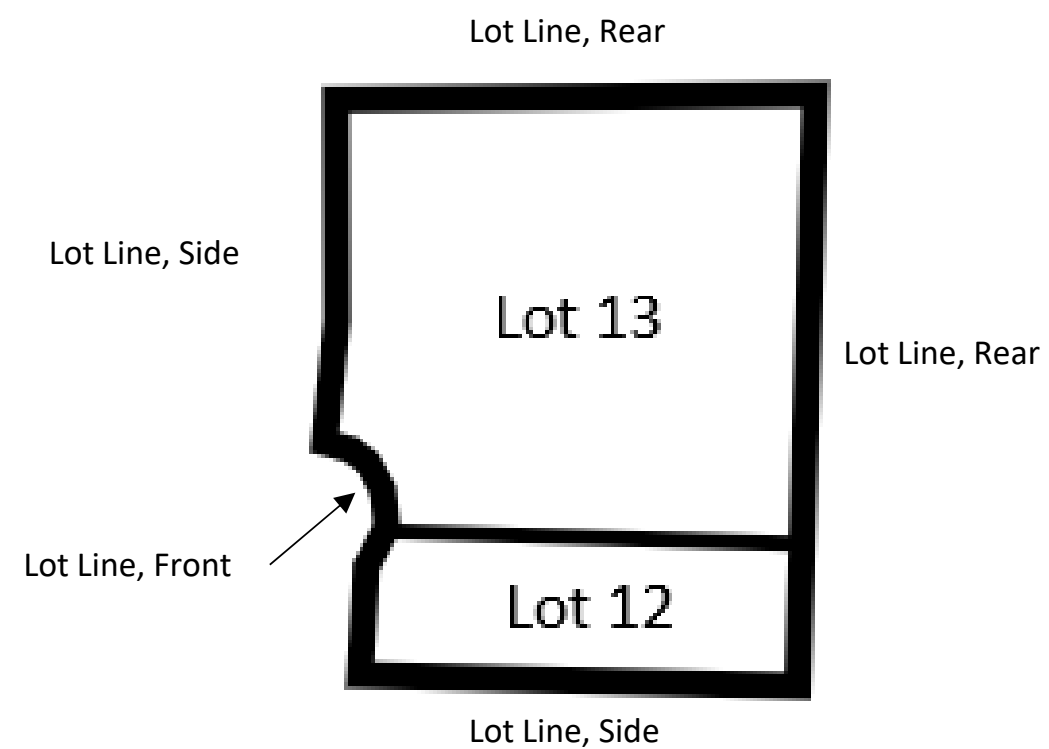


Figure 19: Proposed Town of Uxbridge Zoning By-Law (Front, Side, Rear Lot Lines)

45 & 47 Anderson Boulevard, Uxbridge, Ontario

 Subject Site (Lots 12 & 13)

Source: Armstrong Planning & Project Management

Date: April 06, 2021



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Appendix A

BY-LAW NUMBER 2021-XXX

OF

THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

BEING A BY-LAW PASSED PURSUANT TO THE PROVISIONS OF SECTION 34(5) OF THE PLANNING ACT R.S.O. 1990, c.p.13, AS AMENDED, TO AMEND THE TOWNSHIP OF UXBRIDGE'S COMPREHENSIVE ZONING BY-LAW 81-19 (AS AMENDED) TO AUTHORIZE THE REQUESTED ZONING AMENDMENT WITH RESPECT TO THE LANDS LEGALLY DESCRIBED AS LOT 12 & 13 PLAN 40M-2336, TOWNSHIP OF UXBRIDGE, IN THE REGIONAL MUNICIPALITY OF DURHAM.

WHEREAS authority is granted under Section 34(5) of the Planning Act, R.S.O. 1990, c.P.13, as amended;

AND WHEREAS the By-law hereinafter set out conforms with the general intent and purpose of the Oak Ridges Moraine Conservation Plan, and the Official Plans for the Regional Municipality of Durham and the Township of Uxbridge.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE HEREBY ENACTS A BY-LAW AND SCHEDULE A AS FOLLOWS:

1. **THAT** Notwithstanding Schedule 'A3' of Zoning By-law No. 81-19, as otherwise amended, is hereby amended by changing the Zone classifications with respect to certain lands described as Lot 12 and 13 of Plan 40M-2336 (hereafter referred to as the "Lot"), from Holding Rural Industrial (H) M1-36 and (H) M1-39 to Rural Industrial (H) M1-XX and classifications as hereinafter defined, in accordance with Schedule 'A' attached hereto by reference forming part of this By-law.
2. **THAT** Section 4.18.9 Special Zone Categories – Rural Industrial (M1) Zone of Zoning By-law 81-19, as amended, is hereby amended by adding the following new Section:

