



PLANNING OPINION REPORT

Zoning Bylaw Amendment
102 Prouse Road
Uxbridge, ON

Prepared For:
Oland Holdings Inc. c/o TACC Developments



July 2021

MGP

Zoning Bylaw Amendment

Planning Opinion Report

**102 Prouse Road
Uxbridge, ON**

Prepared by:

Malone Given Parsons Ltd
140 Renfrew Drive
Suite 201
Markham ON L3R 6B3

Prepared for:

Oland Holdings Inc.
c/o TACC Developments
600 Applewood Crescent
Vaughan ON L4K 4B4

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Contents

1.0	Introduction.....	1
1.1	Overview.....	1
1.2	Purpose of the Application.....	1
1.3	Subject Site.....	2
1.3.1	<i>Surrounding Context.....</i>	3
1.4	Submitted Studies.....	5
2.0	Site Context and Proposed Use.....	7
2.1	Past Uses and Site Operators.....	7
2.2	Subject Site – Today.....	9
2.3	Proposed Use.....	12
2.3.1	<i>Operational Process.....</i>	13
3.0	Supporting Studies.....	15
3.1	Traffic Brief.....	15
3.2	Existing Drainage Conditions.....	15
3.3	Preliminary Functional Servicing Report (Sanitary Servicing).....	16
3.4	Noise Impact Study.....	16
4.0	Planning Policy Context.....	19
4.1	Provincial Policy Statement.....	19
4.2	A Place to Grow: Growth Plan for the Greater Golden Horseshoe.....	20
4.3	Oak Ridges Moraine Conservation Plan.....	21
4.3.1	<i>Countryside Areas.....</i>	21
4.3.2	<i>Exception.....</i>	22
4.3.3	<i>Landform Conservation Area.....</i>	22
4.4	Durham Regional Official Plan.....	24
4.4.1	<i>Natural Heritage System.....</i>	25
4.4.2	<i>High Potential Aggregate Resource Areas.....</i>	26
4.5	Township of Uxbridge Official Plan.....	27
4.5.1	<i>ORM Countryside Area.....</i>	28
4.5.2	<i>Policy Area 1.9.9.1.....</i>	29
4.5.3	<i>Features.....</i>	30

4.5.4	<i>Landform Conservation Areas</i>	31
4.5.5	<i>Wellhead Protection</i>	32
4.5.6	<i>Aquifer Vulnerability</i>	33
4.6	Analysis	34
5.0	Zoning	37
5.1	Uxbridge Zoning Bylaw 81-19.....	37
5.2	Proposed Amendment.....	39
6.0	Conclusion	41

List of Figures

Figure 1.1 Subject Lands	2
Figure 1.2 Surrounding Lands – sand and gravel pit to the east (1)	4
Figure 1.3 Surrounding Lands – sand and gravel pit to the east (2)	4
Figure 2.1 Aerial Photo (2013).....	8
Figure 2.2 Aerial Photo (2015).....	8
Figure 2.3 Concept Plan over Orthophoto.....	9
Figure 2.4 Looking northeast over the existing structures	10
Figure 2.5 Looking south over existing building (2015 expansion in foreground)	10
Figure 2.6 Looking south over centre of site (aggregate storage and conveyor in foreground).....	11
Figure 2.7 Looking north from centre of the site (existing finishing tent in the top right).....	11
Figure 2.8 View over north end of site (general area for concrete recycling)	12
Figure 2.9 Concept Plan	13
Figure 4.1 Regional Structure	24
Figure 4.2 Greenbelt Natural Heritage System	25
Figure 4.3 High Potential Aggregate Resource Areas	26
Figure 4.4 Community Structure	27
Figure 4.5 ORM Land Use	28
Figure 4.6 Key Natural Heritage Features.....	30
Figure 4.7 Landforms	31
Figure 4.8 Wellheads.....	32
Figure 4.9 Aquifer.....	33
Figure 5.1 Zoning.....	38

List of Tables

Table 1.1 Legal Description.....	3
Table 1.2 Supporting Studies.....	5

Appendices

Appendix A – Survey

Appendix B – Concept Plan

1.0

Introduction

Oland Holdings Inc. is proposing to rezone the lands at 102 Prouse Road in the Township of Uxbridge to permit a soil remediation processing operation, and to remove Holding provision applicable to the Subject Site. This report supports a Zoning Bylaw Amendment to amend Uxbridge Zoning Bylaw 81-19 to permit the proposed use by adding site specific exceptions to the M5 (Aggregate Processing) Zone.

1.1 Overview

Malone Given Parsons Ltd. was retained by Oland Holdings Inc. (the Owner) to provide a Planning Opinion Report for a Zoning Bylaw Amendment application to permit the use of soil remediation processing on the lands at 102 Prouse Road, Township of Uxbridge.

Historically, the Subject Site was used by a pressure pipe manufacturing facility and the site is surrounded by aggregate resource extraction operations. The site includes several buildings and a crushed concrete recycling area in a large open area near the north end of the site. The Owner is proposing to introduce a new industrial use on the site. A soil remediation processing operation is proposed within the existing facility. A detailed description of the soil remediation processing operation is provided in Section 2.3 of this report. No new buildings or structures are being proposed with this development.

The proposed development represents an efficient and appropriate use of an existing industrial site. The proposal is consistent with and conforms to the policies of the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Oak Ridges Moraine Conservation Plan, Durham Region Official Plan, and the Township of Uxbridge Official Plan. The Subject Site will contribute to the Town's employment base and assist in delivering continued economic opportunity for the Township of Uxbridge. The site also proposes to use the land and infrastructure in an efficient manner with minimal affects to the Oak Ridges Moraine.

1.2 Purpose of the Application

The Subject Site is zoned (H)M5-7 and (H)M5-8 in the Uxbridge Zoning Bylaw 81-19. A Zoning Bylaw Amendment is required to remove the Holding provisions applicable to the site and to permit the proposed industrial use. Details of the requested Zoning Bylaw

Amendment are provided in Section 5.0 of this report. Removal of the Holding symbol will also be subject to site plan control.

1.3 Subject Site

The site is located on the northeast corner of York Durham Line and Prouse Road and is approximately 13.8 hectares. The site has most recently been used by Forterra, which is a pipe and precast manufacturer. The site has several buildings, including an expansion in 2014/2015, outdoor storage areas, driveway access, and parking. Most of the site's surface consists of gravel area used for transporting within the site, outdoor storage, and parking. Since purchasing the site in 2020, the Owner has been clearing the site from leftover materials left by the previous owner.

The proposed soil remediation process will be done within the existing structures on site. The existing concrete recycling operation will be maintained in the northern portion of the site. An aerial photo of the site is shown in Figure 1.1 and the legal description of the site is provided in Table 1.1.

Figure 1.1 Subject Lands



Table 1.1 Legal Description

Owner	Legal Description	Municipal Address	Size
Oland Holdings (Uxbridge) Inc.	PT LTS 16 & 17 CON 1 TWP OF UXBRIDGE, PTS 1, 3 & 4 PL 40R22895; UXBRIDGE, REGIONAL MUNICIPALITY OF DURHAM, T/W EASE OVER PT RDAL BTN LTS 15 & 16 CON 1 UXBRIDGE PT 1 PL 40R23312 AS IN DR370684 ARN: 182901000202000 PIN: 268310117	102 Prouse Road, Uxbridge	13.81 ha (34.13 ac)

1.3.1 Surrounding Context

The Subject Site is located within the Township of Uxbridge and borders the Town of Whitchurch-Stouffville on York Durham Line. The site has approximately 135 m of frontage on York Durham Line and 290 m of frontage on Prouse Road. The adjacent land uses to the Subject Site are as follows:

- North** - Active resource extraction pit
- West** - Active resource extraction pit and truck haul road
- East** - Agricultural, active resource extraction pit
- South** - Agricultural and rural land use

The Subject Site is adjacent to resource extraction pits on three sides. The J Chefero Sand and Gravel pit is located at the end of Prouse Road, just east of the Subject Site and is approximately 27 hectares. Lafarge Canada Inc. operates two large pits (approximately 145 hectares each) adjacent to the site: one on the west side of York Durham Line and the other on the east side of York Durham Line, north of the site. The remaining land surrounding the site consist of agricultural and rural uses.

Figure 1.2 Surrounding Lands – sand and gravel pit to the east (1)



Source: SCS Consulting Group

Figure 1.3 Surrounding Lands – sand and gravel pit to the east (2)



Source: SCS Consulting Group

1.4 Submitted Studies

The Owner attended a Pre-Consultation Meeting with Town Staff and commenting agencies on May 11, 2021 (File no. PC 2021-09). The following plans and studies have been prepared in support of this application and in accordance with the PAC Checklist.

Table 1.2 Supporting Studies

Report	Prepared By:
Planning Opinion Report (this report)	Malone Given Parsons Ltd.
Existing Drainage Conditions	SCS Consulting Group Ltd.
Traffic Brief	CGH Transportation Inc.
Environmental Noise Report	Jade Acoustics Inc.
Preliminary Functional Servicing Report – Sanitary Servicing	Gunnell Engineering Ltd.
Site Survey (appended to this report)	Delph & Jenkins Limited
Concept Plan (appended to this report)	Malone Given Parsons Ltd.

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2.0

Site Context and Proposed Use

This section provides a description of the proposed soil remediation process operation on the Subject Site as well as an overview of the past uses. Satellite and aerial photos are provided to show the past and present context of the site.

2.1 Past Uses and Site Operators

The Subject Site has been used to manufacture precast concrete products, including pipes, manholes, bridge beams, and other structures since 1992.

The Subject Site was first used in the early 1990's for pressure pipe manufacturing. Standard Industries (Lafarge Building Products) began constructing the plant in 1990 and it was completed in 1992. Upon completion, it went into operation producing pressure pipe as well as precast products (box culverts and hyspans) shortly after.

CPCI began using the site for girder production in 1999. The site was then acquired by Hyprescon in 2002 which continued production of pressure pipe and precast products.

In 2007, Hanson Heidelberg Cement Group, which operates cement plants, extensive aggregate deposits, and ready-mixed concrete plants throughout Canada, bought the site and continued to produce similar pressure pipe and precast products.

Forterra Pressure Pipe then took over the site from 2015 to 2020. Forterra also operated the site to produce pressure pipe and precast products. Forterra is a manufacturer of pipe and precast products for use in water-related infrastructure, stormwater management solutions, architectural, structural and specialty precast products.

In 2014, the existing building near Prouse Road was expanded on its north side. See aerial photos below dated 2013 and 2015 (Figures 2.1 and 2.2). A large extension on the north side of the building can be seen in the 2015 air photo.

