



REPORT

DEVELOPMENT SERVICES - PLANNING

TO: Mayor and Council

FROM: Elizabeth Howson, Macaulay Shiomi Howson Ltd.

DATE: April 8, 2019

REPORT: DS-17/19

FILE NO. ZBA-2018-07

SUBJECT: Grainboys Holdings Inc. Part of Lot 17, Concession 3
351 Regional Highway 47, Township of Uxbridge

1. BACKGROUND:

An application has been submitted to the Township of Uxbridge by Grainboys Holdings Inc. for a Zoning By-law Amendment. The Subject Lands are approximately 5.2 hectares in size and have a municipal address of 351 Regional Highway 47. The site is legally described as Part of Lot 17, Concession 3, Township of Uxbridge and is located on the south side of Regional Highway 47 approximately half a kilometre east of the Hamlet of Goodwood.

The application, as set out in the Planning Justification Report prepared by the Applicant's planner, Zelinka Priamo Ltd. and dated April 2018, is to amend the Zoning By-law to permit:

- *"A dry grain processing plant supplied primarily by farms and granaries in Uxbridge and Durham Region and comprised of milling, blending and packaging, warehousing, shipping, enclosed processing tower (height 18.3 m, 60 ft) and office use in a building with a total ground floor area of +/-3700 m² (+/-39,826 sq. ft.), a coverage of 7.1% of the site.*
- *Fourteen (14) elevated +/- 75 tonne exterior clean storage surge bins with 4.5 m diameter and 12 m height (15 ft. and 40 ft.);*

- Two (2) elevated +/- 75 tonne exterior receiving surge bins with 4.5 diameter and 15 m height (15 ft. and 50 ft.);
- Two (2) drive under elevated +/- tonne exterior surge bins with 4.5 diameter and 15 m height (15' and 50') for animal feed by-products;
- Concrete pads, receiving, scale, silos to support receiving and loading areas of 2164 m² (23,293 sq. ft.) with coverage of 4.2% of the site;
- Asphalt driveway and parking area (22 parking spaces) are 4,394 m² (47,297 sq. ft.) and have a coverage of 8.6% of the site;
- The existing non-farm single detached dwelling (160 m², 1700 sq. ft.) will be demolished.

Approximately 48% of the of the site area will be disturbed by construction activity. The impervious area comprised of the building, bins and concrete works is limited to 19.9% of the site area. Private water and sewage services are proposed.

The capacity of the clean storage and receiving surge bins is +/-1300 tonnes (+/- 52,000 bushels) at one time. Apparatus including scourer, screener, destoner, indent cylinder, gravity table, and colour sorter are used to clean and sort grain. The movement of materials within the system is achieved by quiet operation of noise abatement technologies for the air systems used for cleaning the grains, and the elevation devices for their movement. Products processed according to client's specifications are packaged in bag sizes of up to 1000 kg for shipment from loading bays.

Truck traffic is expected to be approximately 10 trucks per day carrying approximately 35 tonnes (1400 bushels) of grain from farms and granaries in the Township, the Region and neighbouring municipalities.

The processing plant is expected to employ 20 people working two 8 hour shifts from six (6) a.m. to three (3) p.m. and from three (3) p.m. to twelve (12:00) midnight."

In support of the application the following technical reports were submitted:

- Site Servicing and Development Review, Lassing Dibben Consulting Engineers Ltd., April 2018;
- Stormwater Management Report, G.D. Jewell Engineering Inc., April 2018;
- Phase I Environmental Site Assessment, Golder Associates, November 2015;
- Preliminary Air Quality Assessment and Odour Screening, MTE Consultants Inc.;
- Geotechnical Investigation Report, GHD, September 2016; and,
- Noise Impact Study, HGC Engineering, April 2018.

In addition, as part of the review of the application the Noise Impact Study was subject to a peer review by the Township's noise consultant, SS Wilson Associates.

The initial peer review was dated December 13, 2018. HGC Engineering responded to the peer review in a letter of January 4, 2019. A further review was then undertaken by SS Wilson Associates and their conclusions are outlined in a letter dated January 11, 2019.

Further, Zelinka Priamo Ltd. prepared a response to public comments dated August 13, 2018, including a response to MTE Consultants with respect to issues related to air quality and to issues related to noise from HGC Engineering. In addition, Grainboys Holdings Inc. provided a “Response to Public Comments” which is undated but was received by the Township on February 11, 2019. A response to additional public submissions from Mr. K. Petrovich of Grainboys Holdings Inc. was submitted to the Township via email on February 27, 2019.

2. PLANNING STATUS:

Key applicable policies are those found in the Provincial Policy Statement 2014 (PPS), Places to Grow: Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan)¹, the Oak Ridges Moraine Conservation Plan, 2017 (ORMCP), the Region of Durham Official Plan (DROP) and the Township of Uxbridge Official Plan.

Planning decisions by the Township must be consistent with the policies of the PPS, and conform to the policies of the Growth Plan, ORMCP, DROP and the Township Official Plan.

The following summarizes the policies relevant to the development application.

PPS/Growth Plan

The policies of both the PPS and the Growth Plan provide direction with respect to the development in rural areas. In particular, the PPS recognizes in Section 1.1.4.1 that:

“Healthy, integrated and viable rural areas should be supported by: ...f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and sustainable management or use of resources ...”

Section 1.1.4.4 indicates that “growth and development may be directed to rural lands in accordance with policy 1.1.5”. Section 1.1.5, Rural Lands in Municipalities is reviewed in Appendix A to this report. In particular, Section 1.1.5.8 provides for the promotion of agriculture-related uses. Agriculture-related uses are defined in the PPS as “means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit

¹ Note: The Province has released an amendment to the Growth Plan for review. Until such time as the amendment is approved and takes effect, the Growth Plan, 2017 remains in effect. However, none of the proposed amendments to the Growth Plan appear to be relevant to the application for the Subject Lands.

from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.”

Other provisions of Section 1.1.5 establish conditions for permitted development including that development be promoted which “is compatible with the rural landscape and can be sustained by rural service levels”.

The Growth Plan focuses on directions which promote intensification of existing communities in both built-up areas and designated greenfield areas. However, direction is provided in Section 2.2.9 with respect to Rural Areas. Section 2.2.9.3 establishes that:

“Subject to the policies of Section 4, development outside settlement areas may be permitted on rural lands for...other rural land uses that are not appropriate in settlement areas provided they:

- i. are compatible with the rural landscape and surrounding local land uses;
- ii. will be sustained by rural service levels; and
- iii. will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.”

Section 4 includes policies for protecting what is valuable. These include natural and agricultural systems, cultural heritage resources and mineral aggregate resources. In addition, policy direction is provided with respect to conservation (e.g. water, energy) and climate change. Of these the only policies applicable are the directions to conserve mineral aggregate resources.

As discussed with respect to Section 1.1.5.1 of the PPS (See Appendix A), the Subject Lands are identified in the DROP as being located in a “High Potential Aggregate Resource Area”. Development and activities which would preclude or hinder the establishment of new operations or access to the resources are not permitted unless specific criteria are satisfied including “b) the proposed land use or development serves a greater long-term public benefit; and c) issues of public health, public safety and environmental impact are addressed”. The proposed development supports agriculture in the Township and the Region. Further, the potential for aggregate extraction is limited given the size of the site and the surrounding uses. The potential for public health, public safety and environmental impacts, based on the studies submitted and the evaluation of same, has been addressed.

ORMCP

The Subject Lands are designated “Countryside Areas” in the ORMCP. Section 13(3) sets out the permitted uses which include “agriculture-related uses”. The definition of agriculture-related uses in the ORMCP “means farm-related commercial and industrial uses that:

- (a) are directly related to, and compatible with, farm operations in the surrounding area and do not hinder those farm operations,
- (b) support agriculture,

- (c) benefit from being in close proximity to farm operations, and
- (d) provide products or services, or both directly to farm operations as a primary activity;"

All development must also conform to the policies of Part III Protecting Ecological and Hydrological Integrity. In reviewing the associated ORMCP mapping the Subject Lands:

- include no natural heritage or hydrologically sensitive features;
- are included in an Area of High Aquifer Vulnerability and are subject to the policies of Section 29 of the ORMCP which prohibit certain uses as follows:
 - "1. Generation and storage of hazardous wastes or liquid industrial waste.
 2. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal sites.
 3. Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.
 4. Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990"; and,
- are included in a Landform Conservation Area Category 2 and are subject to the policies of Section 30 of the ORMCP. Section 30(6) requires that any development "in a landform conservation area (Category 2) shall identify planning, design and construction practices that will keep disturbances 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 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."

Further, an application for major development requires submission of a landform conservation plan which satisfies the criteria of Section 30(8) and (9).

Finally, certain policies of Part IV Specific Land Use Policies, are also relevant to the Subject Lands including:

- Section 34 Compatible Uses, which requires that "A non-agricultural use shall not have an adverse impact on agricultural uses or shall minimize or mitigate such impacts on agricultural uses to the extent possible."
- Section 43, Sewage and water services, directs that an application for major development such as the application for the Subject Lands must be have a sewage and water plan that meets a number of criteria such as maintaining the ecological integrity of hydrological features and key natural heritage features.

