

PLANNING RATIONALE REPORT

UDORA ESTATES, TOWNSHIP OF UXBRIDGE

FEBRUARY 2025



FLAGSHIP

DEVELOPMENTS

1.0 Introduction

Flagship Developments is the planning and development consultant for 2695867 Ontario Inc. (J&J Developments), the owner of the subject site in Udora. The owner is proposing 7 single detached residential lots fronting on two future municipal roads.

Applications for Zoning By-law Amendment and Draft Plan of Subdivision are being submitted to permit the proposed development.

The purpose of this report is to review planning policy and provide contextual rationale in support of the proposed development. This includes consideration of all relevant planning policy documents as well as a review of the key technical plans and reports submitted with these applications.

2.0 Site Context

2.1 Subject Site

The subject site consists of two distinct properties located at the north end of Birdie Smith Court in the Hamlet of Udora (see Figure 1 for the site location). The site is 1.72 ha (4.25 ac) in area.

The north portion of the subject site has frontage on Durham Road 1 to the east as well as on an unopened road allowance.

The south portion of the subject site has frontage on both unopened road allowances – one of which is to accommodate the extension of Birdie Smith Court.

The subject site is currently vacant and consists of a mix of grassy and treed areas.



Figure 1 – Site Location

2.2 Area Context

The subject site is located west of Durham Road 1 and south of Ravenshoe Road in the Hamlet of Udora. Udora is a hamlet located at the north end of the Township of Uxbridge and is generally based around rural, agricultural and residential uses.

The subject site is surrounded by the following uses:

- North – single detached residential lots fronting Ravenshoe Road

- East – single detached residential lots fronting Durham Road 1
- South – large lot residential estate subdivision with approximately 24 single detached lots on both Bagshaw Crescent and Birdie Smith Court.
- West – predominantly tree covered with a single detached dwelling along Ravenshoe with a second outbuilding

2.3 Surrounding Developments

The adjacent property to the west is owned by King Cole Ducks and is subject to a previous Draft Plan of Subdivision approval in 2013 for a 13 lot Plan of Subdivision. It is our understanding that this Draft Plan Approval has lapsed and the owner is looking to reinstate.

The King Cole Ducks draft plan proposes a road connection to the subject site with a temporary turning circle. There is also a stormwater management pond proposed.

While individual lot areas are not referenced on the draft plan, the average lot size is 0.23 hectares.

3.0 Proposed Development

3.1 Proposal Details

The proposed draft plan (see Figure 2) for the subject site consists of the following:

- 7 single detached lots fronting on the extension of Birdie Smith Court and as well as the unopened east-west road allowance
- A stormwater management pond which will outlet to Ravenshoe Road through a future easement or acquisition
- A road connection to the King Cole Ducks subdivision to the west is proposed (Street B). Until the details of the connection are finalized, a temporary turning circle is provided
- Street B is proposed to also connect to Durham Road 1. In order to accommodate a 23.0m right-of-way, a minor road widening would be required
- While not required, a land swap is proposed with the Township. Seeing as the right-of-way of Street B is wider than 23.0m, this additional land would be surplus and could form part of a land swap where the Township receives the widening from J&J Developments while J&J receives the surplus land from the Township to be added to Lots 5 and 6
- The average lot size is 0.21 hectares