Figure 2.1 Aerial Photo (2013)

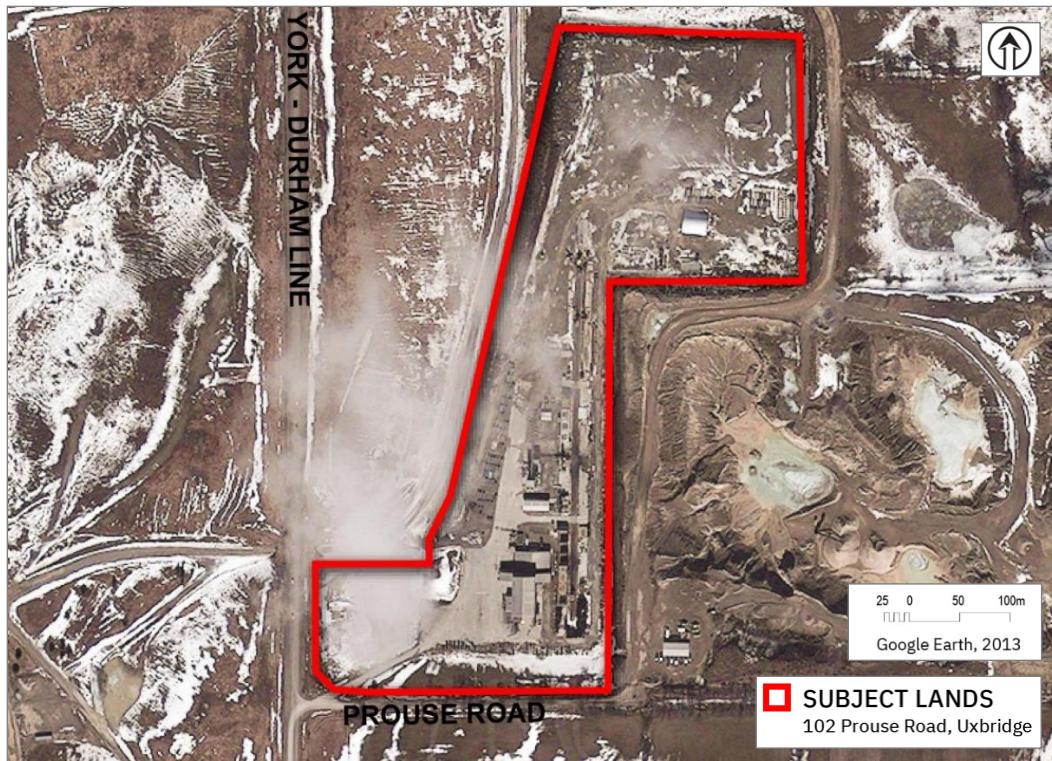
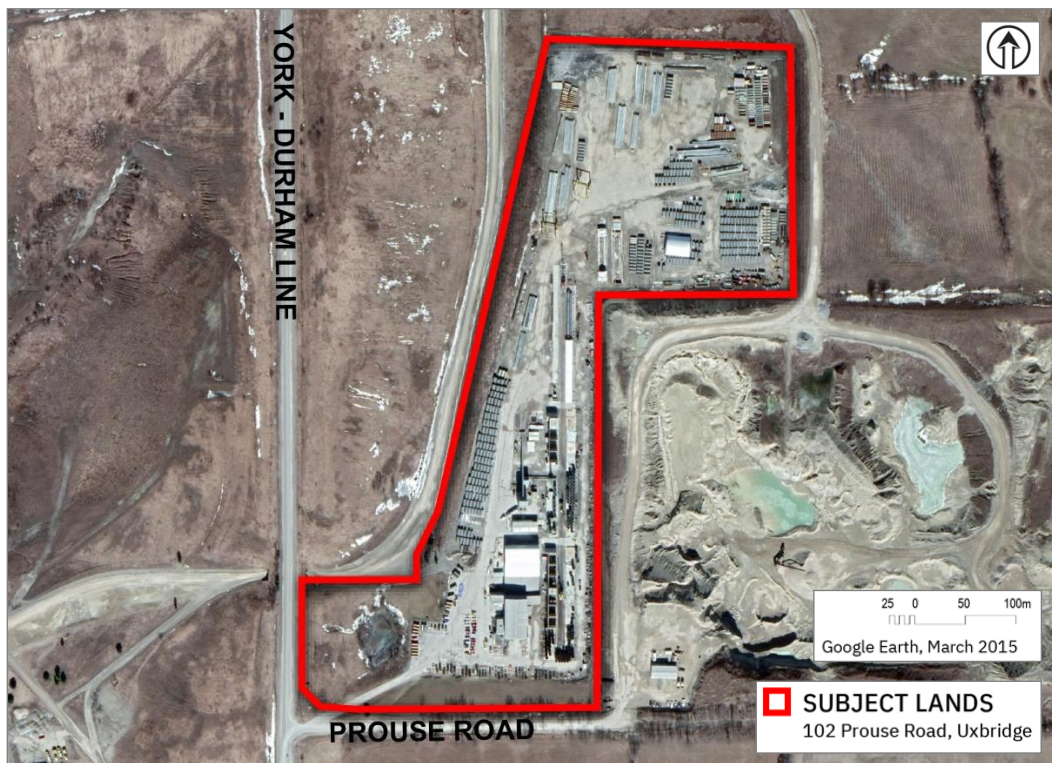


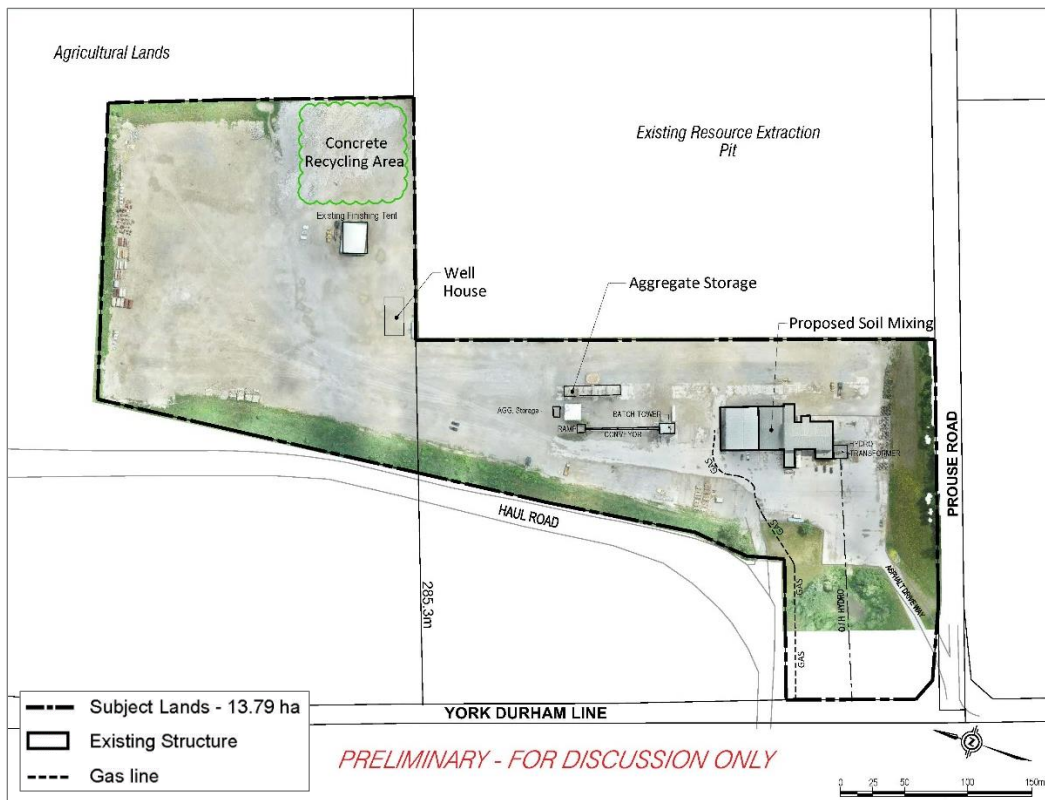
Figure 2.2 Aerial Photo (2015)



2.2 Subject Site – Today

Oland Holdings Inc. purchased the site in 2020 and is proposing to use the site for soil remediation processing and maintain the existing concrete recycling operations already in use. Since acquiring the site, the Owner has cleaned and cleared many of the materials left by the previous operator. A site visit was conducted by SCS Consulting Group in June 2021 to collect topography data and site photos. Figure 2.3 shows the Concept Plan overlain on an orthophoto and the succeeding figures show the current state of the Subject Site through drone aerial photography.

Figure 2.3 Concept Plan over Orthophoto



Source: Malone Given Parsons Ltd. and SCS Consulting Group Ltd.

Figure 2.4 Looking northeast over the existing structures



Source: SCS Consulting Group

Figure 2.5 Looking south over existing building (2015 expansion in foreground)



Source: SCS Consulting Group

Figure 2.6 Looking south over centre of site (aggregate storage and conveyor in foreground)



Source: SCS Consulting Group

Figure 2.7 Looking north from centre of the site (existing finishing tent in the top right)



Source: SCS Consulting Group

Figure 2.8 View over north end of site (general area for concrete recycling)



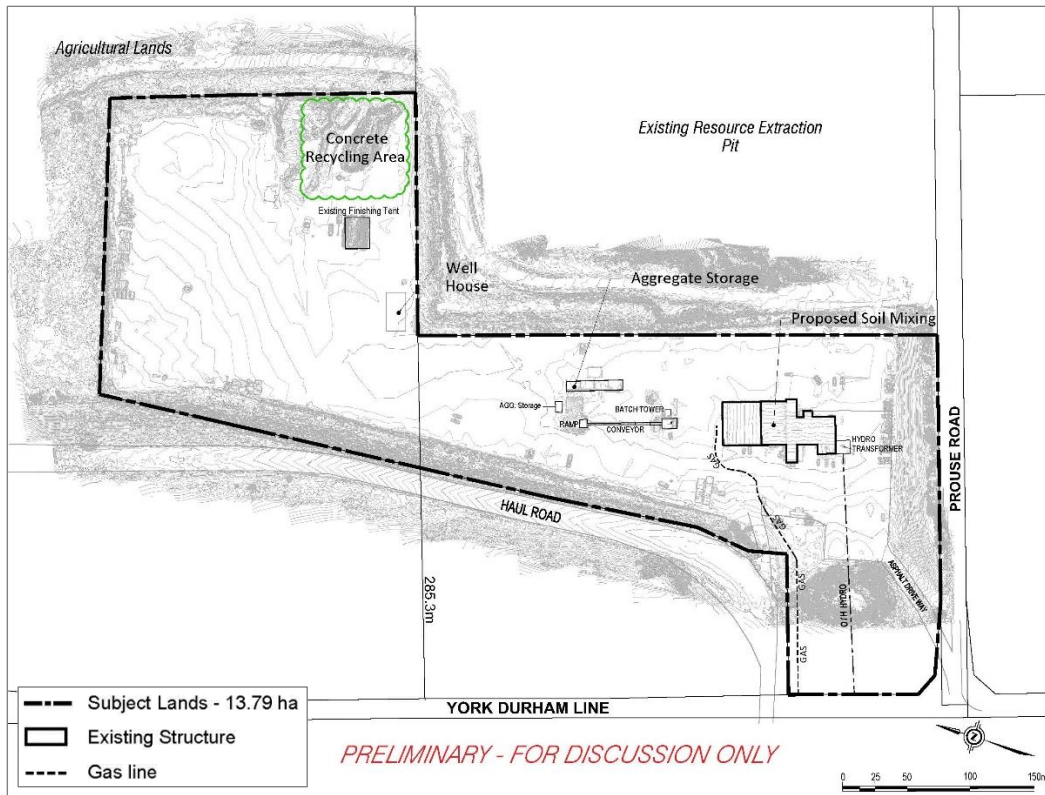
Source: SCS Consulting Group

2.3 Proposed Use

The Owner is proposing to amend the zoning by-law to permit soil remediation processing on the site. The soil processing will be conducted entirely within the existing facilities, including the storage of any soil stockpiles. No additional structures or buildings are proposed within the site. As mentioned, the existing concrete recycling will continue to be done outdoors in the northeast portion of the lands. Additional operational information is provided below:

- Approximately 100 truckloads per day will be used for soil processing;
- Triaxle trucks will be used to transport material;
- An additional 28 to 128 truckloads per day will be used for the concrete batch plant;
- Total truckloads will not exceed 228 loads per day;
- Soil processing will be operational for 12 months per year; and,
- Approximately 40 employees will be employed for the soil processing facility, and 5 employees for the existing batch plant (previously the site had 80 employees).