- Section 45, Stormwater management and Section 46, Stormwater management plans, which directs that an application for major development requires a stormwater management plan that will meet specific criteria as set out in Section 46 such as provision of an integrated treatment train approach to stormwater management. The development must also demonstrate that planning, design and construction practices will protect water resources.
- Section 47, Rapid infiltration basins and columns, prohibits new rapid infiltration basins and columns.

Region of Durham Official Plan (DROP)

The Subject Lands are designated as follows on the DROP Schedules:

- “Schedule ‘A’ – Map ‘A2’ Regional Structure of DROP – “Oak Ridges Moraine Areas”;
- Schedule ‘B’ – Map ‘B1b’, Greenbelt Natural Heritage System & Key Natural Heritage and Hydrologic Features – No designation;
- Schedule ‘B’ – Map ‘B2’ High Aquifer Vulnerability and Wellhead Protection Areas – “High Aquifer Vulnerability Areas”;
- Schedule ‘B’ – Map ‘B3’, Oak Ridges Moraine Land Use - “Countryside Area”;
- Schedule ‘B’ – Map ‘B4’, Oak Ridges Moraine Landform Conservation – “Landform Conservation Area – Category 2”; and,
- Schedule “D”, High Potential Aggregate Resource Areas – “Areas of High Potential Aggregate Resources”.

In addition, Regional Highway 47 on which the Subject Lands fronts is designated as a Type B Arterial Road on Schedule ‘C’ – Map ‘C1’. It is also designated as a “Transit Spine” on Schedule ‘C’ – Map ‘C3’ Transit Priority Network.

The policies related to the Oak Ridges Moraine are found in Sub-Section 10B of the DROP. The policies, as outlined in Section 10B.1.2 incorporate the major provisions of the ORMCP, and “the policies must be read in conjunction with the” ORMCP.

Section 11, Transportation System provides policies with respect to the Transportation System. In accordance with Section 11.3.3:

“Subject to site-specific conditions and accepted planning, urban design and traffic engineering principles, Type A, Type B and Type C arterial roads shall be designed in accordance with Schedule ‘E’ – Table ‘E7’, Arterial Road Criteria.”

Table ‘E7’ with respect to Type B Arterial Roads such as Regional Highway 47, provides that the Traffic Service Objective is “Traffic movement major consideration

Predominately serves inter- and intra- municipal trips”. Table ‘E7’ also provides specific direction regarding design including with respect to Goods Movement that there are generally no restrictions, and for Vehicle Priority Type B Arterials may be considered for vehicle priority for goods movement, as well as for transit. The Right-of-Way width for such roads is 30-36 m with 2-4 lanes outside the Urban Area.

Township of Uxbridge Official Plan

The Subject Lands are designated as follows on the Township Official Plan Schedules (See Appendix B):

- Schedule H Oak Ridges Moraine Conservation Plan Area Land Use Plan – “Countryside Area”;
- Schedule I Oak Ridges Moraine Conservation Plan Area Key Natural Heritage and Hydrologically Sensitive Features – no features identified;
- Schedule J Oak Ridges Moraine Conservation Plan Area Areas of Aquifer Vulnerability – “High Aquifer Vulnerability”; and,
- Schedule K Oak Ridges Moraine Conservation Plan Area Landform Conservation Areas – “Landform Conservation Area 2”.

The policies related to the Oak Ridges Moraine are found in Section 1.9, Oak Ridges Moraine Conservation Plan Area of the Township Official Plan. The policies, as outlined in Section 1.9.1, require that:

“The Township’s planning decisions within the Oak Ridges Moraine Conservation Plan Area must conform with the policies of this Plan the Durham Regional Official Plan and the Moraine Plan. This Official Plan has been amended to conform with the Moraine Plan.”

The policies for the Countryside Area designation are found in Section 1.9.4.3 of the Official Plan and essentially reflect the policies in the ORMCP. Similarly, the policies of Section 1.9.4, Development Review indicate that:

“The following policies and Schedules “B”, “H”, “I”, “K” and “L” outline some key directions of the policies in Part III and IV of the Moraine Plan. However, they are provided for reference only. A complete copy of the Moraine Plan should be reviewed before any determination is made with respect to an interpretation of the policies for the Oak Ridges Moraine Conservation Plan Area.”

Township Zoning By-law

The Subject Lands are zoned “Rural (RU) Zone” in the Township’s Zoning By-law. The RU Zone permits “a farm or nursery farm and greenhouse associated therewith” as well as a number of related uses such as a farm produce retail sales outlet and a home occupation.

3. AGENCY CONSULTATION:

Region of Durham

The Region of Durham provided comments on the application which are found in Appendix C to this report. The comments review Provincial and Regional policy, Provincially-delegated review responsibilities, Regional servicing and transportation, and Environmental Health. The Region establishes the following requirements which should be met prior to passing the zoning by-law, or subject to a Holding zone:

- Submission of the archaeological assessments to the Ministry of Tourism, Culture and Sport for their review and clearance letter which must then be submitted to the Region.
- The Region requires that the source sound level specifications and locations of equipment either conform with the assumptions made in the report or that an updated report or addendum letter be prepared, detailing the source sound level specifications and locations of equipment, once known, and the resulting impact on the noise sensitive receptors. These requirements must be satisfied prior to the passing of the zoning by-law or subject to a Holding zone. In addition, the proponent will be required to implement the recommended noise attenuation measures of the Noise Impact Study in a Site Plan or Development Agreement with the Township of Uxbridge, or a Land Titles Agreement with the Region to the satisfaction of the Region.
- The Region requires that the proponent submit a Regional Reliance letter and Certificate of Insurance to the Region's satisfaction in order to provide reliance to the Region of the environmental work completed (Phase I Environmental Site Assessment).
- Submission of a Traffic Impact Brief with the Site Plan application, the scope of which is limited to the operation of the site and site access. The available Decision Sight Distance should be measured in the field and included in the Traffic Brief.

It is also noted that an application for a private sewage system will be required.

The Region concludes:

"The Region does not object to the proposed rezoning of the subject site, provided the requirements noted above in the letter are addressed, including regarding archaeological potential, potential noise impacts, and site contamination, prior to the passing of the zoning by-law, or alternatively, be subject to a 'H' Holding provision."

Toronto and Region Conservation Authority

TRCA advised that “the subject property at 351 Highway 47 in the Township of Uxbridge is not within a TRCA Regulated Area. We have no comments or concerns with the proposal and associated planning application. A TRCA Permit is not required.”

Township Fire Department

The Township Fire Department advised that they had “no objection to this approval and no other fire safety concerns at this time.”

Township Engineering Consultant

AECOM advised that they are satisfied that “the submitted material is suitable for re-zoning application purposes.” They requested additional information during the site plan application stage including lighting plans, landscaping plan, cost estimate for work and well monitoring plan. They also provided direction with respect to stormwater management, site servicing, air quality with respect to matters which should be addressed at detailed design.

4. PUBLIC CONSULTATION:

The statutory public meeting for the application was held on June 4, 2018. Four members of the public made submissions at the meeting. Issues identified were:

- Hours of operation;
- Noise;
- Dust and odour issues;
- Air quality;
- Water usage and waste water;
- Light pollution; and,
- Groundwater runoff.

Subsequent to the statutory meeting as a result of public concerns, an informal public open house was held at the Goodwood Community Centre on January 7, 2019.

A total of 104 written submissions were received by the Township through the review process, including a letter signed by 28 residents with a range of questions related to noise and health, grain dust and air pollution. Of the written submissions five were supportive of the application.

Many of the other written submissions registered their opposition to the application and requested the following:

“1. We would like a formal presentation by the Grain Boys Holdings Inc. representatives.

2. Not have a decision made by Council until we have a formal presentation and until all our questions are answered.
3. We would like a recorded vote for both decisions on record.”

In addition, a range of specific issues were raised which can be summarized as follows and are discussed in Appendix D:

- Noise;
- Grain Dust;
- Prohibited noxious weed introduction;
- Increase in truck traffic in Goodwood, including concerns with safety and increases in air pollution;
- Fire and Explosion Risk;
- Rodents;
- Hours of operation;
- Environmental risk due to septic load and well water levels and quality;
- Light pollution;
- No net economic or other social benefits; and,
- Impact on rural character/not permitted under the ORMCP.

5. ANALYSIS:

Policy Framework

Provincial policy, including the PPS, the Growth Plan and the ORMCP, permit agricultural related uses in the rural area, including the Countryside Area designation of the ORMCP. The ORMCP is the primary Provincial policy affecting the Subject Lands. It defines agricultural- related uses to include farm-related industrial uses that meet four criteria. The criteria are:

- (a) “are directly related to, and compatible with, farm operations in the surrounding area and do not hinder those farm operations,
- (b) support agriculture,
- (c) benefit from being in close proximity to farm operations, and
- (d) provide products or services, or both directly to farm operations as a primary activity;”

The proposed use is a use which is directly related to farm operations, and which has the potential to be directly related to local farm operations and support agriculture generally and locally. It will benefit by being in close proximity to farm operations, as will the farm operations benefit from their proximity to the operation which offers the farm operations the opportunity to sell their products directly to the mill. The Planning Justification Report indicates that “The proposed rural location is desirable for increasing the grower base locally and regionally for direct field delivery and from nearby grain storage operations. The proposed location provides a new outlet for the farming communities and grain storage operations in the Township and the Region.” The Applicant has further advised that “Milling grains are from Canada only. No

imported grains. 10% of seeds are imported for blending use.... In recent years we have contracted a local grower in the Lindsay area in the Kawartha Lakes Region to grow our triticale grain that used to be brought from Manitoba. We hope to continue to do similar agreements with smaller farms in the Region for grains such a rye, hard wheat, soft wheat and buckwheat which account for over 70% of our usage.” The Region also notes that there are two farms in the Township which grow grain seeds and one in the Township of Brock.

