



REPORT

Development Services - Planning

TO: Planning and Economic Development Committee

FROM: Haley Dickson; Senior Planning Technician

DATE: October 21, 2024

REPORT: DS-61/23

FILE NO. LD-07/2024

SUBJECT: Land Division Application
WSC Corporation
2320 Concession 4, Uxbridge
PCL CON.3-8-3 SEC UXBRIDGE IN THE REGIONAL MUNICIPALITY
OF DURHAM; PT LT 8 CON 3 UXBRIDGE IN THE COUNTY OF
ONTARIO, PTS 1 - 3, 40R6553; S/T CO72159
Township of Uxbridge

BACKGROUND:

The subject property is designated 'Oak Ridges Moraine' on Schedule 'A' in the Region of Durham Official Plan and is zoned Recreation Open Space Exception No. 9 (OS-9) in Uxbridge Zoning By-law 81-19. The subject land has an approximate area of 144.5 hectares and consists of golf course land with a clubhouse and associated accessory structures. The application seeks to adjust the lot line between the identified parcel and the property located to the south municipally known as 2440 Concession 4. The subject lands are proposed to be severed in the manner illustrated in Figure 1. The proposed severed parcel will have an area of approximately 4,446.4 m² and frontage of approximately 51.57 meters on Concession Road 4. The retained parcel of land consisting of golf course lands and associated accessory buildings will have a frontage on Concession Road 4 of 403 metres and an approximate area of 17.96 hectares. The proposed severed parcel is to be conveyed to Bradley May, the owner of the abutting rural property located in Part of Lot 8 of Concession 3, Ward 1, in the Township of Uxbridge.

Table 1: Parcel Descriptions summarizes frontages and areas for existing, severed and retained parcels.

	2320 Concession 4 (Subject Parcel)			
	Required	Existing	Retained	Severed
Lot Area	10 ha	144.5 ha	17.96 ha	0.44 ha
Lot Frontage	100 m	454.57 m	403 m	51.57 m