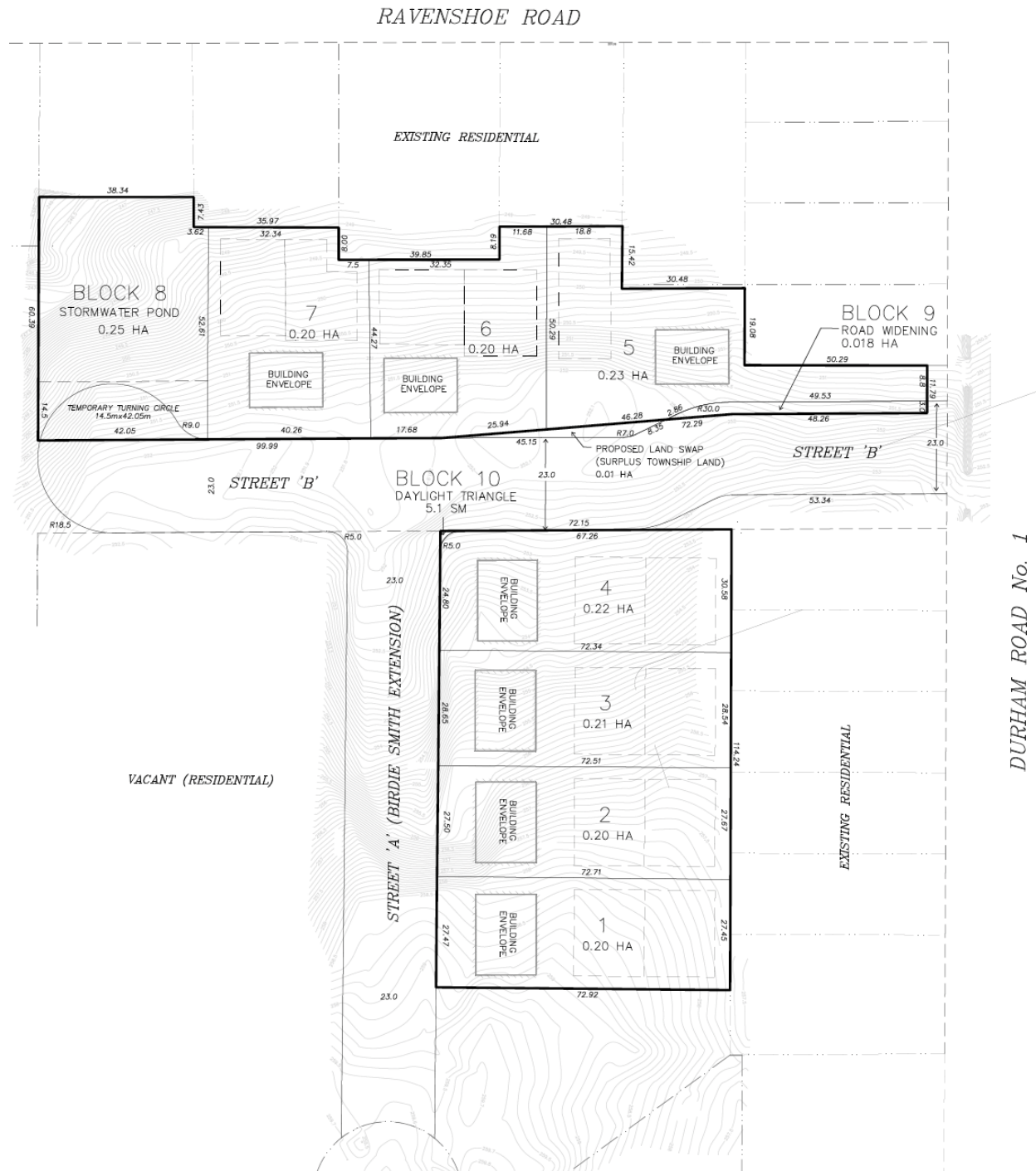


Figure 2 – Proposed Draft Plan

It is also noted that should J&J and King Cole Ducks come to an agreement to establish a road connection and to permit the subject site to drain to the King Cole Ducks SWM pond, it would be proposed by J&J to convert the temporary SWM pond and turning circle to an 8th residential lot.

3.2 Proposed Amendments

The Draft Plan of Subdivision application is accompanied by a Zoning By-law Amendment Application. The purpose of the zoning amendment is to permit lot sizes with a minimum lot area of 2,000 square metres (or 0.2 hectares) and a minimum lot frontage of 27.4m. The current zoning permits a minimum lot area of 3,000 square metres and a minimum lot frontage of 30m.

In order to justify minimum lot sizes of 2,000 square metres, J&J Developments has been involved in a year-long nitrate monitoring program in consultation with the Region. The Nitrate Density Report prepared by Gaman Consultants was reviewed by the Region and their peer reviewer (PGL). On February 14, 2025, PGL prepared a letter indicating acceptance of the nitrate monitoring program and stated that 7 to 9 lots on the subject site are supportable from their perspective.

More details on this report are provided below in Section 5 of this report.