Figure 2.9 Concept Plan



Source: Malone Given Parsons Ltd.

2.3.1 Operational Process

The Owner has provided MGP with details of the proposed operational process for the site – the details of the process are summarized below.

Soil Screening

Once the soil is brought to the Subject Site, it will be loaded onto a two-way scalping screening machine, which will consist of a 3-inch screen deck to separate the soils into different size fractions. The screen deck allows soils smaller than 3 inches to pass through and material larger than 3 inches to be transported to a separate stockpiling area for crushing purposes. The soils finer than 3 inches will be stockpiled and misted with a water-additive system that is attached to a conveyor belt.

The water-additive system prevents dust accumulation while also preventing airborne cross-contamination and treats the soils to meet the appropriate Site Condition Standards required by Part XV.1 of the *Environmental Protection Act*, and the Ministry of the Environment, Conservation and Parks (MECP Table 1 - all property use Standards excluding agricultural and MECP Table 2 – RPI Standards).

After the soils are misted, stockpiled, and loaded within a designated area within the existing buildings, it will be stockpiled for a period to allow the treatment to activate prior to sampling and testing.

Crushing

Material brought to the Subject Site that is larger than 3 inches, as determined by the scalping screening machine (such as concrete), is loaded in a crusher machine to convert the material to a reusable concrete base material. The reusable concrete base material can then be transported for reuse.

Sampling and Testing

Excess soil stockpiles at the Subject Site will be sampled following treatment, to meet Ontario Regulation 153/04 (as amended) and Ontario Regulation 406/19. Furthermore, an accredited environmental laboratory will be established at the Subject Site with fulltime personnel to ensure the timely sampling and processing of the soil samples prior to off-site exportation.

3.0

Supporting Studies

Technical studies are being submitted as per the Pre-Application Consultation requirement checklist. This section provides a brief summary of each study.

3.1 Traffic Brief

CGH Transportation prepared a Traffic Brief to address the transportation requirements of the proposed land uses and examine the changes in site operation and traffic volumes generated at the Subject Site. The Traffic Brief reviewed the existing road network including Prouse Road, York Durham Line, Highway 47/Bloomington Road, and Aurora Road. To understand the existing peak hour traffic volumes, including the heavy vehicle percentage, 2019 TMC data at York Durham Line and Regional Highway 47 has been acquired from Durham Region.

An analysis of the existing and proposed site operations and trip generation provides an overview of the traffic and directional split generated by the site. This included the existing truck loads and auto trips generated by employees per day. Overall, the proposed land use results in a net reduction in total peak hour trips, both AM and PM, compared to the existing land use.

Based on the proposed land development, the percentage of heavy vehicle individual movements along York Durham Line and Highway 47 are expected to be within 10% of the heavy vehicle percentage surveyed in 2019. In addition, turning movement review of the site access is not required as the existing access accommodates triaxle trucks. For more detail, refer to the submitted Traffic Brief.

3.2 Existing Drainage Conditions

SCS Consulting Group prepared a report outlining the existing drainage for the Subject Site. Since there are no proposed changes to the site characteristics (i.e., surface, drainage, or grading) to accommodate the proposed rezoning, the report has focused on a description of the existing site drainage characteristics.

The Subject Site is located within the Pefferlaw Brook subwatershed within the Lake Simcoe watershed. The southwest portion of the site drains to a trapped drainage pond via a storm sewer system and includes a portion of the building roofs, parking lot, and

surrounding area. The north and eastern portion of the site drain overland across the site surface toward an existing pond with a perforated pipe outlet that is in the northeastern portion of the site. No areas within the site drain toward the Prouse Road or York Durham Line Rights-of-way.

As previously mentioned, the proposed development does not result in any changes to the site surface, drainage system or site grading. Therefore, the existing conditions will not be altered by the development. Please refer to the submitted Existing Drainage Conditions report for more detail.

3.3 Preliminary Functional Servicing Report (Sanitary Servicing)

Gunnell Engineering prepared a preliminary report detailing the sanitary servicing in support of the proposed development. This report is to confirm that the proposed use can be adequately serviced by the existing on-site sewage treatment system, to allow for the use of a soil screening facility, in conjunction with the existing concrete batch plant.

The Subject Site is serviced by one drilled water well and a private on-site sewage treatment system. The proposed development will operate year-round and will employ 40 full-time employees for the soil processes and 5 full-time employees for the existing batch plant. The total daily design sewage flow is calculated to be 4,125 L/day. Based on the previous number of employees, it is estimated the daily design sewage flow was 6,000 L/day.

A field septic test pit investigation of the existing septic field will be undertaken to verify the condition of the septic system and assess native soil conditions. The existing septic field may be adequate for the proposed use, depending on the condition. An updated Functional Servicing Report for sanitary servicing will be issued following the septic test pit investigation to assess the condition and sewage flow capacity to meet the required needs of the proposed operations. For more detail, refer to the submitted Preliminary FSR (sanitary servicing).

3.4 Noise Impact Study

Jade Acoustics Inc. prepared the Environmental Noise Report in support of the application. The noise sources associated with the Subject Site include a soil mixing plant, a concrete batching plant, a crusher, a power generator, a dust collector, conveyors, screens, loaders, and truck operations.

The environmental noise guidelines of the Township of Uxbridge, Town of Whitchurch-Stouffville, and the Ministry of the Environment, Conservation and Parks set sound level limits for industrial operations relevant to the Subject Site. A lower limit of 50 dBA is applicable to Class 2 areas during daytime hours.

Based on the analysis prepared using available information, the applicable sound level limits are predicted to be met at the nearest noise sensitive receptor locations, and mitigation measures are not required.

Once the final site plan and more detailed information regarding the proposed industrial operations and equipment become available, an updated noise analysis may need to be prepared to ensure compliance with sound level limits.

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4.0

Planning Policy Context

This section provides a review of the proposed development in the context of the Provincial, Regional and Local Municipal planning documents. An analysis of the applicable policies based on the proposed development is provided at the end of the Section.

The following planning documents are reviewed in this Section. An overall analysis of the applicable policies is provided in Section 4.6 of this report.

- Provincial Policy Statement (2020)
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Office Consolidation 2020)
- Oak Ridges Moraine Conservation Plan (2017)
- Durham Regional Official Plan (Office Consolidation 2020)
- Township of Uxbridge Official Plan (Office Consolidation 2014)

4.1 Provincial Policy Statement

The Provincial Policy Statement 2020 (“PPS”) came into effect on May 1, 2020. The PPS provides policy direction on land use planning, development, and other related matters of provincial interest. The goals identified in the PPS provide a framework for long-term policy directives and are to be complemented by regional and municipal plans to achieve comprehensive, integrated planning. The PPS promotes efficient land development, the protection and management of natural resources, and public health and safety to improve the quality of both the natural and built environment within Ontario. All planning decisions shall be consistent with the policies of the PPS.

It is the intent of the PPS to ensure development occurs in a manner that is cost- and land-efficient and environmentally sensitive. As a result, the PPS provides several policies that promote strong communities, establishing employment uses, the optimization and efficient use of public infrastructure, and facilitating economic growth (Section 1.0). The PPS also directs the promotion of economic development and competitiveness by providing opportunities for a diversified economic base as well as facilitating the conditions for economic investment by identifying strategic sites for investment (Section 1.3.1).

Section 1.6 of the PPS relates to infrastructure and public service facilities. Planning for sewage, water and stormwater services shall accommodate growth in a manner that promotes efficient use and optimization of existing private communal sewage and water services, where municipal services are not available (Section 1.6.6.1). Furthermore, where these municipal services are not feasible, individual on-site private water and sewage services may be used provided the site conditions are suitable for the long-term provision of such services with no negative impacts (Section 1.6.6.4).

The PPS also states in Section 1.6.6.7 that planning for stormwater management shall be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term.

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

The Subject Site proposes an efficient use of land by minimizing land consumption and servicing costs by re-using an industrial site for a similar purpose. The site can accommodate the proposed use within the existing buildings and structures and would promote economic activity for the Township's employment base. The site can also be feasibly serviced through the existing private infrastructure and does not propose any changes to the existing conditions of the site through grading or surface changes.

4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020 Consolidation) ("Growth Plan") came into effect on May 16, 2019, and Amendment 1 to the Growth Plan subsequently came into effect on August 28, 2020. The Growth Plan mirrors many of the policies in the PPS, and aims to implement its vision of stronger, more prosperous communities. It contains policies for managing growth and development to the year 2051 and guides land use planning and urban form. The vision and guiding principles indicate the overall intent of the Growth Plan to create compact and complete communities, maximize economic and employment opportunities, and optimize the use of existing infrastructure. All planning decisions shall conform with the policies of the Growth Plan.

By 2051, the Greater Golden Horseshoe is expected to grow to 14.8 million people and 7 million jobs. The Growth Plan provides for how to accommodate this growth in complete communities that are well designed with a mix of jobs, services, and housing. The Growth Plan also provides population and employment forecasts for all upper- and single-tier municipalities to better coordinate planning for growth across the region. Schedule 3 allocates an employment forecast of 460,000 within the Region of Durham in 2051.

The Growth Plan promotes economic development and competitiveness in the region by making more efficient use of underutilized employment lands and increasing employment densities (Section 2.2.5.1a). The site's existing zoned use is industrial employment, and the proposed development would continue to use the site for similar a purpose. It is also adjacent to an existing employment lands identified within the Regional Official Plan.

The Growth Plan also states that well planned infrastructure is essential to the viability of Ontario's communities and critical to economic competitiveness. Section 3.2.6 speaks to the water and wastewater servicing within municipalities. Specifically, private communal water and wastewater systems will be planned to prioritize optimization and improved efficiency within existing systems (Section 3.2.6.2). The Subject Site proposes to use the private communal servicing infrastructure in place, with the potential to improve the infrastructure, if warranted by the technical servicing studies submitted with this application.