4.18.9.XX HOLDING RURAL INDUSTRIAL (H) M1-XX ZONE

- (a) Within Holding Rural Industrial (H)M1-XX Zone located on the Lot, and as shown on Schedule 'A3' of Zoning By-law 81-19, as amended, notwithstanding any other provisions of the Rural Industrial (M1) Zone to the contrary, no person shall use any land or erect, alter or use any Building or Structure except in accordance with the following provisions:
 - (i) For the purposes of this exception, all provisions are related to the Lots municipally known as 45 and 47 Anderson Road, as described above, on the date of passing this by-law. These Lots shall be treated as a singular Lot. For greater clarity the 'Lot' and 'site area' refers to the entirety of Lots 12 and 13 on Plan 40M-2336, and shall be treated as one Lot for the purposes of enforcing this by-law.

(ii) For the purposes of this by-law Lot Lines shall be in accordance with Map 2 herein.

(iii) PERMITTED NON-RESIDENTIAL USES

- The uses permitted in M1-27 Zone;
- Business, professional or administrative offices;
- A workshop;
- Transfer station for the sorting and separating of construction waste materials for delivery to both recycling and disposal facilities;
- Accessory uses.

(iv) PROHIBITED NON-RESIDENTIAL USES

Notwithstanding any other provision of this By-law to the contrary the following uses shall be expressly prohibited:

- Bulk plants for flammable liquids;
- The bulk storage of toxic chemicals and hazardous substances;
- Chemical manufacturing plants;
- Distilleries;
- Dry cleaning plants;
- Feed and flour mills;
- Paint, varnish, lacquer and pyroxylin product factories;
- Rubber processing plants.

(v) REGULATIONS FOR PERMITTED NON-RESIDENTIAL USES

- | | |
|---|---|
| • Minimum Lot Area Requirement | 8000 square metres |
| • Minimum Lot Frontage Requirement | 40 metres |
| • Minimum Yard Requirements | In accordance with Section 4.18.2 c i, and ii, and d., a minimum Interior Side Yard of 3 metres and a minimum Rear Yard of 20 metres. |
| • Maximum Lot Coverage of all Buildings | 40% |
| • Maximum Floor Space Index | 0.40 |

For the purposes of this subsection, a Floor Space Index shall mean the ratio of the Total Floor Areas above ground measured to the exterior walls of all Buildings to the Lot Area.

- Minimum Setback from Street Centreline In accordance with Section 4.18.2 f.
- Minimum Landscaped Open Space Requirement 30%, including the Rear Yard and the required Front Yard
- Maximum Height of Buildings 12 metres
- Notwithstanding Section 4.18.3, Outside Storage shall be permitted, subject to the following:
 - The lesser of maximum coverage of 30% of the Lot Area or 8,000 square metres, excluding visitor parking areas;
 - Prohibited in any Yard abutting Regional Road No. 47;
 - Outside Storage of goods or materials may be located adjacent to a main or principal Building on the Lot and shall maintain a minimum Front Yard setback of 15 metres; and,
 - Shall be screened by Buildings or a vegetated berm, vegetated berm/closed fence or closed wooden, plastic and/or metal fence with a minimum height of 3 metres from finished grade.
- Parking
 - In accordance with Section 5.15
- Required Screening
 - Lands in the M1-XX Zone shall be effectively screened to the east where the Lot abuts a Rural (RU) Zone by a vegetated berm or vegetated berm/closed wooden fence with a combined minimum height of 4 metres above the highest elevation within 20 m of the property line of the landowner to the east or a minimum elevation of 360 metres whichever is greater.
- Use of Front and Side Yards
 - Notwithstanding the provisions of Sections 4.18.6 and 5.15 e.iii. and the landscaped open space requirement, the Front and Side Yards may be used for visitor and employee parking provided that a Landscaped Open Space area with a minimum width of 6 metres is maintained between the parking area and the Street Line.