Further, the review of the issues identified including noise, noxious weeds, and air quality as outlined in Appendix D, indicates that the facility can be designed to address the concerns and to be compatible with, and not hinder, adjacent farm operations which is also required in accordance with Section 34 of the ORMCP.

With respect to specific, applicable requirements of the ORMCP, the Subject Lands are:

- in an Area of High Aquifer Vulnerability and certain uses are prohibited. However, as noted in the Region of Durham’s comments, the proposed use would fall into “Group 3 – Low Risk Land Uses (processed foods and meats) category;
- in a Landform Conservation Area Category 2 which requires that any development keep disturbances to the landform character to a minimum including submission of a landform conservation plan which can be addressed as condition of development through of the site plan approval process; and,
- considered “major development” and as such must have a sewage and water plan, and a stormwater management plan that meet a number of criteria, as well as demonstrating practices that address water resources, which can be addressed as a condition of development through the site plan approval process.

With respect to the DROP, as noted in the Region’s comments:

“The ROP designates the subject site as “Oak Ridges Moraine – Countryside Areas” in the “Greenlands System”. Within the Oak Ridges Moraine designation, only applications for development and site alteration that conform with the ORMCP will be considered.... According to Schedule ‘D’ of the ROP, the subject site is located in a High Potential Aggregate Extraction Area. The establishment of land uses adjacent to or within high potential aggregate resource areas which could preclude or hinder existing or future aggregate extraction in such areas shall not be permitted unless it is demonstrated that:

- (a) the extraction of the resource would not be feasible;
- (b) the proposed land uses would serve a greater long-term public benefit; and
- (c) issues of public health, public safety and environmental impact are addressed.

The proposal will support the surrounding agricultural community, providing a direct service to farming operations in Durham Region. It is a dry industrial use and the subject site does not contain or is not adjacent to any key natural heritage features.

Accordingly, the proposed use will have minimal impact on the environment and there does not appear to be any public health or safety issues.”

The Township Official Plan reflects the policies and designations of the ORMCP, and the Official Plan indicates that the policies and designations are provided for reference only. A complete copy of the Moraine Plan should be reviewed before any determination is made with respect to an interpretation of the policies for the Oak Ridges Moraine Conservation Plan.”

The review of the policy framework indicates, in my opinion, that the proposed development conforms to Provincial, Regional and Township planning policy subject to addressing specific requirements of the policies (i.e. landform conservation) and identified issues.

Identified Issues

A number of issues have been identified related to the nature of the proposed development including noise, grain dust, prohibited noxious weeds, increase in truck traffic in Goodwood, fire, rodents, hours of operation, environmental risk, and light pollution. These are reviewed in Appendix D. The review indicates that sufficient information has been provided as part of the application that demonstrates the identified issues can be addressed through the detailed design of the development as a condition of development as follows:

- **Noise and Dust**
Formal Environmental Compliance Approval (ECA) will be required through the Ministry of Environment, Conservation and Parks (MECP) to address noise impacts and air quality. This will require submission of a noise study indicating strict compliance with NPC-300 as well as an Emission Summary and Dispersion Modelling Report that incorporates the recommended best practices to aid in the reduction of emissions or reducing the impacts of such emissions.
- **Prohibited Noxious Weeds**
The facility and related processes will be required to be designed to mitigate any risk related to the spread of noxious weeds. In addition, the Township will appoint a weed inspector to monitor the facility on a regular basis, at the cost of the operator.
- **Increase in truck traffic in Goodwood**
There is an existing truck traffic issue in Goodwood. The additional number of trucks will add to the existing issue, but given the limited number of trucks, not significantly. Nevertheless, recognizing the existing problem, a haul route plan should be developed with the Applicant to direct truck traffic in such a manner that the number of trucks travelling through Goodwood is minimized. Further, truck deliveries to the plant should be prohibited beyond the hours of 8 am and 5 pm. In addition, the Township should consider working with the Region to develop additional design measures for Regional Highway 47, recognizing that the road is

a Regional Arterial Road, to reduce the speed of the traffic and increase traffic safety, in the hamlet.

- Fire and Explosion

No issues have been identified regarding fire safety, with the proposed approach to fire suppression to be reviewed at the detailed design stage, including the design of the fire storage pond.

- Rodents

The Applicant has indicated that they have a strict policy with respect to their certified food safety program which requires weekly inspection by a pest control company. As a result, any rodent issues seem unlikely. However, if such were to develop, Durham Health would be involved and the Township can utilize its Property Standards By-law.

- Hours of Operation

The major concern with hours of operation would appear related to activity outside the plant, in particular truck deliveries and related noise such as back up beepers. Restrictions on such activity can be established through agreement with the Township. Further, if based on the final noise study, there is deemed to be a need for a restriction of the plant hours that can be included in the agreement.

- Environmental Risk due to septic load and well water levels and quality

Based on the technical work to date no issues have been identified. However, as is the practice of the Township, monitoring of adjacent wells for five years for impacts will be required.

- Light Pollution

Lighting will be carefully considered through the site plan process including direction and amount.

6. CONCLUSIONS:

The review of the policy framework indicates, in my opinion, that the proposed development conforms to Provincial, Regional and Township planning policy subject to addressing specific requirements of the policies (i.e. landform conservation) and identified issues. Therefore, in my opinion, the development is appropriate and represents good planning, however, the zoning by-law should include a holding provision, which will only be lifted when the following conditions are satisfied:

- Formal Environmental Compliance Approval (ECA) will be required through the Ministry of Environment, Conservation and Parks (MECP) to address noise impacts and air quality. This will require submission of a noise study indicating strict compliance with NPC-300, as well as an Emission Summary and Dispersion Modelling Report that incorporates the recommended best practices to aid in the reduction of emissions or reducing the impacts of such emissions;

- All studies required by the Township have been prepared to the satisfaction of the Township of Uxbridge and the recommendations incorporated into the Site Plan and Site Plan Agreement for the Subject Lands and financially secured and registered on the title of the property including:
 - A detailed plan for the facility and related processes to mitigate any risk related to the spread of noxious weeds which will be approved by the Township in consultation with Provincial and/or weed control specialists;
 - An agreement with the proponent with respect the appointment of a weed inspector to monitor the facility on a regular basis, at the cost of the operator;
 - Establishment of a truck haul route plan which will minimize the number of trucks travelling through Goodwood;
 - Prohibition of truck deliveries outside the hours of 8 am to 5 pm and the establishment of restrictions on outside activity related to the operation on the site generally for a similar time period;
 - Requirement for a Traffic Impact Brief to address operation of the site and site access, with the scope of the Brief to be determined in consultation with the Region;
 - Assessment of the shallow aquifer elevation and establishment of any modifications to the infiltration design with the scope of the review being determined in consultation with the Township;
 - Provision of detailed designs for site servicing including a water and sewage plan, a stormwater management plan, a well monitoring plan for a minimum of five years, a lighting plan, landscaping plan, and cost estimates to address comments identified by AECOM Canada Ltd. and the Region of Durham with the scope of the work being determined in consultation with the Township and the Region of Durham as applicable; and,
 - A landform conservation plan that satisfies the requirements of the Oak Ridges Moraine Conservation Plan, with the scope being determined in consultation with the Township and the Region of Durham;
- Submission of a clearance letter for archeological assessment from the Ministry of Tourism, Culture and Sport to the Region of Durham;
- Submission of a Regional Reliance letter and Certificate of Insurance to the Region's satisfaction to the Region for environmental work completed (Phase I Environmental Site Assessment); and,
- Any agreements required by the Region of Durham have been entered into with the Region and registered on the title of the property.

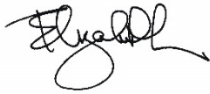
7. RECOMMENDATION:

1. THAT Report DS-17/19, Grainboys Holdings Inc., Part of Lot 17, Concession 3, 351 Regional Highway 47, Township of Uxbridge be received for information;

2. AND THAT Council approve the Zoning By-law Amendment Application by Grainboys Holdings Inc., Part Lot 17, Concession 3, 351 Regional Highway 47, Township of Uxbridge and adopt the implementing Zoning By-law amendment.

The recommended implementing Zoning By-law amendment is found in Appendix E.

Submitted by:

A handwritten signature in black ink, appearing to read 'Elizabeth Howson', with a stylized flourish at the end.

Elizabeth Howson, MCIP, RPP
Macaulay Shiomi Howson Ltd.