Schedule 2 of the Growth Plan – A Place to Grow Concept identifies the Subject Site within the Greenbelt Area. The Greenbelt Area is subject to Ontario Regulation 59/05, the *Greenbelt Act, 2005*. The Greenbelt Plan was prepared and approved under the *Greenbelt Act* and took effect on December 16, 2004. An amendment to the Greenbelt Plan took effect July 1, 2017. The Subject Site is designated as Oak Ridges Moraine Area within the Protected Countryside of the Greenbelt Plan Area. The requirements of the Oak Ridges Moraine Conservation Plan (Ontario Regulation 140/02), made under the *Oak Ridges Moraine Conservation Act, 2001*, continue to apply and the Protected Countryside policies do not apply, as per Section 2.1 of the Greenbelt Plan.

4.3 Oak Ridges Moraine Conservation Plan

The Oak Ridges Moraine Conservation Plan ("ORMCP") came into effect on November 16, 2001, as an ecologically based plan to provide land use and resource management direction to protect the Moraine's environmental features and functions. The ORMCP was most recently updated in 2017. The purpose of the ORMCP is to provide the necessary land use policies for the protection of the Oak Ridges Moraine's ecological and hydrological features and functions. Planning decisions made under the Planning Act are required to conform to this Plan.

4.3.1 Countryside Areas

The ORMCP designates the Subject Site as Countryside Area. Countryside Areas provide an agricultural and rural transition and buffer between the Natural Core Areas, Natural Linkage Areas, and the urbanized settlement areas. The purpose of the Countryside Areas is to encourage agricultural and other rural uses that support the Plan's objectives (Section 13.1). Several uses are permitted with respect to land in Countryside Areas, including small-scale commercial, industrial, and institutional uses (as described in Section 40 of the ORMCP).

Section 40(1) states that small-scale commercial, industrial and institutional uses are supportive of, complementary to or essential to uses that are permitted in the Countryside Areas and do not require large-scale modification of terrain or vegetation, or large-scale buildings and structures.

4.3.2 Exception

Part I of the ORMCP describes how the Plan applies to existing uses, previously authorized uses, and exceptions. Despite the designations of the ORMCP, provisions are given for lands with existing uses prior to the establishment of the Plan. Industrial use of the site existed prior to the ORMCP coming into force in 2001.

The ORMCP provides policies for existing uses, buildings, and structures in Section 6(6) regarding converting uses:

- “(6) Nothing in this Plan applies to prevent the conversion of an existing use to a similar use, if the applicant demonstrates that the conversion,*
- (a) will bring the use into closer conformity with this Plan; and*
 - (b) will not adversely affect the ecological integrity of the Plan Area.”*

In this context, “existing” use means lawfully in existence on November 15, 2001. The Subject Site was in lawful use prior to November 15, 2001. As mentioned, the site has been in use for industrial purposes since 1992, and conversion to a similar use subject to the policies above, is permitted by the ORMCP.

The use of the Subject Site is guided by the policies of the ORMCP, Durham Region Official Plan and Township of Uxbridge Official Plan. Both Official Plans incorporate ORMCP policies and designate the site as Countryside Area within the Oak Ridges Moraine. Section 4.6 of this report provides an overall analysis of the ORMCP and relevant Official Plan policies.

4.3.3 Landform Conservation Area

The ORMCP identifies the Subject Site within a Landform Conservation Area (Category 1). Section 30(5) of the ORMCP states:

- “(5) an application for development or site alteration with respect to land in a landform conservation area (Category 1) shall identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including:*
- (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 25 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 15 per cent of the total area of the site.”

The proposed development does not include disturbance to any landforms features such as steep slopes, kames, kettles, ravines or ridges. As discussed, the development does not include any new structures or changes to the physical state of the lands. Additionally, the Subject Site has been under industrial use since 1992, before the establishment of the ORMCP.

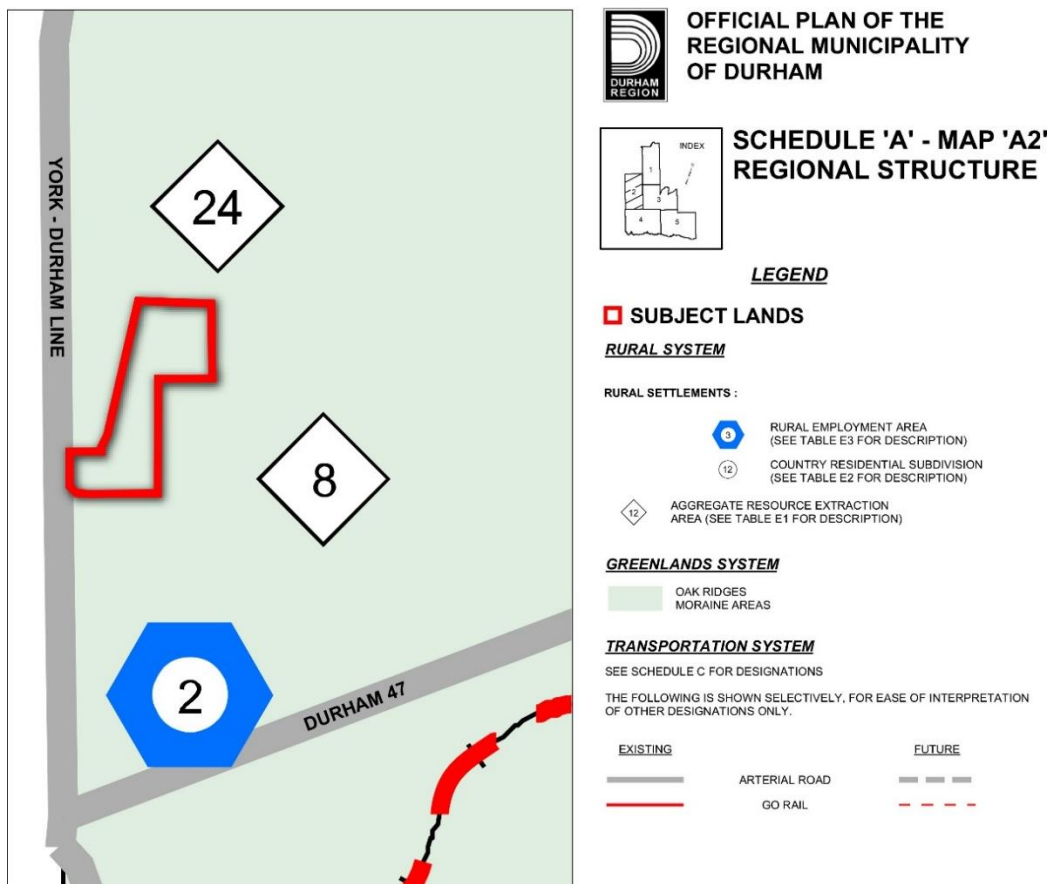
Furthermore, Section 30(7) states that the policies of subsection (5) above, do not apply in respect of mineral aggregate operations. The Subject Site is not an active or licensed pit, but the lands are identified as a High Potential for Aggregate Resource Area within the Region of Durham Official Plan, and the site is surrounded by active extraction pits on the east, north and west sides. Based on the extensive landform modification directly abutting the subject lands on several sides, and the potential of aggregate resources, Section 30(5) does not apply to the Subject Site.

4.4 Durham Regional Official Plan

The Regional Municipality of Durham Official Plan (“DROP”) was approved by the Ministry of Municipal Affairs and Housing on November 24, 1993, and provides the requisite framework for guiding growth and development in Durham Region. The DROP Office Consolidation (May 26, 2020) includes up to Amendment 178. The purpose of the DROP is to provide policies to ensure an improved quality of life and secure the health, safety, convenience, and well-being of the present and future residents of the Region.

The DROP identifies the Subject Site as Oak Ridges Moraine Areas in Schedule A (Map A2) – Regional Structure, as shown in Figure 4.1. The DROP incorporates the major provisions of the ORMCP in the Official Plan. Section 10B.2.1 states that applications for development with the Oak Ridges Moraine Areas must conform to the ORMCP to be considered. The policies of the DROP regarding Countryside Areas mirror those of the ORMCP.

Figure 4.1 Regional Structure

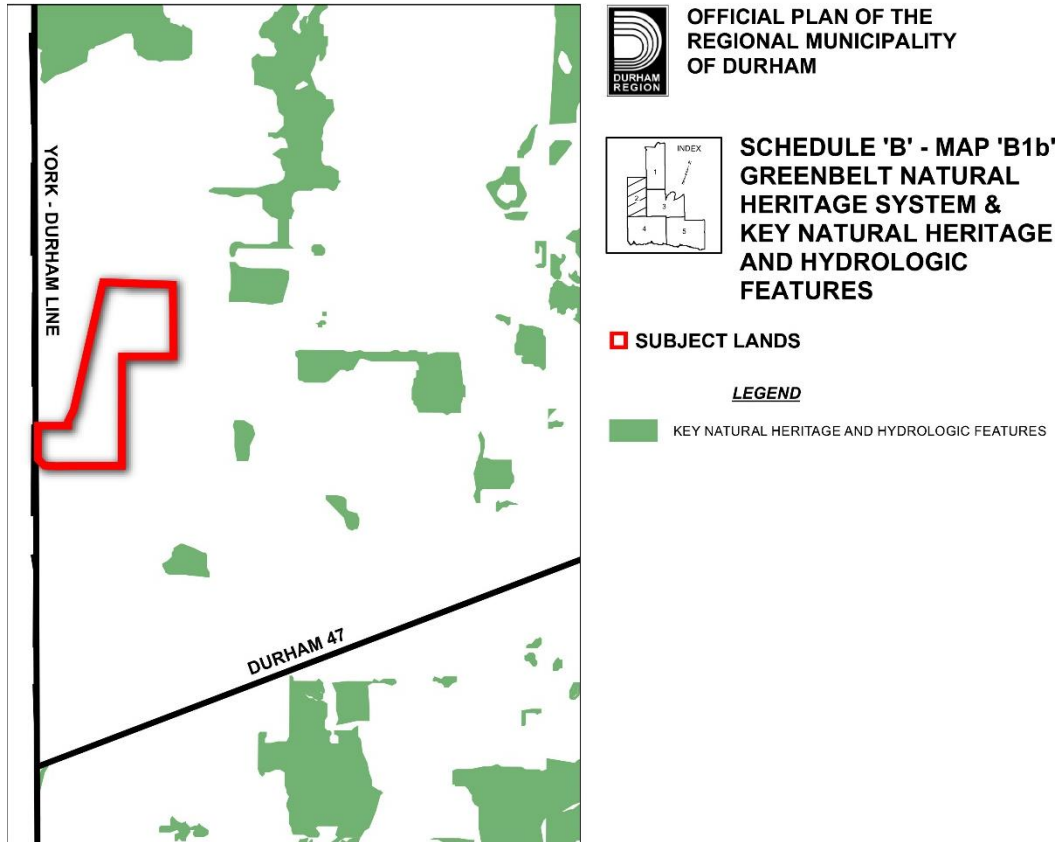


Source: Durham Region Official Plan

4.4.1 Natural Heritage System

Based on Schedule B (Map B1b), the DROP does not identify any parts of the Natural Heritage System or Key Natural Heritage and Hydrologic Features within the Subject Site.