4.0 Policy Context

4.1 Provincial Policy Statement

The following are applicable policies from the 2024 Provincial Policy Statement (PPS) with respect to Rural Settlement Areas:

- Healthy, integrated and viable rural areas should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - c) accommodating an appropriate range and mix of housing in rural settlement areas;
 - d) using rural infrastructure and public service facilities efficiently;
 - g) conserving biodiversity and considering the ecological benefits provided by nature; (2.5.1)
- In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. (2.5.2)
- When directing development in rural settlement areas in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels. (2.5.3)

The following are applicable policies regarding servicing:

- Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems. (3.6.2)
- Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety. (3.6.3)
- Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual onsite sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3. (3.6.4)

The following are applicable policies regarding water resources:

- Planning authorities shall protect, improve or restore the quality and quantity of water by:
 - e) implementing necessary restrictions on development and site alteration to:
 1. protect all municipal drinking water supplies and designated vulnerable areas;
 2. protect, improve or restore vulnerable surface and ground water, and their hydrologic functions (4.2.1)

While not directly applicable, the intent of the following applies:

- 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, which may require mitigative measures and/or alternative development approaches. (4.2.2)

4.2 Greenbelt Plan

The subject site is considered a Hamlet / Settlement Area in the Greenbelt Plan (2017). The Greenbelt Plan generally defers to local and regional Official Plans for lands in settlement areas.

The following Greenbelt Plan policy is applicable:

- Hamlets are subject to the policies of the Growth Plan and continue to be governed by official plans and related programs or initiatives and are not subject to the policies of this Plan, save for the policies of sections 3.1.5, 3.2.3, 3.2.6, 3.3 and 3.4.2. Limited growth is permitted through infill and intensification of Hamlets subject to appropriate water and sewage services. (3.4.4)

It is noted that the above sections mentioned above in 3.4.4 of the Greenbelt Plan are broader municipal planning policies and are not applicable to the proposed development.

4.3 Region of Durham Official Plan

The subject lands are designated ‘*Hamlets*’ in the Region of Durham Official Plan (2024) and located within the Udora Hamlet. Hamlets are part of *Rural Settlements* in the Durham Official Plan.

The following *Rural Settlement* objectives and policies are applicable:

- Support the rural character and cultural heritage of existing Rural Settlements while permitting limited growth through infilling. (6.5 i)
- Promote the vitality and regeneration of Rural Settlements, considering rural characteristics, the scale of development and the provision of appropriate service levels. (6.5 ii)
- Ensure that development in Rural Settlements shall occur with careful consideration to the natural, built and cultural environments. (6.5 iii)
- Promote existing Rural Settlements and support their function of providing for the limited residential, social and commercial needs for the surrounding area as part of a thriving Rural System. (6.5 iv)
- Ensure growth and development within the Rural System is focused on Rural Settlements while protecting the viability of the rural area. (6.5 v)

- Support healthy, integrated and viable rural areas by accommodating an appropriate range and mix of housing in Rural Settlements. (6.5 vi)
- Require that individual on-site sewage and water services can be used only where municipal sewage and water services or communal sewage and water services are not available, planned or feasible, and provided that site conditions are suitable for the long-term provision of such services with no negative impacts. (6.5.1)
- Maintain the rural character of Rural Settlements. (6.5.3)
- Require development within Rural Settlements be limited to infilling and minor rounding out of existing development, subject to the ability to service the use(s) by individual private on-site water and wastewater systems where groundwater quality and quantity permits, and in compliance with the standards of the Region of Durham Drilled Wells and Lot Sizing Policies and the Ministry of the Environment, Conservation and Parks. (6.5.4)
- Support the development of Rural Settlements on individual on-site private services. (4.1.41)

The following *Hamlets* policies are applicable:

- Encourage hamlets to be the focus of modest growth and development in the Rural System. (6.5.7)
- Require growth in Hamlets be limited to minor infilling subject to the ability to service the growth with individual on-site water and individual on-site sewage services. (6.5.9)
- Encourage development within hamlets to be compatible with surrounding uses and the rural landscape consisting of a mix of housing types appropriate for existing service levels, employment uses and commercial uses that meet the needs of the residents of the hamlets and the surrounding rural area. (6.5.10)
- Encourage that any new lots to be developed within hamlets do not extend or promote strip development. (6.5.11)
- Require the details of the permitted land uses within the hamlet in area municipal official plans. Consideration should be based on the following:
 - a) an assessment of the impact of future development on existing groundwater and surface water drainage, quality and quantity, and the impact on existing sources of drinking water, including municipal, communal and private wells;
 - b) an assessment of the long-term suitability of the soil conditions for the effective operation of private sewage disposal systems;
 - c) an environmental inventory and assessment of the impact of new growth on the natural, built and cultural environments;

- d) an assessment of the impact on adjacent agricultural operations and identification of directions for minor rounding out which will minimize and/or mitigate potential conflicts between Hamlet and agricultural uses;
 - e) the ability to develop the Hamlet in depth rather than strips;
 - f) where municipal water or sewage facilities currently service the Hamlet, an assessment of the ability for development to improve the efficiencies of the system; and
 - g) utilizing a grid system of roads. (6.5.13)
- Require that development within a hamlet proceed by plan of subdivision, except for limited infilling as described in Policy 6.5.13. In addition to the requirements of the Planning Act, an application for approval of a draft plan of subdivision within a hamlet shall be accompanied by:
 - a) a recent hydrogeological report, based on test wells on the subject site, addressing existing conditions and the potential impact of the proposed subdivision on the available water supply in terms of quantity, quality and sustainable yield for both the proposed and existing wells. The report shall also assess the potential impact of proposed private sewage disposal systems on the groundwater supply in terms of bacterial and chemical parameters, as determined by the Region and the Ministry of the Environment, Conservation and Parks;
 - b) a lot servicing plan, indicating the proposed location of all structures, drilled wells and the subsurface sewage disposal system envelopes, including a 100% replacement area for each inground conventional Class 4 sewage disposal system;
 - c) in the case of hamlets that are serviced by municipal water supply, a report demonstrating to the satisfaction of the Region, that development on partial municipal services is feasible and sustainable;
 - d) a report of the results of a soil sampling program that adequately represents the geology of the subdivision; and,
 - e) an existing and final grading plan, indicating elevations and lot drainage patterns. (6.5.14)

4.4 Uxbridge Official Plan

The subject site is designated as ‘Hamlets’ in the Uxbridge Official Plan (2014).

The applicable policies are as follows:

- Development in these hamlets shall be permitted in accordance with the policies of the Greenbelt Plan and the Durham Regional Official Plan. In addition, the regulations of the Township Zoning By-law shall be taken into consideration. (1.8.7)

4.5 Uxbridge Zoning By-law

The south portion of the subject site is zoned HR-20 (Hamlet Residential) and the north portion includes a Holding Provision on the same zoning. The south portion is zoned (H)HR-20.

The Hamlet Residential (HR) zone permits single family detached dwellings. The HR zone regulations are as follows:

- Minimum lot area: 3,000 square metres
- Minimum lot frontage: 35m
- Minimum front yard: 10m
- Minimum exterior side yard: 10m
- Minimum interior side yard: 3m
- Minimum rear yard: 10m
- Minimum gross floor area: 110 square metres
- Maximum lot coverage: 30%
- Setback from regional road centreline: 28m
- Minimum landscaped open space: 30%
- Maximum dwellings per lot: 1
- Maximum building height: 10m

The Holding Provision is applicable to the north portion of the subject site and applies the Rural (RU) zone to guide any uses until such time that the Holding Provision is lifted.

Exception 20 applies to the subject site and reduces the minimum lot frontage to 30 metres.

5.0 Planning and Development Analysis

5.1 Provincial Policy

It is our opinion that the proposed development is consistent with the PPS as it provides new housing options in the rural settlement area and will be serviced by individual septic and wells without negative impacts on hydrologic functions. Individual private services (rather than a communal system) are proposed due to the small number of residential lots where a communal system is not feasible. Please refer to Section 5.5.1 of this report for more details on hydrologic function.

In addition, the proposed development conforms with the Greenbelt Plan as it accommodates limited infill and growth in a hamlet without compromising site features.