Appendix A

PPS Section 1.1.5

Appendix A**PPS Section 1.1.5 Rural Lands in Municipalities**

Policy	Review
1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of 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.	<p>The key applicable policies in Section 1, are found in Section 1.1.4 and 1.1.5 which permit limited development on rural lands. With respect to Sections 2 and 3, the Subject Lands have not been identified as having any natural features, and are outside the Toronto Region Conservation Authority's (TRCA) Regulated Area. In addition, they are not identified as prime agricultural land in the DROP.</p> <p>The Subject Lands are identified in the DROP as being located in a "High Potential Aggregate Resource Area". Development and activities which would preclude or hinder the establishment of new operations or access to the resources are not permitted unless specific criteria are satisfied including "b) the proposed land use or development serves a greater long-term public benefit; and c) issues of public health, public safety and environmental impact are addressed".</p> <p>The proposed development supports agriculture in the Township and the Region. Further, the potential for aggregate extraction is limited given the size of the site and the surrounding uses. The potential for public health, public safety and environmental impacts, based on the studies submitted and the evaluation of same, has been addressed.</p>
1.1.5.2 On rural lands located in municipalities, permitted uses are.....f) other rural land uses.	The use would be permitted as an "other rural land use" (also see discussion related to Section 1.1.5.8).
1.1.5.3 Recreational, tourism and other economic opportunities should be	The use would be encouraged as an "other economic opportunity".

Appendix A**PPS Section 1.1.5 Rural Lands in Municipalities**

Policy	Review
promoted.	
1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.	The development will be subject to site plan control, but is proposed to be designed to be compatible with the rural landscape and can be sustained by rural service levels based on the studies submitted and the evaluation of same.
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.	The development is appropriate to the proposed infrastructure based on the studies submitted and the evaluation of same.
1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.	Not applicable
1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.	This use is considered an agricultural-related use. It is in an area though which will minimize constraints on other agricultural uses.
1.1.5.8 Agricultural uses, agricultural-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.	An agriculture related use is defined in the PPS as “means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.” Currently, the grain is delivered to the current operation in Aurora from various suppliers. The intent of the proposed new location, based on the Planning Report, is to

Appendix A**PPS Section 1.1.5 Rural Lands in Municipalities**

Policy	Review
	allow for an increase in the grower base for grain locally and regionally for direct from field delivery and from nearby grain storage operations. Therefore, the use is considered a farm-related industrial use that has the potential to be directly related to farm operations in the Township and the Region, to support agriculture, to benefit from being in close proximity to farm operations, and provide direct services to farm operations as a primary activity
1.1.5.9 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.	There are no livestock operations within proximity to the proposed use.

Appendix B

Township Official Plan Schedules

SCHEDULE H

Township of Uxbridge Oak Ridges Moraine Conservation Plan Area Land Use Plan



- Municipal Boundary
- Grainboys
- Roads
- Railway
- Watercourses
- Waterbodies
- Oak Ridges Moraine Conservation Plan Area Boundary
- Policy Area 1.9.9.1 Approved Mineral Aggregate Extraction Area
- Policy Area 1.9.9.2 Approved Major Recreational Use
- Policy Area 1.9.4.3 iii Industrial
- Non-Decision Area
- Uxbridge Urban Area Secondary Plan Area
- Coppins Corners and Goodwood Secondary Plan Areas
- Hamlet Areas
- Countryside Area
- Natural Linkage Area
- Natural Core Area
- Site Subject to OMB Decisions of June 29, 2000 and August 14, 2002



0 0.5 1 2 Kilometres

SCHEDULE I

Township of Uxbridge Oak Ridges Moraine Conservation Plan Area Key Natural Heritage and Hydrologically Sensitive Features



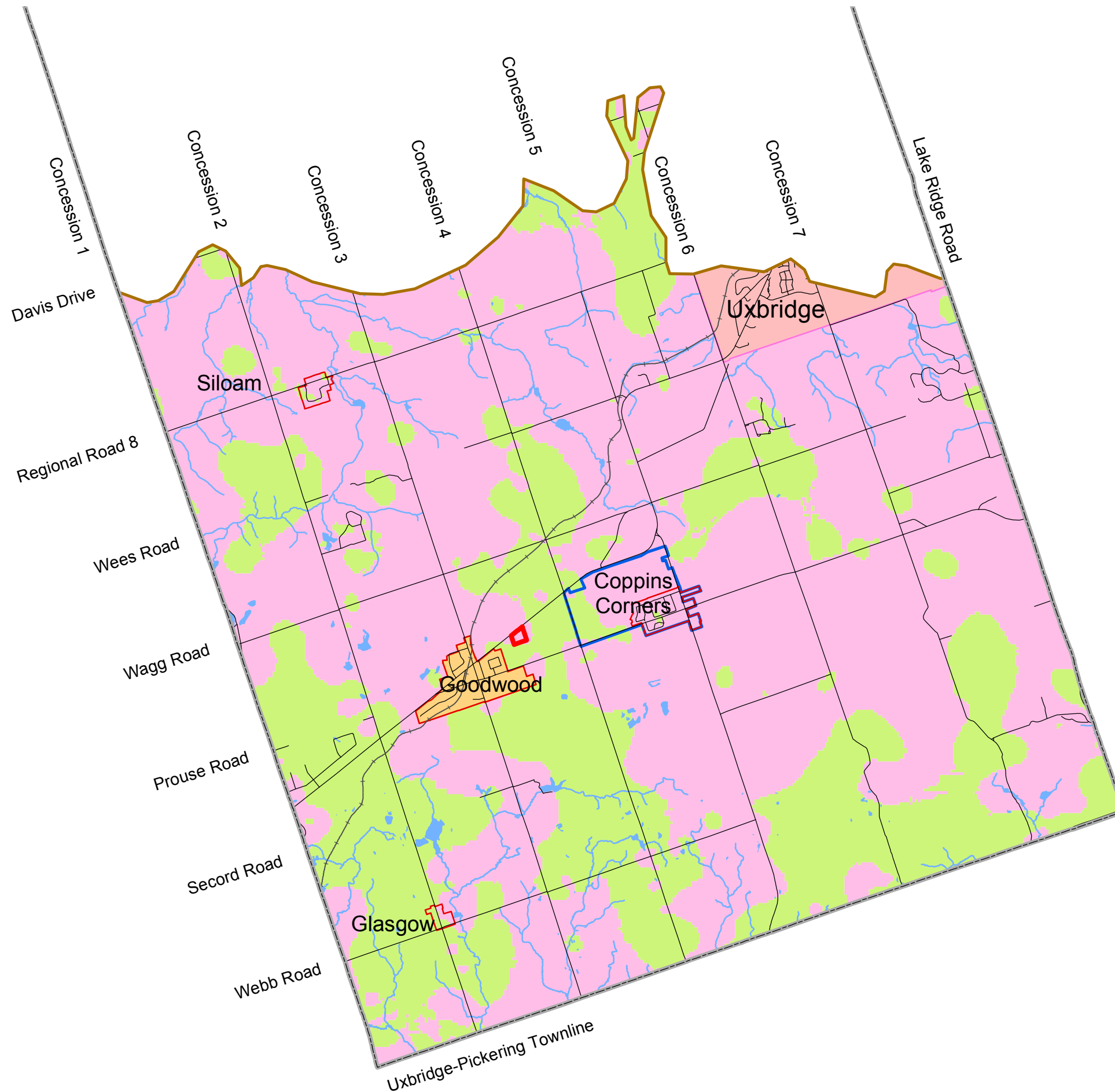
- Municipal Boundary
- Grainboys
- Roads
- Railway
- Oak Ridges Moraine Conservation Plan Area Boundary
- Uxbridge Urban Area Secondary Plan Area
- Coppins Corners and Goodwood Secondary Plan Areas
- Hamlet Boundary
- Watercourses
- Waterbodies
- Kettle Lakes
- Wetlands
- ESA
- ANSI (Life Science)
- ANSI (Earth Science)
- Significant Woodlands
- Minimum Vegetation Protection Zone
- Minimum Area of Influence
- Chalk Lake Catchment Area Minimum Area of Influence



1.5 0.75 0 1.5 Kilometres

SCHEDULE J

Township of Uxbridge Oak Ridges Moraine Conservation Plan Area Areas of Aquifer Vulnerability



- Municipal Boundary
- Grainboys
- Roads
- Railway
- Oak Ridges Moraine Conservation Plan Area Boundary
- Watercourses
- Waterbodies
- Uxbridge Urban Area Secondary Plan Area
- Goodwood Secondary Plan Area
- Coppins Corners Secondary Plan Area
- Hamlet Boundary