Figure 4.2 Greenbelt Natural Heritage System



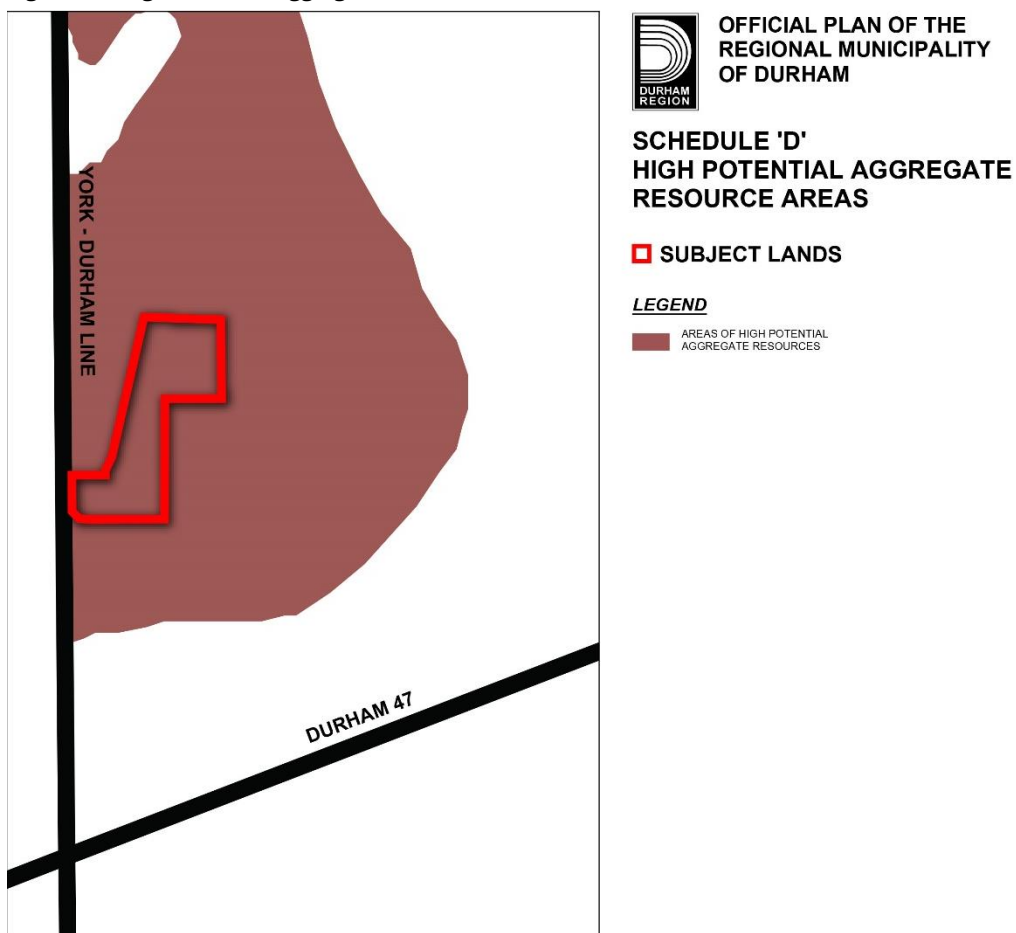
Source: Durham Region Official Plan

4.4.2 High Potential Aggregate Resource Areas

Areas identified as High Potential for Aggregate Resource Areas are shown on Schedule D of the DROP, which identifies the Subject Site entirely within this area. Section 9.D.1.3 states that these areas shall be protected for aggregate resource purposes.

While these lands are identified as a High Potential for Aggregate Resource Area, the proposed use does not hinder existing or future aggregate extraction in the area, as the site has been used for industrial purposes since 1992. The lands will continue to operate for industrial use under the proposed development and the potential for aggregate extraction does not change from the previous state of the site.

Figure 4.3 High Potential Aggregate Resource Areas



Source: Durham Region Official Plan

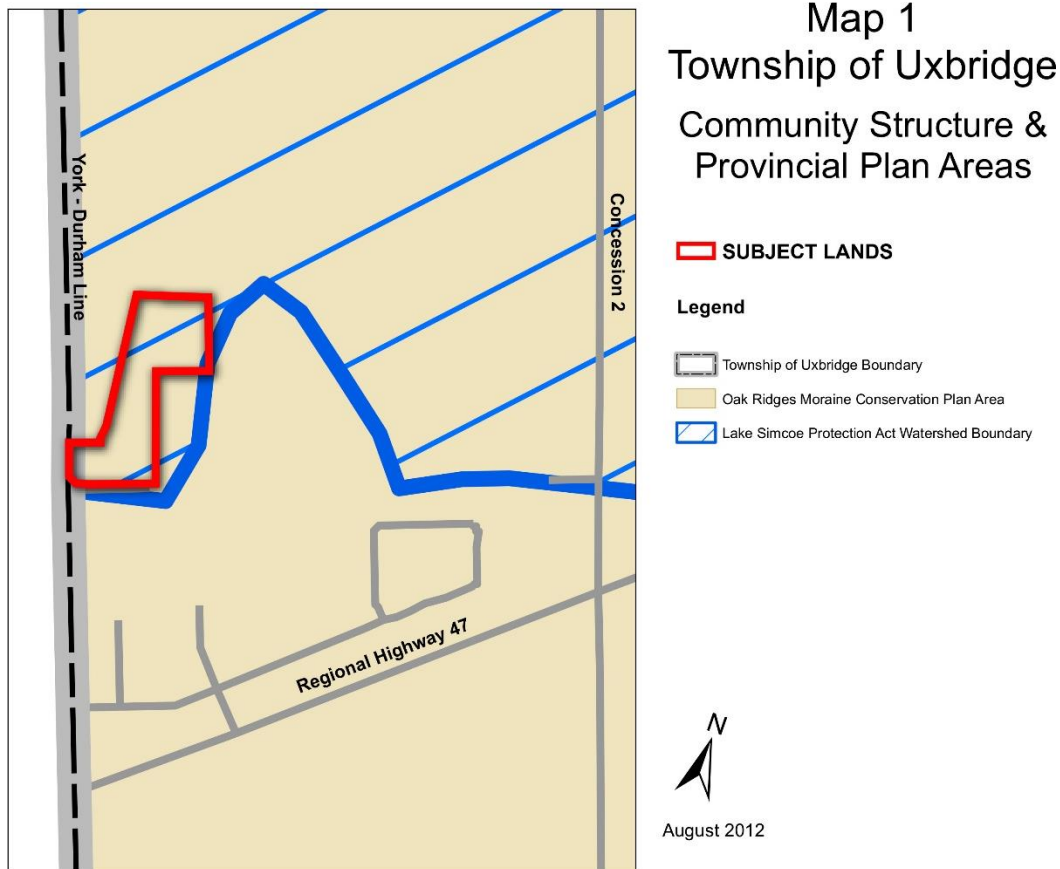
4.5 Township of Uxbridge Official Plan

The Township of Uxbridge Official Plan (“Uxbridge OP”) was approved on July 24, 1970, and most recently consolidated in January 2014. As shown on Figure 4.4, Official Plan Schedule A – Community Structure and Provincial Plan Areas, identifies the Subject Site within the Oak Ridges Moraine Conservation Plan Area and within the Lake Simcoe Protection Act Watershed Boundary.

Schedule H of the Uxbridge OP provides the Land Use Plan for the Oak Ridges Moraine Conservation Plan within the Town of Uxbridge. Figure 4.5 shows the ORM land use, which designates the Subject Site as Countryside Area and subject to two specific policy areas:

- Policy Area 1.9.9.1 Approved Mineral Aggregate Extraction Area; and,
- Policy Area 1.9.4.3 iii Industrial.

Figure 4.4 Community Structure



Source: Township of Uxbridge Official Plan

4.5.1 ORM Countryside Area

Similar to the DROP, the Town of Uxbridge incorporates the major provisions of the ORMCP into the Official Plan. The Countryside Area designation recognizes areas identified in the ORMCP as areas of rural land use such as agriculture, recreation, hamlets, mineral aggregate extraction operations, parks and open space. Section 1.9.4.3 of the Uxbridge OP provides the policies for Countryside Areas. The purpose of the Countryside Area designation is to encourage agricultural and other rural uses that support ORMCP objectives by (1.9.4.3i):

- a) Protecting prime agricultural areas;
- b) Providing for the continuation of agricultural and other rural land uses and normal farm practices; and,
- c) Maintaining the rural character of Hamlets.

Section 1.9.4.3ii of the Uxbridge OP provides the permitted uses in Countryside Areas, which includes small-scale commercial, industrial, and institutional uses, subject to the same policies listed in Section 40 of the ORMCP.

Figure 4.5 ORM Land Use



Source: Township of Uxbridge Official Plan

The site is also identified as Policy Area 1.9.4.3iii within Schedule H. Section 1.9.4.3iii also falls under the ORM Countryside designation which states:

“Notwithstanding the foregoing, existing industrial uses and approved industrial subdivisions designated on Schedule “H” as “Policy Area 1.9.4.3iii) Industrial” may continue to be zoned to permit industrial development, however, any new development on these sites shall be subject to site plan control to ensure that future development brings the use into closer conformity with the Moraine Plan.”

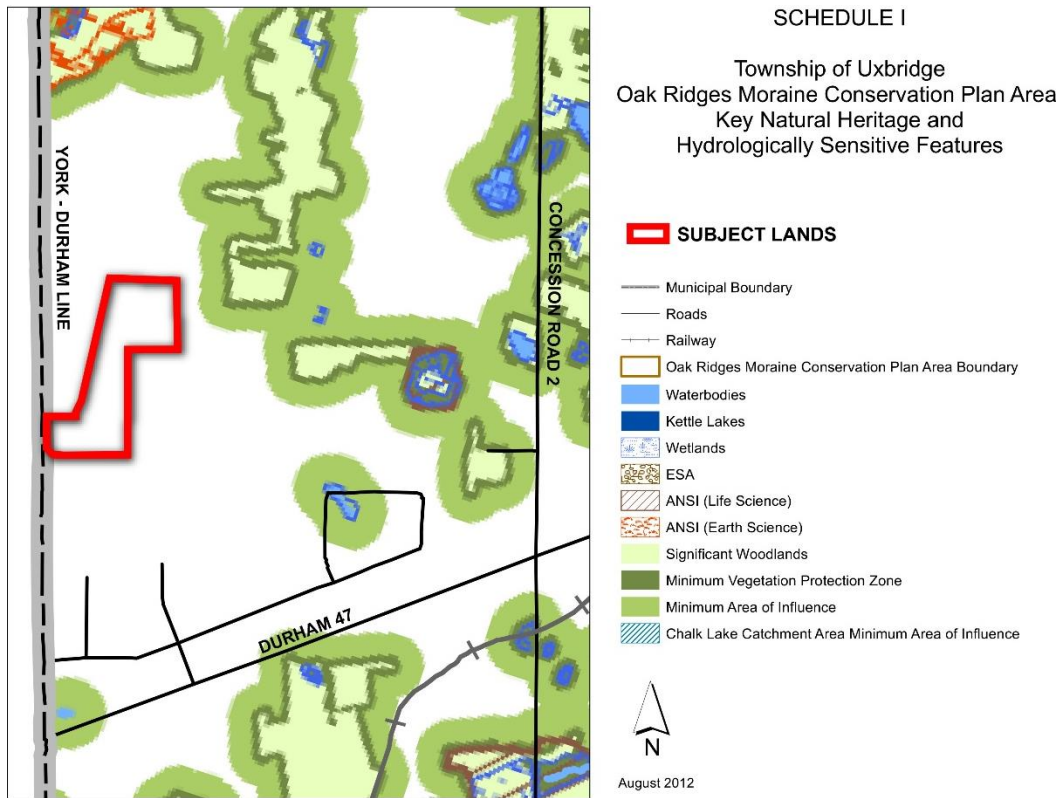
4.5.2 Policy Area 1.9.9.1

Policy Area 1.9.9.1 of the Uxbridge OP relates to mineral aggregate extraction within the Oak Ridges Moraine. This includes existing mineral aggregate operations in Natural Linkage or Countryside Areas which have been approved through a Regional Official Plan amendment and may be zoned to recognize the use in accordance with the related license and permit. While the Subject Site is designated as such in the Uxbridge OP, the site is not an active or licensed extraction pit. Furthermore, an expansion of an existing pit or a new pit must also conform with the policies of the ORMCP.