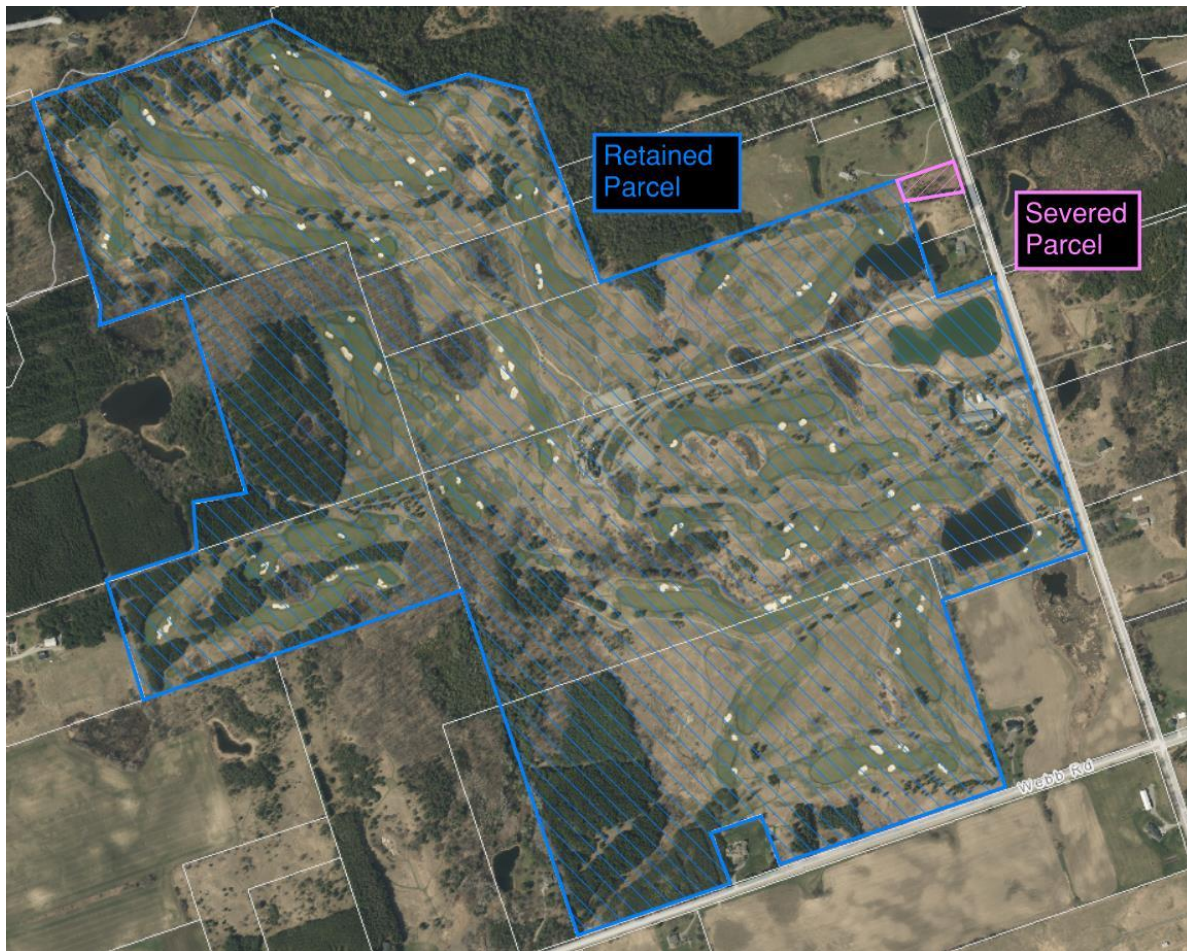


Figure 1: Parcel Description

PROVINCIAL PLANS AND POLICIES, OFFICIAL PLANS AND ZONING:

The Provincial Planning Statement, 2024:

The Provincial Planning Statement (PPS) provides policies that direct development while protecting resources of provincial interest, public health and safety; and the quality of the natural and built environment. It supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. Decisions affecting planning matters must be consistent with the PPS. Applicable policies include:

- **Section 2.6.1 c)** residential development, including lot creation, that is locally appropriate;
- **Section 2.6.2** Development that can be sustained by rural service levels should be promoted.
- **Section 2.6.5** New land uses, including the creation of lots, and new or

expanding livestock facilities, shall comply with the minimum distance separation formulae.

- **Section 4.3.3.2** *Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.*
- **Legal or technical reasons:** *means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.*

Oak Ridges Moraine Plan:

The Oak Ridges Moraine Plan provides policies to regulate the creation of lots in the ORM Natural Core Area. The retained and severed lands contain Key Natural Heritage and Key Natural Hydrologic Features. Applicable policies include:

- **Section 32.**
 - 1) A lot may be created only in the following circumstances, and subject to section 15, subsections (2), (3), (4) and (5) of this section, and Part III:
 4. The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of a lot that is undersized for the purpose for which it is being or may be used.
 - 2) Subsection (1) applies whether the transaction takes the form of a conveyance, a lease for twenty-one years or more, or a mortgage.

Region of Durham Official Plan:

The lands are designated “Oak Ridges Moraine” on Map ‘1’ of Region’s Official Plan. Schedule ‘B’ of Region’s Official Plan identifies portions of ‘Key Natural Heritage Features’ on the subject property. The following are relevant criteria established for the evaluation of severances in the Regional Plan:

- **Section 10 B.2** of the Regional Official Plan provides details to the ‘Oak Ridges Moraine Area’ designation.
- **Section 10 B.2.6.** of the Regional Official Plan “Development and site alteration shall be prohibited within key natural heritage features and hydrologically sensitive features and their related minimum vegetation protection zone as identified by the Table in Part III of the Oak Ridges Moraine Conservation Plan.”
- **Section 14.8.5** states that “All proposed lots shall have frontage upon, and access to, a public road.”
- **Section 14.8.7** states that “All parcels of land shall be of an adequate size for the use proposed, having regard to the topography of the land, the siting of proposed buildings and points of access. Where municipal services do not exist and are not to be provided for the development, regard shall be had to the suitability of the soil conditions to provide for an adequate potable private water supply, and for the installation of a satisfactory private sewage disposal system which complies with the standards of the Ministry of the Environment, Conservation and Parks and the Region.”
- **Section 14.8.15** states “In the Oak Ridges Moraine and Greenbelt Protected Countryside, no new lots may be created, except those specified in this Plan, within or partially within a minimum vegetation protection zone of a key natural

heritage feature and/or a hydrologically sensitive feature.”

Uxbridge Official Plan:

The lands are within the Oak Ridges Moraine Conservation Plan Area. According to “Schedule A” of Township Official Plan the subject property and benefitting lands are designated ‘Natural Core Area;’. However, according to “Schedule H” of the subject property is subject to a non-decision.