Oak Ridges Moraine Areas of Aquifer Vulnerability

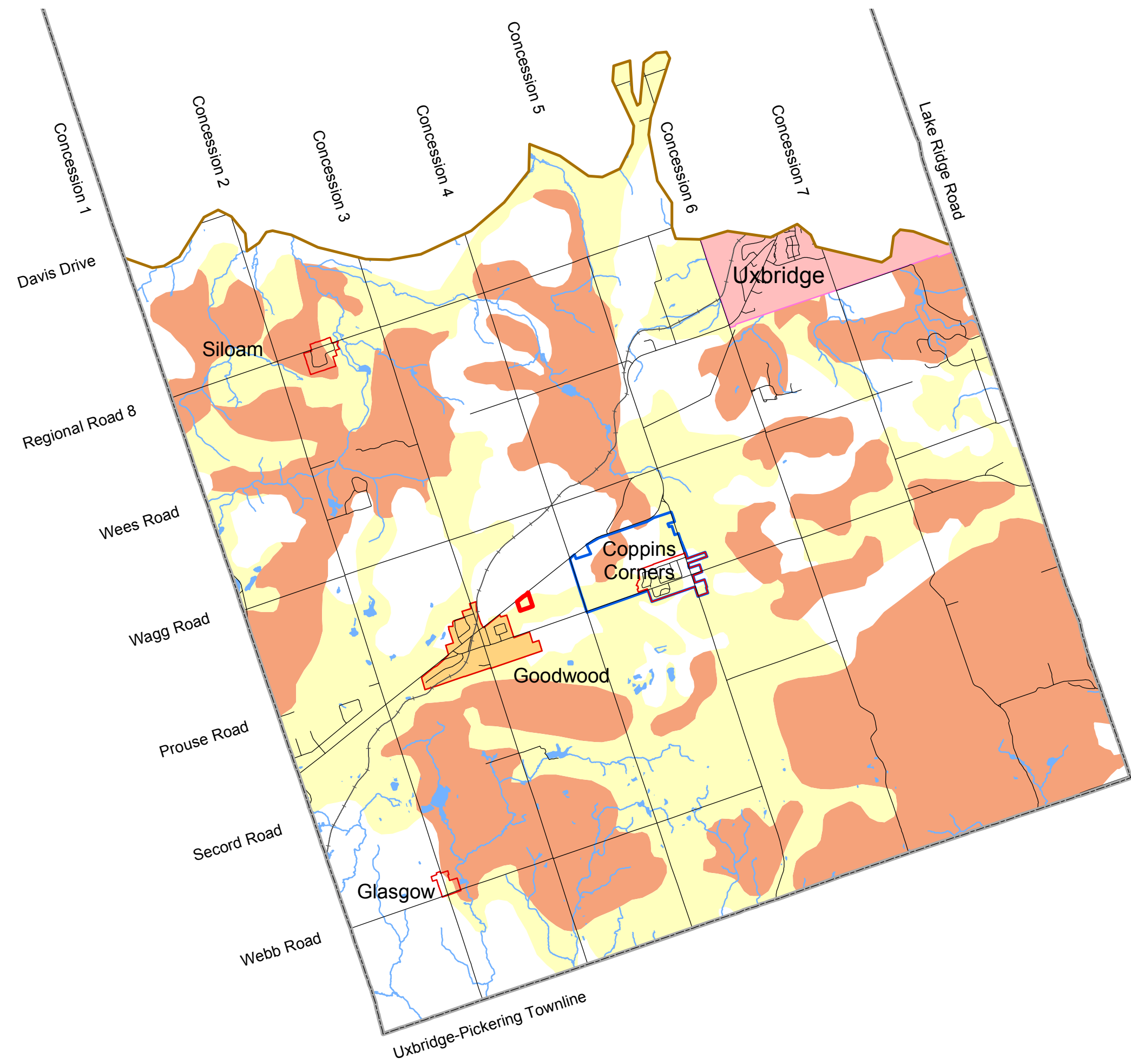
- High Aquifer Vulnerability
- Low Aquifer Vulnerability



1 0.5 0 1 Kilometres

SCHEDULE K

Township of Uxbridge
Oak Ridges Moraine Conservation Plan Area
Landform Conservation Areas



- Roads
- Grainboys
- Municipal Boundary
- Railway
- Oak Ridges Moraine Conservation Plan Area Boundary
- Watercourses
- Waterbodies
- Uxbridge Urban Area Secondary Plan Area
- Goodwood Secondary Plan Area
- Coppins Corners Secondary Plan Area
- Hamlet Boundary

Oak Ridges Moraine Landform Conservation Area

- Landform Conservation Area Category 1
- Landform Conservation Area Category 2



Appendix C

Region of Durham Comments



June 25, 2018



The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

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Brian Bridgeman, MCIP, RPP
Commissioner of Planning
and Economic Development

Ms. Jo Ann Merrick
Administrative Assistant
Public Works & Operations/Development Services
Township of Uxbridge
51 Toronto Street South
Uxbridge, ON L9P 1T1

Dear Ms. Merrick,

Re: **Regional Review of a Zoning By-law Amendment**
File No.: ZBA-2018-07
Applicant: Grainboys Holdings Inc.
Location: Part of Lot 17, Concession 3
251 Regional Highway 47
Municipality: Township of Uxbridge

The Region of Durham has reviewed the above noted application and offers the following comments with respect to the Durham Regional Official Plan (ROP), Provincial policies, delegated Provincial Plan review responsibilities, proposed method of servicing, transportation and environmental health.

Purpose of the Rezoning

The purpose of this application is to permit: a dry grain processing plant (mill) with activities including milling, blending and packaging, warehousing, shipping, and office uses in a building with a floor area of approximately 3,700 m² with an enclosed processing tower (height of 18.3 metres or 60 feet); a total of 18 exterior storage surge bins with an average diameter of 4.5 metres and heights ranging from 12 – 15 metres with a floor area of approximately 700 m²; and concrete pads, scales, and receiving and loading areas with a total area of 2,164 m². The total coverage is approximately 11.3% of the subject site.

The subject site is located on the south side of Regional Highway 47, about a half kilometer east of the eastern boundary of the Hamlet of Goodwood. The site currently consists of a residential dwelling, which is proposed to be demolished.

"Service Excellence
for our Communities"

If this information is required in an accessible format, please contact David Perkins at 1-800-372-1102, extension 2571.

Provincial Policy

Provincial Policy Statement (PPS)

The PPS promotes development that is compatible with the rural landscape and can be situated by rural service levels. The PPS also requires that 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. Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.

In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted; however, growth and development may be directed to rural lands in accordance with certain PPS policies.

The application appears to conform to the general intent of the PPS as it proposes an agriculture-related use, and the development is compatible with the rural landscape and can be sustained by rural service levels, both of which the PPS states should be promoted.

2017 Oak Ridges Moraine Conservation Plan (ORMCP)

The ORMCP designates the subject site as “Countryside Areas.” The purpose of Countryside Areas is to provide for the continuation of agricultural and other rural land uses and normal farm practices, and maintain the character of rural settlements.

Within Countryside Areas, agriculture-related uses may be permitted. The ORMCP defines agriculture-related uses as farm-related commercial and industrial uses that:

- a) are directly related to, and compatible with, farm operations in the surrounding area and do not hinder those farm operations;
- b) support agriculture;
- c) benefit from being in close proximity to farm operations; and
- d) provide products or services, or both, directly to farm operations as a primary activity.

According to MPAC data, there are two farm properties listed as growing grain seeds in the Township of Uxbridge and another in the Township of Brock.

A Planning Justification Report, prepared by Zelinka Priamo Ltd. and dated April 2018, was submitted in support of the application. The report noted that the storage of grains is not an efficient use of land in a fully serviced or partially serviced industrial park, such as where the operations

of the applicant are currently located in Aurora, Ontario. It also noted that the grain used in the above location is transported by truck from various suppliers and that no grain is delivered directly from fields, and that the proposed rural location in Uxbridge is desirable for increasing the grower base locally and regionally for direct from field delivery and from nearby grain storage operations.

The application conforms to the policies of the ORMCP as it meets the four criteria of an agriculture-related use.

Durham Regional Official Plan (ROP) Conformity

The ROP designates the subject site as “Oak Ridges Moraine – Countryside Areas” in the “Greenlands System”. Within the Oak Ridges Moraine designation, only applications for development and site alteration that conform with the ORMCP will be considered.

Countryside Areas are intended to protect prime agricultural areas and provide for the continuation of agricultural and other rural land uses. Permitted uses include, but are not limited to: agricultural-related uses and small-scale industrial uses consistent with the ROP and the Oak Ridges Moraine Conservation Plan (ORMCP).

According to Schedule ‘B’ – Map ‘B2’ of the ROP, the subject site is located in an area of High Aquifer Vulnerability. The proposed use would fall into the Group 3 – Low Risk Land Uses (processed foods and meats) category. As such, the Region has no concerns that the proposed use will pose a risk to any aquifer in the vicinity.

According to Schedule ‘D’ of the ROP, the subject site is located in a High Potential Aggregate Resource Area. The establishment of land uses adjacent to or within high potential aggregate resource areas which could preclude or hinder existing or future aggregate extraction in such areas, shall not be permitted unless it is demonstrated that:

- a) the extraction of the resource would not be feasible;
- b) the proposed land uses would serve a greater long-term public benefit; and
- c) issues of public health, public safety and environmental impact are addressed.

The proposal will support the surrounding agricultural community, providing a direct service to farming operations in Durham Region. It is a dry industrial use and the subject site does not contain or is not adjacent to any key natural heritage features. Accordingly, the proposed use will have a minimal impact on the environment and there does not appear to be any public health or safety issues.

The application proposes an agriculture-related use in the “Oak Ridges Moraine – Countryside Areas” designation of the ROP which is consistent with the policies of the ORMCP, does not pose a risk to aquifer(s) in the area, and does not appear to preclude or hinder existing or future aggregate extraction in the area. As such, the application conforms to the policies of the ROP.

Provincially-Delegated Review Responsibilities

Archaeological Assessment

According to the Region’s Archeological Potential Model, the subject site is located within a zone of archeological potential.

A Stage 1 & 2 Archaeological Site Assessment, prepared by The Archaeologists Inc. and dated January 26, 2016, was submitted in support of the application.