4.5.3 Features

Figure 4.6 shows the Subject Site in the context of Schedule I – Key Natural Heritage Features within the ORMCP. No key natural heritage and hydrologically sensitive features or their minimum areas of influence are identified within the site based on Schedule I of the Uxbridge OP.

Figure 4.6 Key Natural Heritage Features

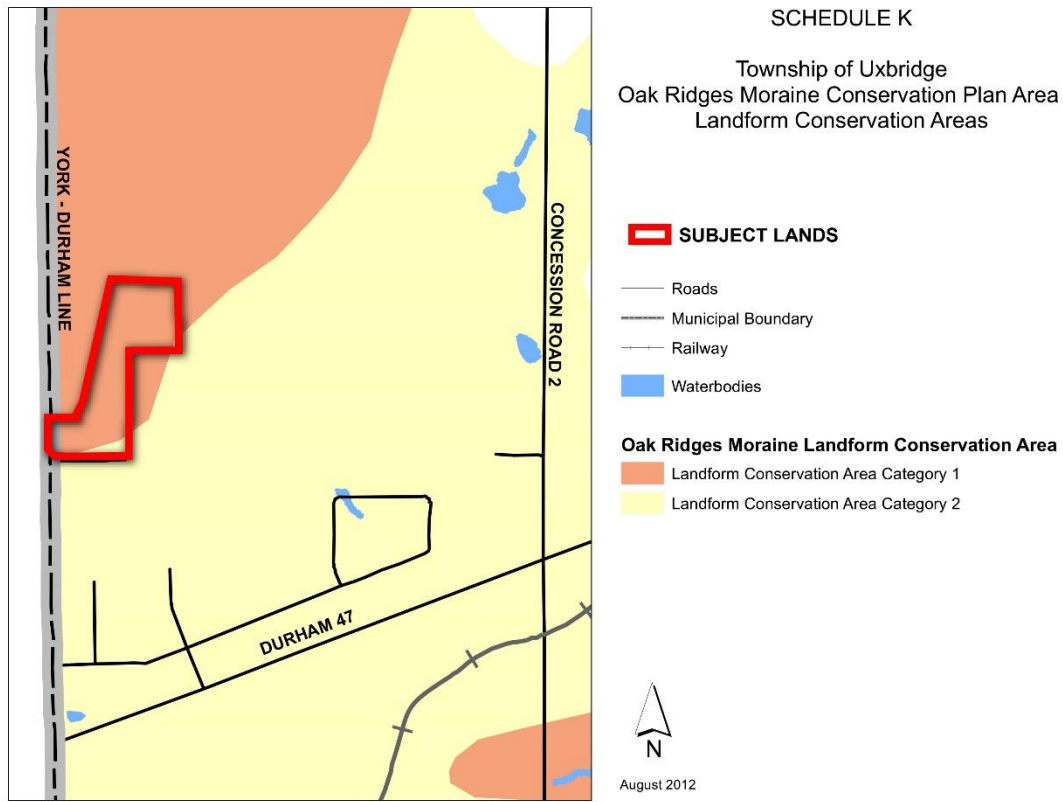


Source: Township of Uxbridge Official Plan

4.5.4 Landform Conservation Areas

Schedule K of the Uxbridge OP identifies Oak Ridges Moraine Landform Conservation Areas. The Subject Site is identified within Landform Conservation Area Category 1. This designation and the ORMCP landform conservation policies are discussed previously in Section 4.3.3 of this report.

Figure 4.7 Landforms



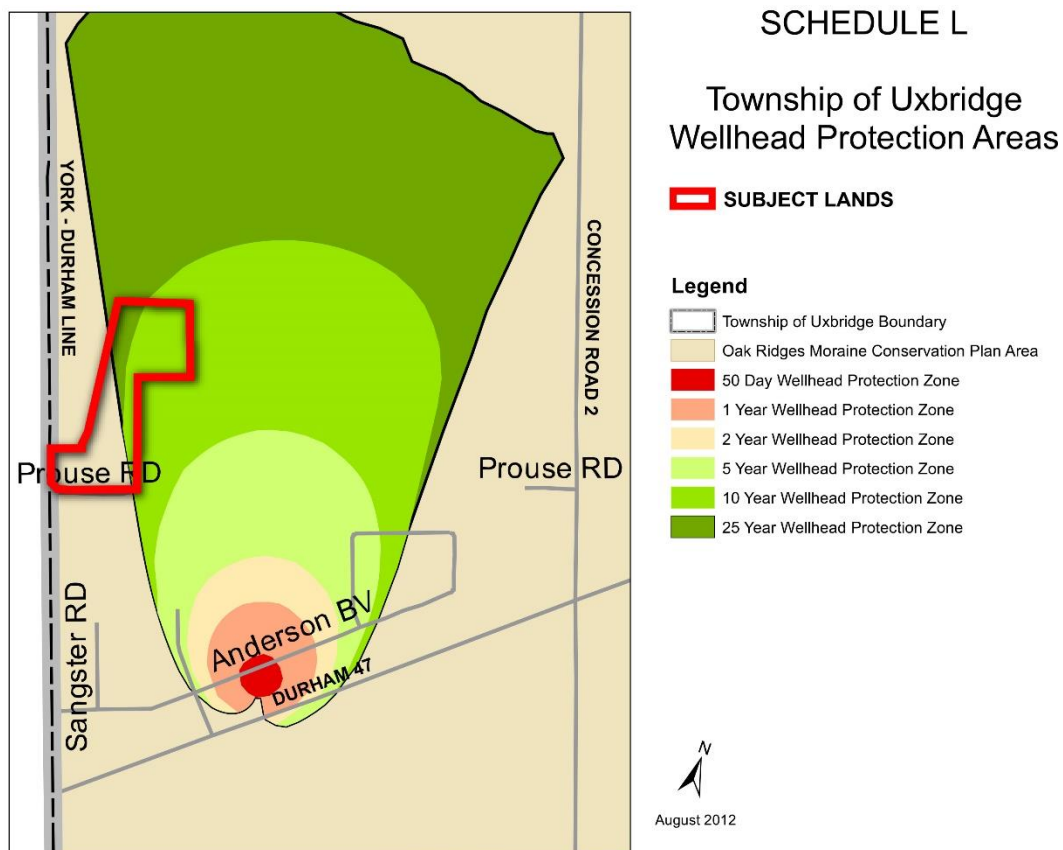
Source: Township of Uxbridge Official Plan

4.5.5 Wellhead Protection

Schedule L of the Uxbridge OP identifies Wellhead Protection Areas in the Township. Land use restrictions are applied to lands within Wellhead Protection Zones as the groundwater in these areas contribute to municipal wells. Land uses which pose a risk to the quality and quantity of groundwater in the wellhead protection areas are prohibited or restricted in accordance with the policies of the Durham Region Official Plan and ORMCP.

Wellhead protection areas prohibit the storage of hazardous materials and contaminants as well as other high, moderate and low risk land uses, depending on the proximity and “time of travel” for groundwater to reach the municipal well. A well is located on the south side of Anderson Boulevard, east of Paisley Lane. Schedule L identifies the Subject Site as partially within the 10-year and 25-year Wellhead Protection Zone. The restricted and prohibited land uses referred to in the Uxbridge OP do not apply to the Subject Site.

Figure 4.8 Wellheads

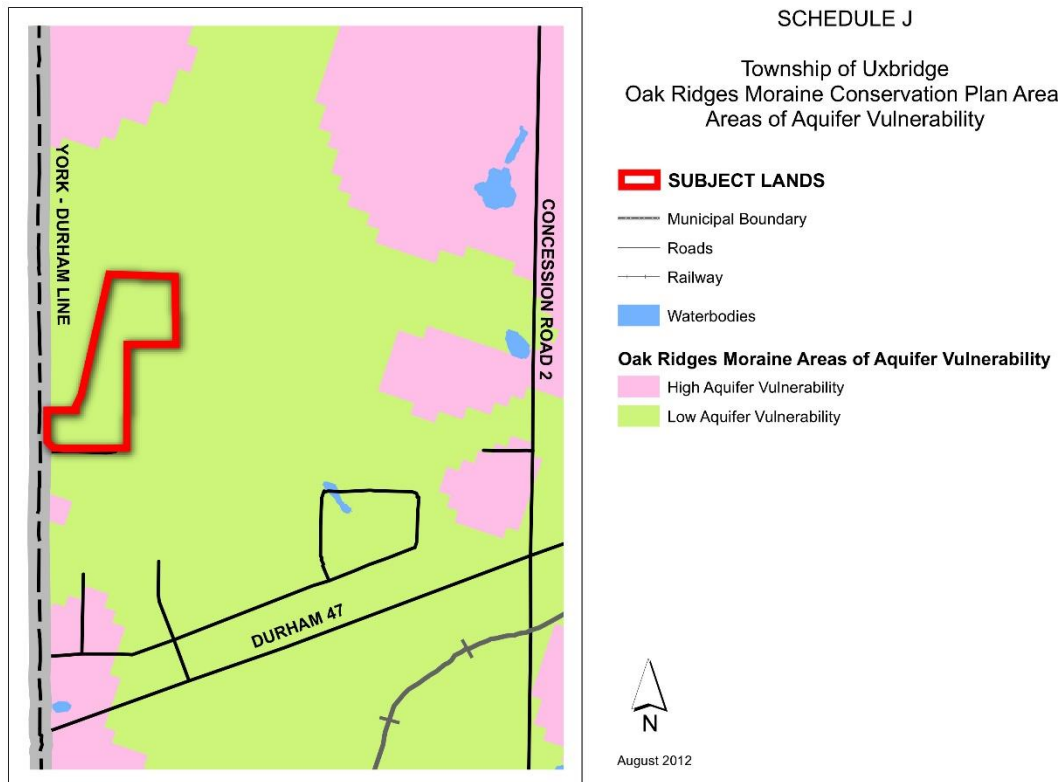


Source: Township of Uxbridge Official Plan

4.5.6 Aquifer Vulnerability

The Uxbridge OP Schedule J identifies the Areas of Aquifer Vulnerability within the Oak Ridges Moraine Plan Area. The policies of the Uxbridge OP and the ORMCP prohibit land uses within areas of High Aquifer Vulnerability, including storage of hazardous waste, waste disposal sites, certain above and below ground storage tanks, and storage of toxic contaminants. The Subject Site is not identified within a High Aquifer Vulnerability area, as per Schedule J of the Uxbridge OP.