5.2 Regional Policy

In our opinion, the proposed development conforms with the Regional Official Plan. The proposal involves new residential development that is directed to hamlets and is compatible with existing and planned development in the hamlet while maintaining the rural character of the area.

The hydrogeological investigations and nitrate monitoring program support the proposed development without negative impacts and the lot sizes are able to accommodate appropriately sized septic systems with space for 100% replacement.

5.3 Township Policy

The proposed development conforms to the Uxbridge Official Plan as it defers to the Greenbelt Plan and Region of Durham Official Plan.

5.4 Township Zoning

Given the success of the nitrate monitoring program, the proposed lot sizes of 2,000 square metres are acceptable in our opinion. The only other provision of the Zoning By-law that is not met is minimum lot frontage (proposed minimum of 27.4 metres whereas 30.0 metres is required). This amendment is relatively minor and in our opinion, meets the general intent of the By-law and has no negative impacts.

As a result, the proposed development complies with most of the HR zone requirements and these minor changes are supportable.

5.5 Supporting Studies

5.5.1 Hydrogeological / Nitrate Density Report

The Nitrate Density Report prepared by Gaman Consultants was part of a year long nitrate monitoring program with terms established by the Region of Durham. Existing nitrate levels were monitored on a monthly basis and were well the drinking water standard.

The report concludes that the proposed development will not have an adverse impact on shallow groundwater quality.

The report also determines that up to 9 lots are acceptable with nitrate levels remaining well below the drinking water standard. The report accounts for the possibility of the interim SWM pond no longer being required and being converted to an 8th residential lot.

The report also concludes that the proposed minimum lot size of 2,000 square metres is acceptable and would have no adverse impacts on hydrologic function and quality.

Gaman also prepared a water budget report which concludes that proposed infiltration rates will not be less than existing rates.

5.5.2 Functional Servicing and Stormwater Management Report

The Functional Servicing and Stormwater management Report prepared by SCS Consulting concludes the proposed development is acceptable and has the following conclusions:

- That quality control for stormwater will be provided through the use of enhanced grassed swale infiltration trenches and enhanced grassed swale filtration trenches
- Quantity control will be provided via the interim dry pond to control proposed flows from the site to existing flow rates for the 2 through 100-year storm events
- Minor and major system runoff from the site (up to the 100 year storm event) will be conveyed overland along municipal roads
- The proposed individual sanitary and water sources are acceptable
- The Town standard 23.0 m rural estate right-of-way is proposed to be modified to incorporate infiltration/filtration trenches below the ditches

5.5.3 Environmental Impact Study

The Environmental Impact Study prepared by Riverstone concludes that the proposed development is acceptable and meets applicable legislation and policies.

Riverstone states that the features on site do not meet the criteria for retention and proposes that any feature removals take place outside of April to September.

5.5.4 On-site Sewage System Sizing

Envision Consultants prepared the On-site Sewage System Sizing Report and conclude that adequate area is available on each lot to meet the Durham Region Lot Sizing Policy for the proposed 7 lot development.

6.0 Conclusions

In our opinion, the proposed Zoning Amendment and Draft Plan of Subdivision applications meet and implement planning policy at the provincial, regional and municipal levels while being compatible with the area context. The key conclusions include:

- The proposed lot sizes and areas are appropriate given the findings from the hydrogeological studies and the nitrate monitoring program
- The proposed residential lots are keeping with the character of the Udora hamlet and are compatible with the existing and planned context

- The proposed lot sizes are generally the same as those proposed at the neighbouring King Cole Ducks subdivision to the west and are larger than the existing lots along Regional Road 1
- The proposed development is a small scale infill directed to a rural settlement area (hamlet) and provides new housing options in a built-up hamlet
- Supporting studies show no negative impacts on site and surrounding features or hydrologic function
- The proposed zoning amendment for minimum lot frontage of 27.4 metres is minor, meets the general intent of the By-law and is appropriate and compatible with the area
- The proposed development reflects sensible infill that utilizes and completes planned municipal roads
- The proposed individual servicing is appropriate and meets Regional standards

For all the above reasons, it is our opinion that the proposed development represents good planning and should be approved.