The Stage 1 background study found that the subject site exhibits potential for the recovery of archaeological resources of cultural heritage and value and concluded that a Stage 2 assessment was required.

The Stage 2 property assessment did not result in the identification of archaeological resources, and recommended that no further archaeological assessment of the property is required.

The Region requires that the proponent submit the above assessment to the Ministry of Tourism, Culture and Sport for their review and clearance letter. The letter is then to be submitted to the Region to our satisfaction.

Potential Noise Impacts

The proposal is a potential source of stationary noise located in proximity to noise sensitive land uses. Also, the subject site is located adjacent to Regional Highway 47, which is classified as a Type ‘B’ Arterial road in the ROP.

A Noise Impact Study, prepared by HGC Engineering and dated April 2018, was submitted in support of the application.

The report characterized the area surrounding the subject site as a Class 2 (‘semi-urban’) acoustical environment due to the significant volumes of road traffic on Regional Highway 47, and identified five residential dwellings located from 160 m to 340 m from the proposed industrial facility as noise receptors.

The report determined through measurement that the background sound levels from road traffic on Regional Highway 47 were between 45 and 56 dBA. The report also noted that since the facility has not yet been

constructed, analysis of sound emissions from key items of equipment was based on measurements at similar facilities, predictions using standard acoustical engineering calculations from reference texts, and specifications developed by the acoustical consultant.

The key sources of sound emissions include on-site truck movements, a dust collector exhaust, and unloading tanker trucks. The tabulated sound power levels from these sources assumed that an outlet silencer for the dust collector exhaust would be implemented, and that a stationary plant-based blower system, rather than traditional truck-based blowers, would be employed, and noted that noise levels would exceed MOECC limits if truck-based blowers were to be used.

Sound levels were predicted at the nearest noise sensitive points of reception using Cadna/A software, a computer implementation of the MOECC approved ISO standard 9613-2, "Acoustics – Attenuation of sound during propagation outdoors – Part 2: General Method of Calculation".

The report concluded that sound emissions from the proposed industrial facility can be within the applicable sound level criteria under typical "predictable worst case" operating conditions. It noted that an acoustical engineer should verify that the source sound level specifications and locations of equipment conform to the assumptions made, and that acceptable sound levels will result at all off site residential receptors.

The Region of Durham requires that the source sound level specifications and locations of equipment either conform to the assumptions made in the report, including the implementation of an outlet silencer for the dust collector exhaust and a stationary plant-based blower system, or that an updated report or addendum letter be prepared, detailing the source sound level specifications and locations of equipment once known, and the resulting impact on the noise sensitive receptors.

The above requirements must be satisfied prior to the passing of the zoning by-law, or alternatively, be subject to an ('H') Holding Provision. The Holding Provision can be lifted once the Region is satisfied with the conclusions and/or recommendations of the report.

In addition, the proponent will be required to implement the recommended noise attenuation measures of the Noise Impact Study affecting the proposed development in a Site Plan or Development Agreement with the Township of Uxbridge, or a Land Titles Agreement with the Region of Durham to the satisfaction of the Region.

Potential Site Contamination

A Phase I Environmental Site Assessment (ESA) report, prepared by Golder Associates and dated November 2015, was submitted in support of the application. The report concluded that no issues of actual or potential environmental concern were identified.

The Region requires that the proponent submit a Regional Reliance letter and Certificate of Insurance (templates attached) to the Region's satisfaction in order to provide reliance to the Region of the environmental work completed.

Regional Servicing and Transportation

Regional sanitary sewer and water are not available on the subject site or within the area.

The Region of Durham will require a Traffic Impact Brief with the submission of the Site Plan application. The scope of the study will be limited to the operation of the site and site access, building upon the supporting statement which was submitted with the application. The Region would like to understand how the truck trips have been derived and the likely employee/visitor trips. The scope of the Traffic Brief should be agreed upon before submission.

Regarding access location, based on a design speed of 100 km/hr. (posted 80 km/hr) the Region requires 300 m of Decision Sight Distance at the proposed access. While the application discusses the available sight distance as being in excess of 300 m in both directions, this is based on contour information. The available Decision Sight Distance should be measured in the field and included in the above noted Traffic Brief.

Generally the design of the site appears to be acceptable; however, the Region will require more detailed drawings when a site plan submission is made. The site access drawing should include tracking of the design vehicles. It may also be appropriate to consider paved shoulders in the vicinity of the site access. Please note that the site access will need to be constructed to Regional Standards for industrial entranceways.

Environmental Health

The Region of Durham Health Department has no objection to the approval of the application; however, the applicant will be required to apply separately for the construction of a private sewage system.

Conclusion

The Region does not object to the proposed rezoning of the subject site, provided that the requirements noted above in this letter are addressed,

including regarding archaeological potential, potential noise impacts, and site contamination, prior to the passing of the zoning by-law, or alternatively, be subject to a 'H' Holding provision.

Please feel free to contact me at 905-668-4113, ext. 2571, if you have any questions or require further information.

Yours truly,



David Perkins
Planner

Attach: Regional Reliance Letter and Certificate of Insurance

cc: Jeff Almeida – Regional Works Department
Lesley Kennedy – Regional Environmental Health
Christopher Norris – Durham Region Transit
Christopher Leitch – Regional Transportation Planning

Appendix D

Public Input Issue Review

Appendix D
Public Input Issue Review

Issue 1: Noise * - Issue Summary

Concerns with the amount of noise which will be generated by the proposed grain processing plant, including concerns with truck back-up signals, have been identified. The submissions included some from residents who had visited the existing grain processing facility in Newmarket. This included a submission from a property owner abutting the Subject Lands who substantiated his concerns by providing sound measurements taken at the Newmarket site and on his own property, and expressed the opinion that “the company’s noise study and its calculations of noise levels around the subject property area badly flawed.” Many of the submissions identified concerns with the non-auditory health effects from chronic noise exposure such as stress, poor concentration, productivity losses, communication difficulties, and fatigue from lack of deep sleep, cardiovascular disease, cognitive impairment, tinnitus, hearing loss, cognitive impairment in children and annoyance.

Issue 1: Noise - Review and Conclusion

The Applicant submitted a Noise Impact Study prepared by HGC Engineering dated April 2018. The report concluded that:

“The acoustical measurements and analysis indicate that sound emissions of the proposed PRM grain milling and blending facility can be within the applicable sound level criteria under typical “predictable worst case” operating conditions.....When further details of facility plans and mechanical equipment selections are available, an acoustical engineer should verify that the source sound level specifications and locations of equipment conform to the assumptions in this report, and that acceptable sound levels will result at all offside residential receptors.”

The report was reviewed by the Township’s acoustical engineering consultant, SS Wilson Associates (SSWA). Their Peer Review comments are dated December 13, 2018. They concluded that:

“SSWA is of the opinion that is technically feasible to control the noise from the facility.....the noise prediction model used by HGC is acceptable and is predicted to yield conservative noise propagation data as it is based on the ISO 9613 model recognized by SSWA and MECP. It is our recommendation that HGC report be updated to address the comments of this Peer Review.” (Note: MECP or MOECP means Ministry of Environment, Conservation and Parks)

SSWA also noted that “there will be a significant requirement for the developer to

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Public Input Issue Review

meet the MECP's NPC-300 requirements through the application of an ECA." HGC Engineering submitted a response to the SSWA peer review on January 4, 2019. SSWA concluded based on their review of that response that:

"In closing, and considering that that the submitted noise study is only a preliminary study for planning approvals we are satisfied based on HGC engineering's response that the future facility can be designed to meet the MECP's noise standards at the closest receptor locations.

Accordingly, if the facility is classified as an industrial operation, then formal Environmental Compliance Approval (ECA) that will be required by MECP should be sufficient for the Township to consider this matter as acceptable for the noise impact on the neighbours. However, if for whatever reason if an ECA approval is not required for this type of facility, then the Township should add a condition of planning approvals requiring the proponent to submit a Detailed Noise Study indicating strict compliance with NPC-300 in a study report format similar to an ECA noise study....." (Note: The MECP have advised the Township that ECA's have been issued for this type of operation "that typically include a noise assessment that would be compared to NPC 300 and particulate emissions (usually cyclones and baghouses)" – email from P. Dunn, January 22, 2019).

It should also be noted that SSWA reviewed the noise measurements submitted by the abutting neighbour and concluded that the approach used was faulty; the wrong equipment was used; and the wrong measurement was used - dB instead of the dBA which inflates the sound level by a factor of 8. SSWA also point out that the same equipment may not be used as is currently in use at the current facility.

The conclusion with respect to the equipment is substantiated by a submission from HGC dated July 27, 2018 which states that:

".....from our review of the plans and correspondence with the design engineer, noise emissions at the proposed PRM plant will not be comparable to the noise at the existing plant, for the following reasons:

- The existing PRM plant is located within an industrial park.... Accordingly, noise emissions were likely not a concern when the existing plant was constructed.....For the proposed PRM plant, targeted noise equipment will be included in the design, to ensure compliance with the MECP limits and EPA regulations.....
- Process equipment at the existing plant....is currently situated outdoors; to

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Public Input Issue Review

minimize potential noise impact, all process equipment will be situated indoors at the new plant.