Figure 4.9 Aquifer



Source: Township of Uxbridge Official Plan

4.6 Analysis

The use of the Subject Site is ultimately guided by the policies of the ORMCP, Durham Region Official Plan and Township of Uxbridge Official Plan. Both Official Plans incorporate ORMCP policies and designate the site as Countryside Area within the Oak Ridges Moraine in their respective Official Plan schedules.

Part 1 of the ORMCP provides policies for existing uses within the Plan area. Section 6(6) states that nothing in the ORMCP applies to prevent the conversion of an existing use to a similar use, if it is demonstrated that it will bring the use into closer conformity with the Plan and that it will not adversely affect the ecological integrity of the plan.

It is important to understand the historical context of the site. As demonstrated in this report, the site has been in industrial use prior to the establishment of the ORMCP and the development proposes to permit a similar industrial use.

The proposed additional use will not affect the ecological integrity of the Plan in any manner more strenuous than the former use of the site. Based on the details provided by the operator, the operational process for soil processing is proposed to take place entirely within the existing facility. No new structures or buildings are required to accommodate the proposed use and the existing site surface, drainage and grading will all be maintained. Also, no change is proposed to the existing impervious areas within the site.

It is anticipated that the proposed use can feasibly be serviced with the existing private water and sewage infrastructure. This is further discussed in the submitted technical studies.

Furthermore, it is demonstrated that the use will not adversely affect the ecological integrity of the Plan, as there are no key natural heritage or hydrological features identified within the site in both the Regional and Local Municipal Official Plans.

The ORMCP also permits small-scale industrial uses, subject to Section 40 of the Plan. While the proposed operations may not qualify as ‘small-scale’, it should be noted that the proposed development conforms to the spirit of the ORMCP policies. Industrial use is permitted in Countryside Areas, provided the use conforms to the additional ORMCP policies (Section 40(1-5)). The proposed use does not require large-scale modification of terrain, vegetation or large-scale buildings and structures (other than those previously existing). The use is not located within a prime agricultural area, does not contribute to strip development, and is planned to be integrated with existing development’s facilities.

Given the historical context of the site and the previously existing uses, it is logical to locate a similar industrial use which can be accommodated with minimal physical changes to the site and existing structures. The development proposes to use the site, as it exists, for in-kind industrial use that will support and complement other industrial

uses throughout the region. In our opinion, the proposed development represents an appropriate use for the Subject Site, based on the understanding of its background and the permissions for existing uses within the ORMCP and relevant Official Plans.

The proposed development represents an efficient and appropriate use of an existing industrial site. The proposal is consistent with and conforms to the policies of the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Oak Ridges Moraine Conservation Plan, Durham Region Official Plan, and the Township of Uxbridge Official Plan. The Subject Site will contribute to the existing employment base and assist in delivering continued economic opportunity for the Township of Uxbridge. The site also proposes to use the land and infrastructure in an efficient manner with minimal affects to the Oak Ridges Moraine.

It is our opinion that the proposed zoning bylaw amendment reflects the relevant Provincial, Regional and Municipal planning documents and is good planning.

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5.0 Zoning

The proposed development will require lifting of holding provisions applicable to the Subject Site as well as a permission for soil remediation processing. This section provides the existing and proposed zoning for the Subject Site.

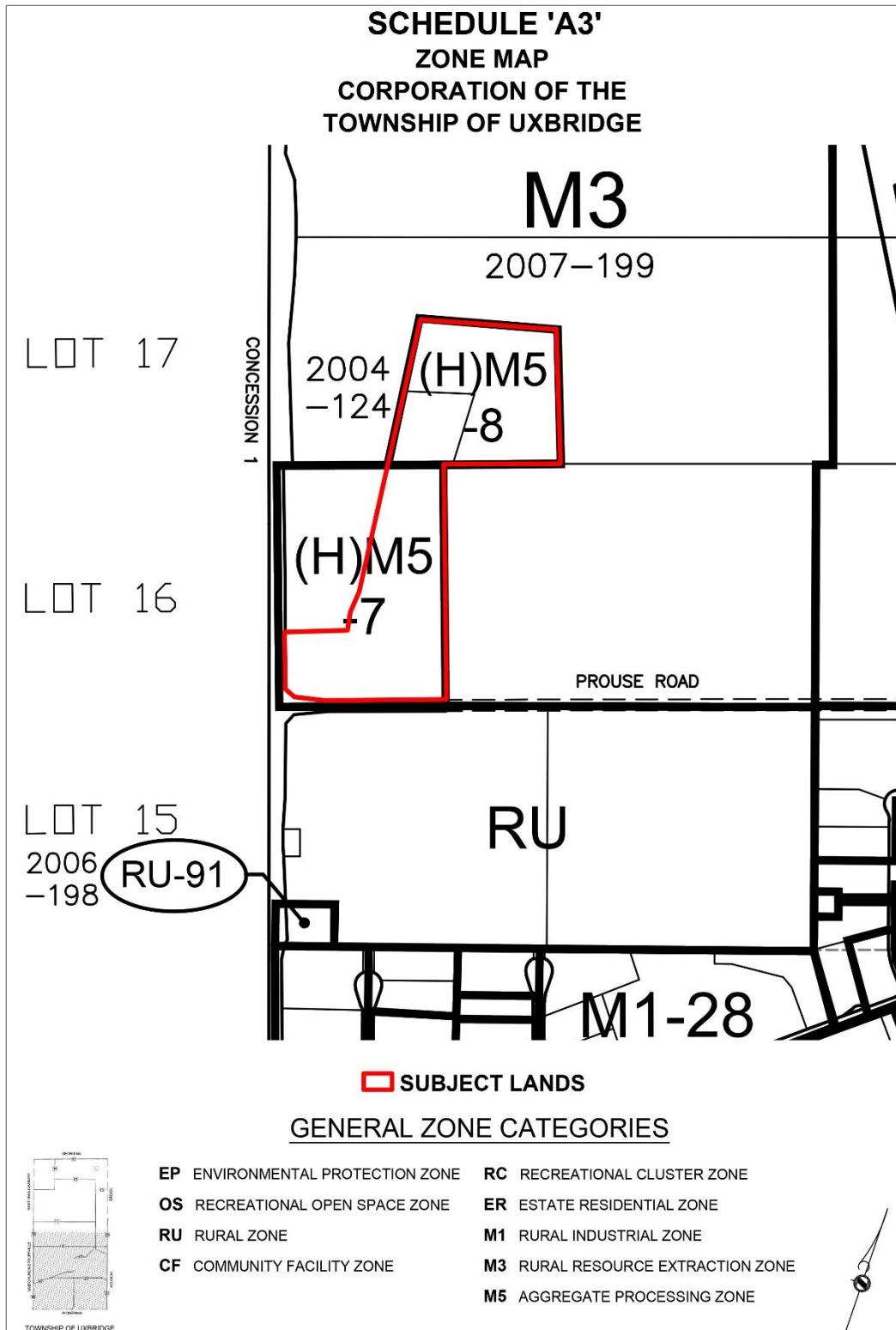
5.1 Uxbridge Zoning Bylaw 81-19

Zoning Bylaw 81-19 of the Township of Uxbridge zones the Subject Site as Holding Aggregate Processing Zone ((H)M5-7 and (H)M5-8) with exception number 7 applicable to the south part of the site and exception number 8 applicable to the north part of the site. Figure 5.1 identifies the zoning of the Subject Site.

Holding Aggregate Processing Exception No. 7 (H)M5-7 permits uses in accordance with Rural Resource Extraction (M3) Zone. The M3 Zone permits an aggregate storage area, conservation areas, farms, pits, portable processing plants and certain public uses. Additionally, the Exception No. 7 also permits one gas fuelled concrete precast plant. The Aggregate Processing (M5) Zone permits the uses within the M3 Zone as well as several others including: crushing and screening plant, concrete batching plant, and permanent processing plant. Upon the removal of the Holding symbol other uses shall be permitted on the lands zoned (H)M5-7, including: one gas fuelled asphalt plant, one gas fuelled concrete batch plant, or one aggregate transfer station. This zone also provides provisions for minimum yard dimensions.

Holding Aggregate Processing Exception No. 8 (H)M5-8 does not permit any other use of the land until the Holding symbol is removed. Upon removal, the zone permits one concrete precast plant as well as its accessory uses, such as open storage. This zone also provides provisions for minimum yard dimensions, building height and minimum parking. Additionally, the Holding symbol for the lands zoned (H)M5-8 will not be removed until the Owner has entered into a Site Plan Development Agreement with the Township.

Figure 5.1 Zoning



Source: Uxbridge Zoning Bylaw 81-19

5.2 Proposed Amendment

To permit the proposed additional use, Oland Holdings Inc. is proposing to rezone the Subject Site to permit soil remediation processing, and to remove Holding provisions applicable to the lands. A Zoning Bylaw Amendment is required to amend Uxbridge Zoning Bylaw 81-19 to permit the proposed use by adding site specific exceptions to the M5 (Aggregate Processing) Zone. As noted in the in-force zoning, lifting of the Holding symbol will also require the Owner to enter a Site Plan Development Agreement.

The soil remediation processing is proposed to be conducted entirely within the existing structures on site. The existing structures are located near Prouse Road at the south end of the site. This area is zoned as (H)M5-7 and the proposed used would only apply to this area.

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6.0

Conclusion

Oland Holdings Inc. is proposing to rezone the lands at 102 Prouse Road in the Township of Uxbridge to permit soil remediation processing, and to remove Holding provisions applicable to the Subject Site. This report supports a Zoning Bylaw Amendment to amend Uxbridge Zoning Bylaw 81-19 to permit the proposed use by adding site specific exceptions to the M5 (Aggregate Processing) Zone.

Malone Given Parsons Ltd. was retained by Oland Holdings Inc. (the Owner) to provide a Planning Opinion Report for a Zoning Bylaw Amendment application to permit the use of soil remediation processing on the lands at 102 Prouse Road, Township of Uxbridge.

Historically, the Subject Site was used by a pressure pipe manufacturing facility and the site is surrounded by aggregate resource extraction operations. The site includes several buildings and a crushed concrete recycling area in a large open area near the north end of the site. The Owner is proposing to introduce a new industrial use on the site. A soil remediation processing operation is proposed within the existing facility. No new buildings or structures are being proposed with this application.

The Subject Site is designated as Countryside Area with the ORMCP and Regional and Local Official Plans. The policies of the ORMCP allow conversion of an existing use to a similar use, provided the use existed prior to the ORMCP coming into force and subject to Section 6(6) of the ORMCP. The site has been used for industrial purposes since 1992.