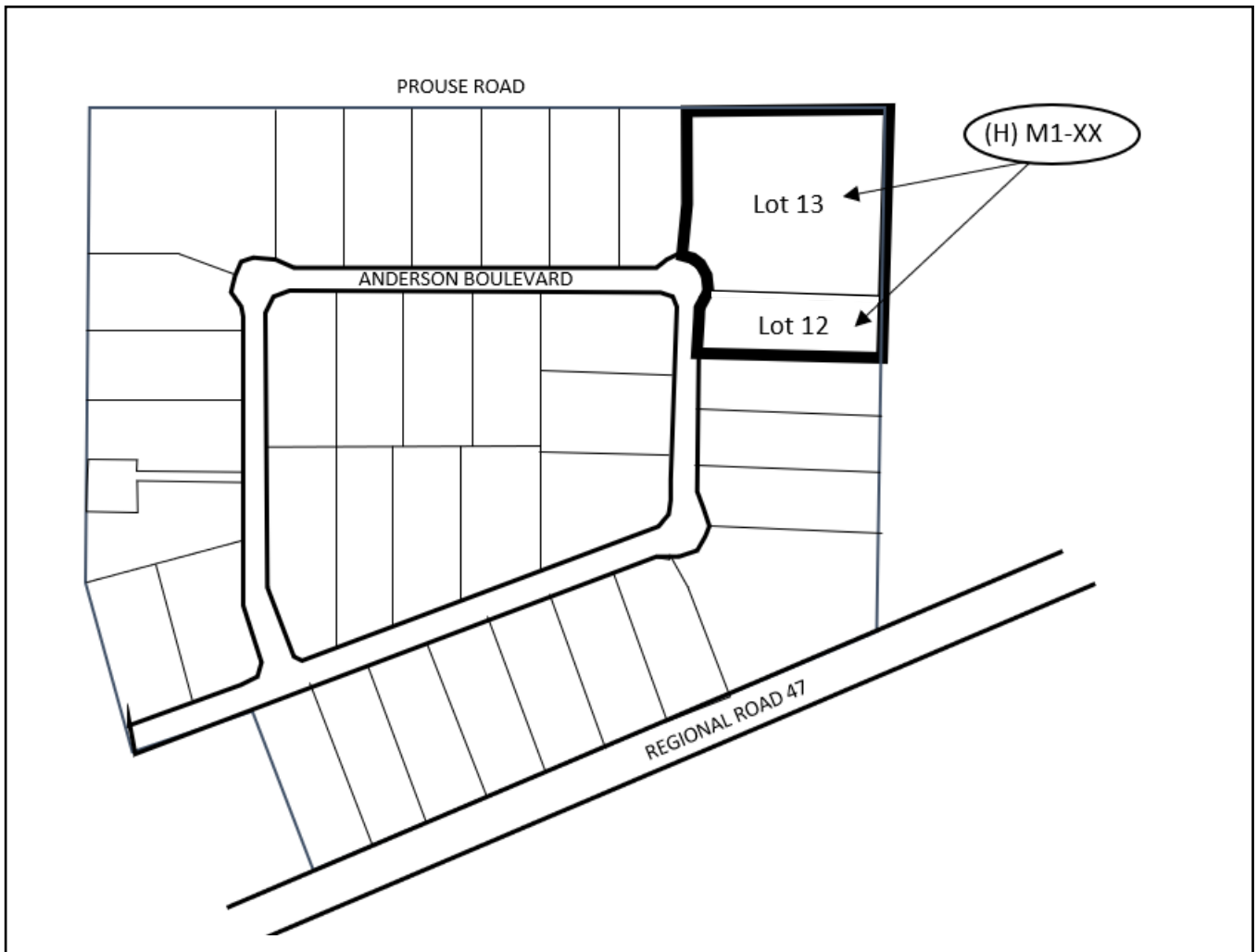
3. THAT the Council of the Corporation of the Township of Uxbridge shall not remove the Holding (H) symbol from the Holding Rural Industrial Exception No. XX ((H) M1-XX) Zone on the lands which are the subject of this by-law until the following conditions have been complied with:
- i. That a subdivision agreement respecting the lands has been fully executed by the Owner and the Township of Uxbridge or the Region of Durham, whichever is applicable, and that a site plan agreement has been executed by the Owner. The Township shall give consideration, as part of the site plan control process, to locating Outside Storage in the Front Yard;
 - ii. Approval by the Township of a dust management plan, including long-term dust control measures;
 - iii. Approval by the Township of a detailed noise report which identifies required noise mitigation measures to mitigate impacts on adjacent residents;
 - iv. Approval by the Township of an outdoor illumination plan which is designed to mitigate impacts on adjacent residents;
 - v. Approval by the Township of an odour management plan designed to mitigate impacts on adjacent residents; and,
 - vi. That it has been determined that the proposed use complies with the applicable policies of the Region of Durham Official Plan regarding water usage.