-If indoor process noise is currently emitted to the outdoors, the most likely transmission paths are openings within the building walls....which may have been left open for ventilation, and the building walls themselves. We understand the new building will be sufficiently ventilated such that windows and doors will not need to be left open, and that the buildings walls and roof will be sufficiently insulated to prevent noise transmission.”

Conclusion: The Township’s noise consultant is satisfied “based on HGC engineering’s response that the future facility can be designed to meet the MECP noise standards at the closest receptor locations. Accordingly, if the facility is classified as an industrial operation, then formal Environmental Compliance Approval (ECA) that will be required by MECP should be sufficient for the Township to consider this matter as acceptable for the noise impact on the neighbours. However, if for whatever reason if an ECA approval is not required for this type of facility, then the Township should add a condition of planning approvals requiring the proponent to submit a Detailed Noise Study indicating strict compliance with NPC-300 in a study report format similar to an ECA noise study.....”

Issue 2: Grain Dust – Issue Summary

Concerns have been expressed with respect to the health effects of grain dust particles in the air. A specific concern was expressed by an abutting landowner with respect to the emission of

“fine particulate matter less than 2.5 microns in diameter (PM2.5) which is the particulate most dangerous to health. Serious adverse effects of this types of particulate matter include premature death, heart attacks, asthma, impaired lung function and respiratory distress, and can occur after both short-term and long-term exposure. Fine particulate matter does not settle to the ground immediately and can remain airborne for days to weeks and can travel long distances.....According to the U.S. Environmental Protection Agency’s (EPA) generalized particle distribution for grain processing, about 23% of particulate matter emitted during grain processing will be 2.5 microns or less.”

In addition, general concerns were expressed with respect to the health effects of grain dust:

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Public Input Issue Review

- *Acute Effects of exposure to grain dust which include lung cancer, tuberculosis, shortness of breath, chest pains and Chronic Obstructive Pulmonary Disease.*
- *Microbial flora associated with grain dust related to storing, handling, shopping of grain including a wide variety of fungi and bacteria.*
- *Pesticides applied to grain during transportation by truck, transfer into elevators during storage and also during discharge to trucks.*

Issue 2: Grain Dust – Issue Review

The Applicant submitted a “Preliminary Air Quality Assessment and Odour Screening” prepared by MTE Consultants Inc. (MTE) for the proposed plant dated March 26, 2018. The purpose of the report was “to assess potential air quality impacts from dust and odour to local existing and proposed sensitive uses.” The report did not involve a site visit or monitoring activities, and is:

“based on a preliminary assessment of the current and potential future property uses....and in consideration of the MOECC document “Guideline D-6 – Compatibility between Industrial Facilities and Sensitive Land Uses”, a review of the actual and proposed activities within 300 metres of the Site was deemed appropriate for the purposed of this assignment.”

In response to the issues raised by the abutting landowner, MTE provided a detailed response. The key considerations identified in the response are summarized as follows:

- “Demonstration of compliance with the MOECP air standards is addressed through the preparation of an Emission Summary and Dispersion Modelling Report..... A detailed design of the proposed mill.....would be required to complete the ESDM report. Without this information, an assessment of the air quality impacts of the proposed facility cannot be completed. The inclusion of MTE’s recommended best practices will aid in reducing emissions or minimizing the impacts of emissions resulting in lower POI concentrations.”
- The reference to the EPA document is to “a 1996 version of the AP-42 document which specifies that 23% of the particulate matter emitted during grain processing will be 2.5 microns or less. In April of 2003 the U.S. EPA published an updated version of this document.....in the updated version of AP-42 document.....PM_{2.5} represents 4.25% of the total dust emissions (as opposed to 23%). Furthermore, the development would require an environmental approval (requirement under Section 9 of the Environmental Protection Act). Regulations require the facility to meet POI standards at the property boundary.....The MOECP requires that facility discharges not exceed

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Public Input Issue Review

a POI concentration of 100 micrograms per cubic metre ($\mu\text{g}/\text{m}^3$) of suspended particulate matter.....which includes $\text{PM}_{2.5}$at or beyond the property boundaries.”

It should also be noted that the Township’s engineering consultant, AECOM, in their comments of September 20, 2018, does not identify any concerns with the MTE report but does reinforce the suggestion in the MTE report that the use of pneumatic loaders must be considered in the detailed design to reduce the amount of dust particulate in the air.”

Conclusion: The submission from MTE does not identify any concerns with the ability of the proposed operation to meet MECP air standards, nor is any concern identified by the Township’s engineering consultant, AECOM. An Emission Summary and Dispersion Modelling Report based on a detailed design of the facility would be prepared as part of the formal Environmental Compliance Approval (ECA) process required by MECP. The inclusion of MTE’s recommended best practices will aid in reducing emissions or minimizing the impacts of emissions resulting in lower POI concentrations. AECOM reinforce the recommendations of MTE including “the use of pneumatic loaders must be considered in the detailed design to reduce the amount of air particulate in the air.”

Issue 3 : Prohibited Noxious Weed Introduction – Issue Summary

The issue of the risk of noxious weed seeds in the grains being brought to the proposed mill has been identified based on the experience of an abutting landowner who operates a greenhouse operation. The potential for stray noxious weed seeds germinating and taking hold on the Subject Lands which will largely remain undeveloped is identified as a significant concern. The risk is viewed as being more significant because “about 10% of the “mill’s tonnage will come from abroad” compared to two mills which were identified as comparable to the proposed mill, as “both Brant Flour Mills in Oakland, Ontario and Nith River Milling in Wellesley, Ontario process only Canadian grains. Neither of these mills is listed as a major importer on the Industry Canada Canadian Importers Database. The risk of these operations spreading prohibited noxious weed seeds is low despite their rural settings.”

Issue 3: Prohibited Noxious Weed Introduction – Issue Review and Conclusion

This issue was reviewed in a discussion with Mr. Michael Cowbrough, Weed Specialist – Field Crops, Ministry of Agriculture, Food and Rural Affairs. Mr. Cowbrough indicated that the concern was a legitimate concern. However, he advised that the facility and the process could be designed to mitigate the risk. In particular, he noted that no outside storage of any grains or materials remaining after processing should be permitted. Further, he suggested that the Township has

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the ability to appoint a weed inspector specifically to monitor the facility on a regular basis to ensure that no issues related to noxious weeds are permitted to occur.

It should also be noted that the applicant has advised that the origin of the milled grains and seeds is:

- Ontario 70%;
- Manitoba and Saskatchewan 20%; and,
- U.S.A. 10%.

Further, the Applicant has advised that “the small amount of grain is delivered in bags of various sizes. There is a very small probability of a noxious weed, like dodder, of escaping and establishing.” (Submission from Zelinka Priamo Ltd. August 13, 2018). In addition, the Applicant in a later submission (undated) in response to the public submissions confirms that:

“processing is self-contained within plant and no discharge of any weed seeds or contaminants (sic) possible into the environment.”

The preliminary site plan in the Site Servicing and Development Review prepared by Lassing Dibben Consulting Engineering Ltd. does not identify any area for open storage.

Conclusion: The identified concern is a legitimate concern based on input from the representative of the Ministry of Agriculture, Food and Rural Affairs. However, the risk can be mitigated through the detailed design of the facility, particularly ensuring that there is no outdoor storage of any grains or materials remaining after processing – recognizing that based on the current submission no such outside storage is proposed. In addition, the Township can appoint a weed inspector to monitor the facility on a regular basis, at the cost of the operator.

Issue 4: Increase in truck traffic in Goodwood, including concerns with safety and increases in air pollution – Issue Summary

Many of the submissions raised the issue of an increase in truck traffic in Goodwood, “(what Goodwood DOESN’T need is more trucks)” and related concerns about air pollution; truck noise particularly at night; safety; increased health risks; and speed.

Issue 4: Increase in truck traffic in Goodwood – Issue Review and Conclusion

As noted in a significant number of the submissions, there has been for many years and there continues to be an issue with truck traffic in Goodwood. The hamlet is bisected by Regional Highway 47 which is a Regional Type B Arterial Road, and was formerly a Provincial Highway. As such, its role as set out in the Region’s Official Plan Table ‘E7’ provides that the Traffic Service Objective is “Traffic movement major consideration Predominately serves inter- and intra-municipal trips”. Table ‘E7’ also provides specific direction regarding design including with respect to Goods Movement that there are generally no restrictions,

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and for Vehicle Priority Type B Arterials may be considered for vehicle priority for goods movement, as well as for transit. The Right-of-Way width for such roads is 30-36 m with 2-4 lanes outside the Urban Area.

Any additional truck traffic generated by the proposed mill will not significantly add to the existing traffic. The Applicant has advised that the trucks generated by the proposed operation are estimated to be “4.1 incoming plus 4.1 outgoing equals 8.2 truck trips. Considering partial loads a reasonable estimate of truck traffic as stated in the Planning Report is 10 trucks per day. The estimate of truck traffic could be lower if trucks with larger load capacity were to be employed.” Further, not all of these trucks would necessarily travel through Goodwood. It should also be noted that in the response to public comments submitted by Zelinka Priamo Ltd. dated August 13 2018, it is noted that “There is no proposed truck traffic to and from the proposed facility beyond the hours of 8-5.”