The site is zoned (H)M5-7 and (H)M5-8 in the Uxbridge Zoning Bylaw 81-19. A Zoning Bylaw Amendment is required to remove the Holding provisions applicable to the site and to permit the proposed industrial use. Removal of the Holding symbol will also be subject to site plan development agreement.

Given the historical context of the site and the previously existing uses, it is logical to locate a similar industrial use which can be accommodated with minimal physical changes to the site and existing structures. The development proposes to use the site, as it exists, for in-kind industrial use that will support and complement other industrial uses throughout the region. In our opinion, the proposed development represents an appropriate use for the Subject Site, based on the understanding of its background and the policies of the ORMCP and relevant Official Plans.

The proposed development represents an efficient and appropriate use of an existing industrial site. The proposal is consistent with and conforms to the policies of the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Oak Ridges Moraine Conservation Plan, Durham Region Official Plan, and the Township of Uxbridge Official Plan. The Subject Site will contribute to the existing employment base and assist in delivering continued economic opportunity for the Township of Uxbridge. The site also proposes to use the land and infrastructure in an efficient manner with minimal affects to the Oak Ridges Moraine.

It is our opinion that the proposed zoning bylaw amendment conforms to the relevant Provincial, Regional and Municipal planning documents and is good planning.

Appendix A

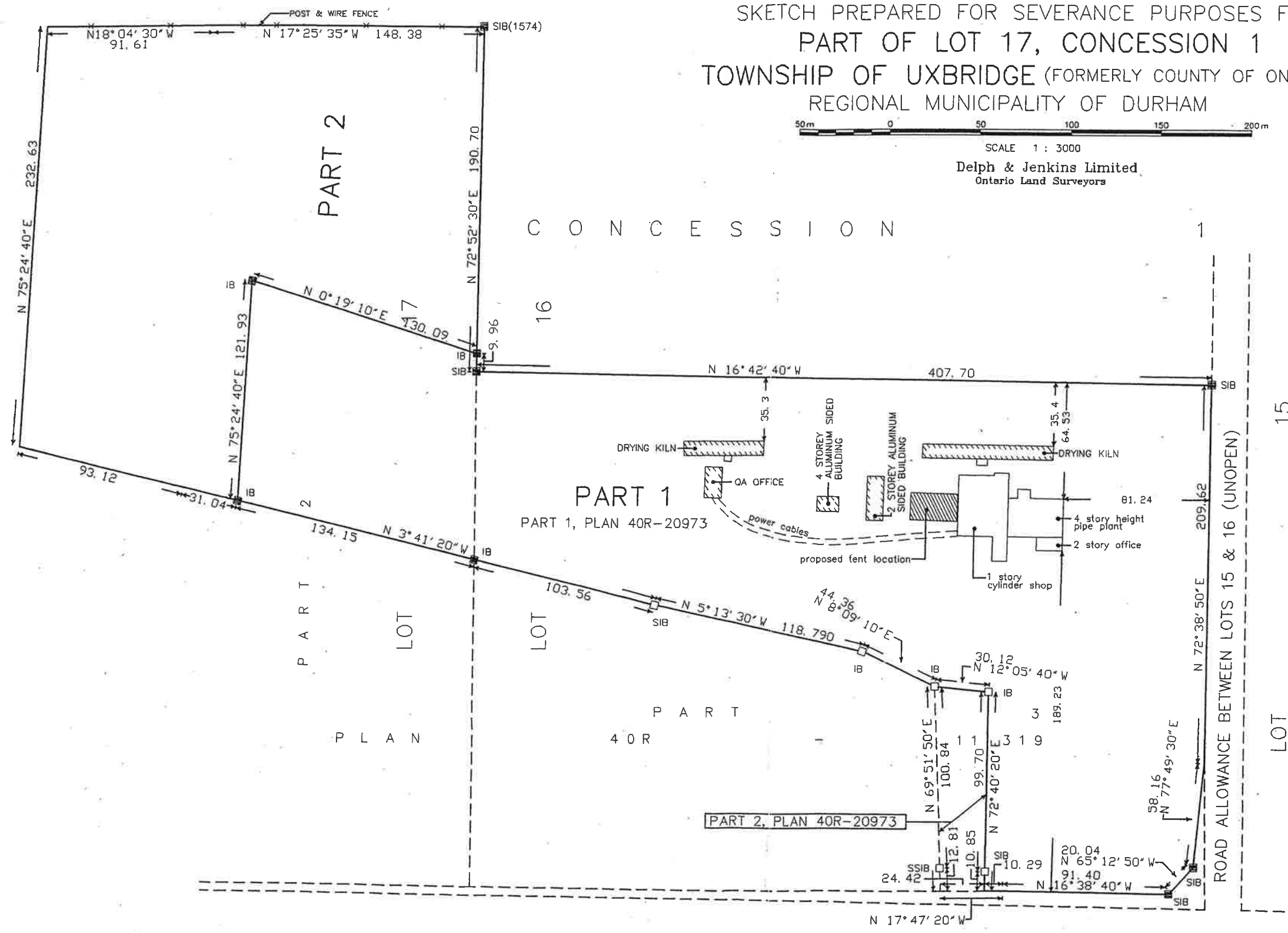
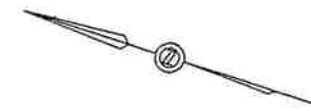
Survey

SKETCH PREPARED FOR SEVERANCE PURPOSES FOR
 PART OF LOT 17, CONCESSION 1
 TOWNSHIP OF UXBRIDGE (FORMERLY COUNTY OF ONTARIO)
 REGIONAL MUNICIPALITY OF DURHAM



SCALE 1 : 3000

Delph & Jenkins Limited
 Ontario Land Surveyors



AREA

PART 1	-	8.813 Ha
PART 2	-	4.977 Ha

METRIC:
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES
 AND CAN BE CONVERTED TO FEET BY DIVIDING
 BY 0.3048.

LEGEND

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT PLANTED
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR

DURHAM ROAD No. 30
 (ROAD ALLOWANCE BETWEEN THE TOWNSHIPS OF UXBRIDGE AND THE TOWN OF WHITCHURCH - STOUFFVILLE)

Delph & Jenkins Limited Ontario Land Surveyors 220 Industrial Parkway S., Unit 8, Aurora, Ontario L4G-3V6 Tel. 905-841-8526 Fax. 905-841-2496	1-223-15D	
	DRAWN BY: LR	CHECKED BY: GKJ




Appendix B

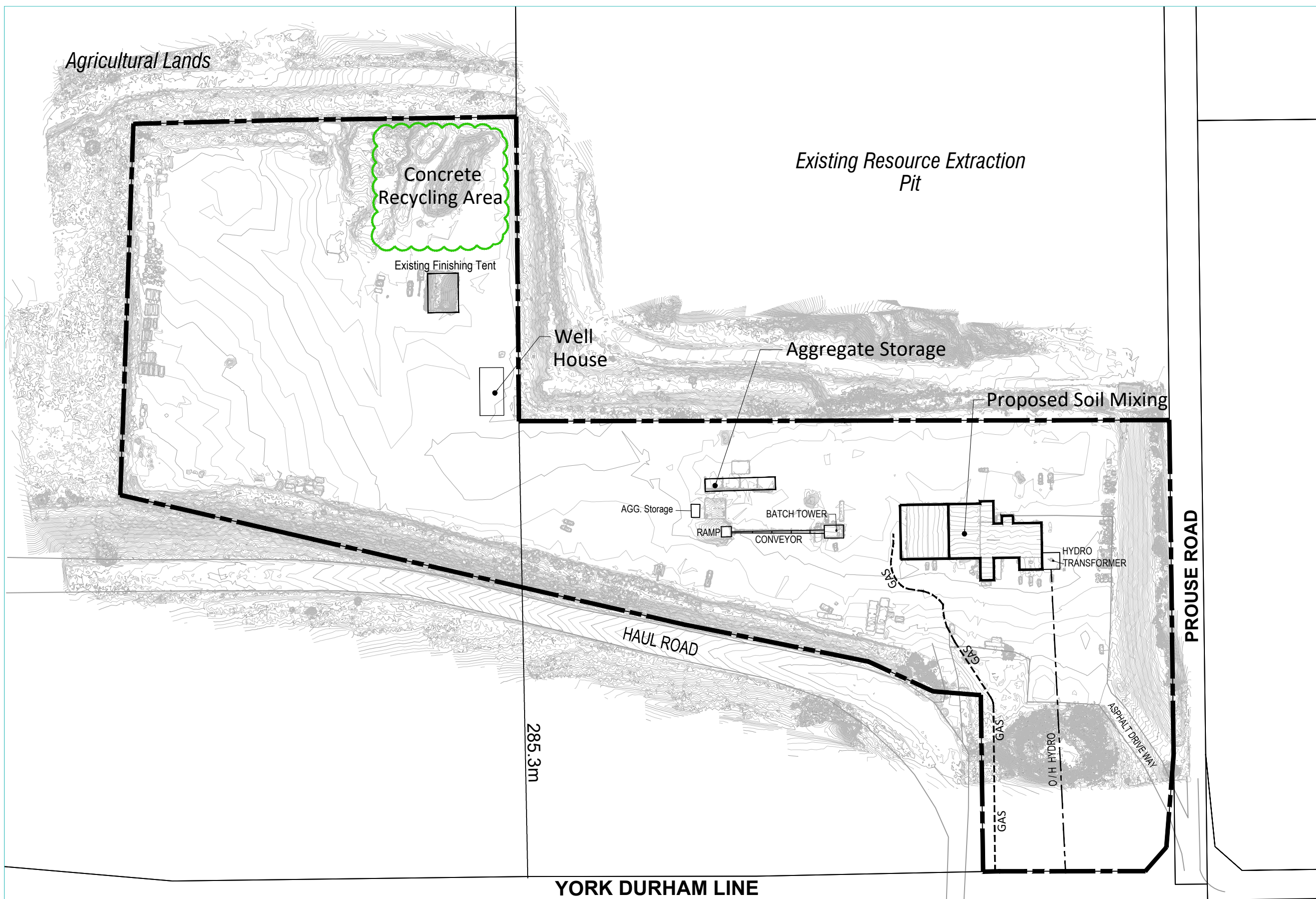
Concept Plan

PRELIMINARY CONCEPT PLAN

102 Prouse Road, Uxbridge, ON

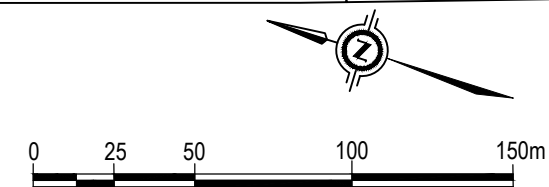
Legend

-  Subject Lands - 13.79 ha
-  Existing Structure
-  Gas line



Note: All existing buildings are shown. No new structures are proposed.

PRELIMINARY - FOR DISCUSSION ONLY



MGP File: 21-3015
Date: July 16, 2021



Malone Given Parsons Ltd.
201- 140 Renfrew Drive
Markham Ontario
L3R 6B3 Canada

1-905-513-0170 mgp.ca