- **Section 1.9.9.6(i)(d)** *Within the Oak Ridges Moraine Conservation Plan Area a lot may be created only in the following circumstances, and subject to section 15 of the Moraine Plan, subsections i), ii), iii), iv), v) and vi) of this section, and the policies contained in Section 1.9 of this Plan:*

d) The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of a lot that is undersized for the purpose for which it is being or may be used.

Uxbridge Zoning By-law 81-19:

The lands are zoned Recreation Open Space with Exception No. 9 (OS-9). OS-9 permits minimum lot area and lot frontage requirements to be 10 ha and 100 meters on the proposed retained lot with a golf course and associated accessory structures. The retained lot in application LD 07/2024 meets the minimum lot frontage and minimum area requirements established in the OS-9 Zone. The severed lot in application LD 07/2024 will not meet the minimum lot frontage and minimum lot area requirements and will require relief either by way of a minor variance or rezoning.

ANALYSIS:

The key tests as to the appropriateness of the proposed severance are the policies of Provincial Policy Statement, criteria for the evaluation of severances in the Region of Durham Official Plan, and Township Official Plan. In light of the foregoing, it is satisfied that the application LD 07/2024 for lot line adjustment is consistent with the policies of the Provincial Policy Statement and maintains the intent and purpose of the policies of the Official Plan and can be supported from a planning perspective, contingent upon fulfillment of specified conditions.

AGENCY COMMENTS:

Comments were received from Bell Canada, Central Lake Ontario Conservation Authority, Durham District School Board, Enbridge Gas, HydroOne, Lake Simcoe Region Conservation Authority, Metrolinx, the Ministry of Transportation of Ontario, Toronto and Region Conservation Authority and the Region of Durham Health and Works departments. None of the comments received objected to the approval of the application.

Comments were received from the Region of Durham Planning and Economic Development Department, which did not object to the approval of the application provided conditions included in their June 27, 2024, letter were included in Council’s decision.

RECOMMENDATION

THAT Report DS-61/24 of Haley Dickson, Senior Planning Technician regarding Land Division Application LD 07/2024 known as 2320 Concession 4 be received for information;

AND THAT Having reviewed and considered all the agency comments as well as hearing any oral submissions, Council move that application LD 07/2024 be approved as applied for, subject to:

Conditions

1. That the owner/applicant satisfy the Township of Uxbridge financially and/or otherwise, including, but not limited to, any costs incurred by the township during the review and approval of this consent application,
2. That the owner/applicant ensure that the affected parcels satisfy any applicable requirements of the Township of Uxbridge Zoning Bylaw 81-19, as amended, and that the owner/applicant shall provide the Township with written confirmation signed by an O.L.S. that the lots conform with the Township of Uxbridge Zoning Bylaw 81-19, as amended.
3. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated June 27, 2024.
4. That the applicant submit two copies of a registered plan on the subject parcel.
5. That the consent be subject to the following periods:
 - Last date for fulfilling Conditions is Thursday, October 22, 2026.
 - Expiry Date of Application LD 07/2024 is Friday, October 27, 2026.
6. The applicant shall enter into a consent agreement with the Township of Uxbridge in accordance with Section 53 of the Planning Act, including approval by the Township of plans showing the locations of buildings and structures in relation to buildings on abutting lots, as well as drawings which may include, elevation and cross-section views, as well as addressing any stormwater management and grading requirements. And that in addition, this agreement shall ensure that tree removal and compensation requirements are implemented with the intent to ensure that the Residential Area policies in Section 2.5.5.3.1 of the Uxbridge Urban Area Secondary Plan with respect to established residential areas are appropriately addressed in

accordance with the applicants' submission and the recommendations of this report.

Clearing Agencies

7. That prior to the signing of the certificate by the Director, Development Services that the consent has been given, the Director, Development Services is to be advised in writing by the Township of Uxbridge Development Services Department that conditions #1-2, 4 and 6 have been carried out to its satisfaction.
8. That prior to the signing of the certificate by the Director, Development Services that the consent has been given, the Director, Development Services is to be advised in writing by the Regional Planning and Economic Development Department that conditions #3 has been carried out to its satisfaction.
9. That prior to the signing of the certificate by the Director, Development Services that the consent has been given, the Director, Development Services is to be satisfied that the time periods outlined in condition #5 have been adhered to.

Advisory Comments

1. Once all of the conditions contained in this Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Township of Uxbridge's Development Services Department, to the attention of the Director, Development Services for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Director, Development Services of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.

Respectfully Submitted by:

Haley Dickson

Haley Dickson
Planning Technician
Township of Uxbridge