READ a **FIRST**, **SECOND** and **THIRD** time and finally passed this ____ day of _____, 2021.

DAVE BARTON
MAYOR

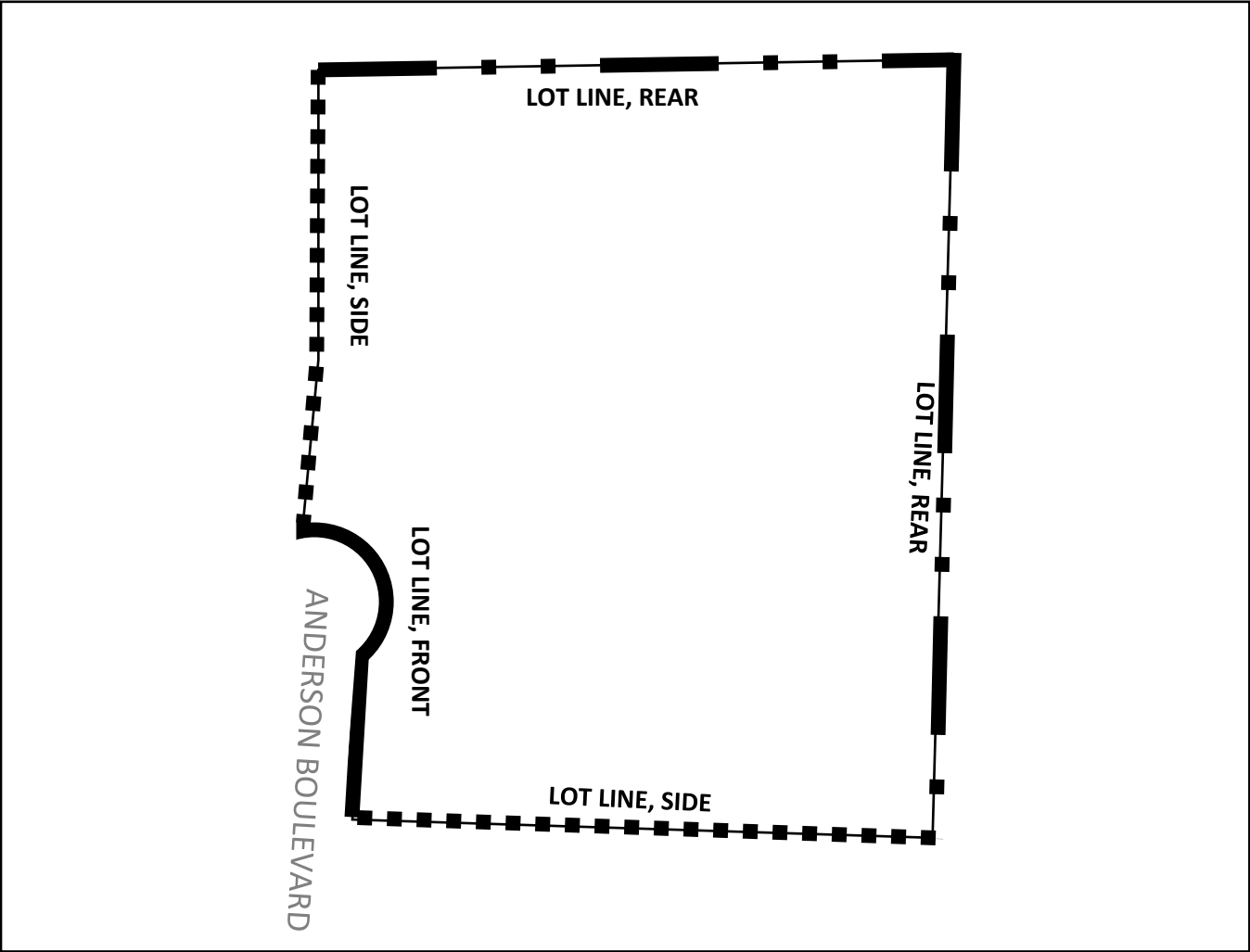
DEBBIR LEROUX
CLERK

SCHEDULE "A"
TO ZONING BY-LAW No. 2021-__
TOWNSHIP OF UXBRIDGE



AREA AFFECTED BY THIS BY-LAW

MAP 1



- LOT LINE, FRONT
- - - LOT LINE, SIDE
- . . - . . LOT LINE, REAR

MAP 2