Conclusion: There is an existing truck traffic issue in Goodwood. The additional number of trucks will add to the existing issues but, given the limited number of trucks, not significantly. Nevertheless, recognizing the existing problem, a haul route plan should be developed with the Applicant to direct truck traffic in such a manner that the number of trucks travelling through Goodwood are minimized. Further, any truck deliveries to the plant should be prohibited beyond the hours of 8 am and 5 pm. In addition, the Township should consider working with the Region to develop additional design measures for Regional Highway 47 to reduce the speed of the traffic and increase traffic safety in the hamlet.

Issue 5: Fire and Explosion– Issue Summary

Concerns have been expressed with respect to the potential for explosions and fire on the site. In particular, an abutting landowner has indicated that “large quantities of dust and grain has significant implications on fire suppression planning....a fire storage pondis included in the proposal....I am skeptical that a pond of the stated size can be fed by storm water.....If the fire suppression plan requires significant water to be stored on the property, and the proposed fire water storage pond fails to fill, then the applicant will likely seek to dig new wells to pump ground water in order to maintain water levels.”

Issue 5: Fire and Explosion – Issue Review and Conclusion

The Site Servicing and Development Review prepared by Lassing Dikken Consulting Engineers Ltd. states with respect to fire fighting that:

“The Ontario Building and Fire Codes as well as NFPA Standards stipulated minimum fire safety design requirements for the proposed mill facility. Given the

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size and occupancy of this facility it is anticipated that fire walls will be incorporated into the final building design layout. Portions of this facility will also require some type of a fire suppression system such as sprinklers. We have incorporated a fire water storage pond with a 750 m³ into the stormwater management design and site layout. A dry hydrant as well as a fire pump hose will be connected to this pond. An emergency access road will be constructed on the east and north sides of the building to ensure access to all sides of the building. Final sizing and details of the onsite fire water storage and pumping requirements as well as fire wall locations will be undertaken at the building design stage.”

The Uxbridge Fire Department in their comments has indicated that they have “no objection to this approval and has no other fire safety concerns at this time.”

AECOM in their comments have not identified any concerns with the function of the pond but has provided direction with respect to the approach to be used as part of detailed design including “specifications for the proposed lining of the overflow pond used for fire storage will be required during the detailed design to ensure the designed capacity is attainable”.

Conclusion: No issues have been identified regarding fire safety, with the proposed approach to fire suppression to be reviewed at the detailed design stage.

Issue 6: Rodents – Issue Summary

Residents have indicated that “additional rodent problems which will happen with grain being in the equation. It is already a problem in the area and a constant struggle to keep the numbers down.” And “Wherever there is grain, there are rodents. Also HANTAVIRUS is a potentially life threatening disease submitted to humans by rodents.”

Issue 6: Rodents – Issue Review and Conclusion

The Applicant has advised in their response to public comments (undated) that “Strict policy under our certified food safety program requires monitored weekly inspection by a professional pest control company. Property must be kept in pristine condition conducive to strict food standards again dictated by food safety program. Grounds around facility paved and checked after every receiving.” It would appear unlikely given this situation that an issue would develop with rodents. However, Durham Health would then become involved, and the Township can utilize its Property Standards By-law.

Conclusion: The Applicant has indicated that there is a strict policy with respect to their certified food safety program which requires weekly inspection by a pest

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control company. As a result, any rodent issues seem unlikely. However, if such were to develop Durham Health would be involved and the Township can utilize its Property Standards By-law.

Issue 7: Hours of Operation – Issue Summary

Comments with respect to this issue include

- *“There is currently a by-law in the Municipality outlining Noise acceptance – this is our biggest concern – how is this allowable when their operational hours are outside of the by-law times? It has been proposed to run 18 silos – each will have conveyors, motors, there will be truck movement, loading and unloading trucks etc running from 6:00 am to 12:00 am? And exhaust exchangers, fan systems etc 27 hours a day. As a resident – this is unacceptable so close to where we live and breath” ;*
- *“operating hours 6am to 12 midnight. It is busy and noisy enough already and do not wish to hear additional trucks through to midnight.” and,*
- *“Is the factory noise constant for 18 hours per day?”*

Issue 7: Hours of Operation – Issue Review and Conclusion

The hours of operation are identified by the Applicant as being between 6 am and midnight typically five days a week. However, truck deliveries are identified as being between 8 am and 5 pm. Further, as noted above, the noise study, confirmed by the Township’s noise consultant, has concluded that “the future facility can be designed to meet the MECP noise standards at the closest receptor locations.” Once the final noise study is complete consideration can be given to whether there is a need to restrict the hours of operation.

The major concern with respect to noise would appear to be related to activity outside the plant, in particular truck deliveries and noises such as back up beepers. However, truck deliveries are proposed to be confined to the hours of 8 am to 5 pm during the five days a week the facility is typically in operation, and that restriction can be legally established through an agreement with the Township. Further the Township noise bylaw, which establishes “noise prohibition by time and place” restricts “loading, unloading, or delivering of any container, product or refuse, unless necessary for the maintenance of essential services or the moving of household effects in the Rural Area between 7:00 p.m to 7:00 a.m. Monday to Saturday and on all Sundays and Holidays” which provides another tool for enforcement.

Conclusion: The major concern with respect to noise would appear to be related to activity outside the plant, in particular truck deliveries and noises such as back

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up beepers. Restrictions on such activity can be established through an agreement with the Township. Further, if based on the final noise study there is deemed to be a need for restriction of the plant hours that can be included in the agreement.

Issue 8: Environmental Risk due to septic load and well water levels and quality – Issue Summary

Requests have been made with respect to information related hydrology and plans to protect wells from pollution and being interfered with from usage of water. Concerns have been expressed about “worried about our water (unfit to drink, lowering of water levels).

Issue 8: Environmental Risk due to septic load and well water levels and quality – Issue Review and Conclusion

As confirmed in the Site Servicing and Development Review prepared by Lassing Dibben Consulting Engineering Ltd., “The new mill operation will be a dry manufacturing industry with no process water requirements.” As a result, “water usage is estimated to be comparable to that of a larger estate type residential occupancy. Further, the report concludes that:

“A Geotechnical Investigation undertaken by GHD has confirmed that the existing soils are suitable for storm water infiltration and the septic system leaching bed...The storm water report undertaken by G.D. Jewell Engineering Inc. has determined that the storm water design requirements for this site can be met.”

AECOM, in their review of the Lassing Dibben Consulting Engineering Ltd. and G.D. Jewell Engineering Inc. reports, have not identified any issues but provided direction with respect to additional information to be included as part of detailed design work. Further, Oakridge Environmental Limited (ORE), the Township’s hydrogeological consultant, reviewed “the supporting submissions with respect to the capacity of the local soils to accept infiltration of stormwater management (SWM) flows.” The review was undertaken as part of the Water Budget criteria under the Clean Water Act. ORE indicates that they “are in agreement with the proposed design infiltration rate of 12 mm/hr”. They do identify concerns with the infiltration facility design and conclude that “the shallow aquifer (water table) elevation has not been sufficiently assessed in this instance”. However, “rather than requiring confirmatory groundwater data before recommending approval, we would be satisfied with an undertaking by the applicant that the matter will be addressed prior to construction and that in the event the seasonal high water table occurs above the acceptable elevation, the infiltration design will be modified accordingly.”

<p style="text-align: center;">Appendix D Public Input Issue Review</p>
<p>Conclusion: Based on the technical work to date no issues have been identified with environmental risk due to septic load and well water levels and quality or with respect to stormwater management. However, as is the practice in the Township, monitoring of adjacent wells for five years for impacts will be required.</p>
<p>Issue 9: Light pollution – Issue Summary</p>
<p><i>This issue was raised at the public meeting.</i></p>
<p>Issue 9: Light pollution – Issue Review and Conclusion</p>
<p>Lighting of the facility will be subject to review through the site plan process. Lighting design will require that there is no spillage off the property and, given the rural environment, that any lighting be kept to the minimum.</p> <p>Conclusion: Lighting will be carefully considered through the site plan process.</p>
<p>Issue 10: No net local economic or social benefits – Issue Summary</p>
<p><i>The focus of the concerns expressed with respect to this issue is the extent to which the grains used at the mill are, or could be, supplied from local farms or are imported.</i></p>
<p>Issue 10: Not net economic or social benefits – Issue Review and Conclusion</p>
<p>The Applicant in its response (undated) has advised that:</p> <p>“Milling grains are from Canada only. No imported grains. 10% of seeds are imported for blending use.... In recent years we have contracted a local grower in the Lindsay area in the Kawartha Lakes Region to grow our triticale grain that used to be brought from Manitoba. We hope to continue to do similar agreements with smaller farms in the Region for grains such a rye, hard wheat, soft wheat and buckwheat which account for over 70% of our usage.”</p> <p>Conclusion: The Applicant has indicated that one of the reasons for relocating is to bring the operation closer to potential suppliers in the Region of Durham to encourage agreements for the provision of grains to the facility.</p>
<p>Issue 11: Impact on rural character/not permitted under the ORMCP- Issue Summary</p>
<p><i>A number of submissions indicated that the development was not in keeping with the rural character particularly given the location in the Oak Ridges Moraine.</i></p>
<p>Issue 11: Impact on rural character/not permitted under the ORMCP – Issue Review and Conclusion</p>
<p>Provincial policy, including the PPS, the Growth Plan and the ORMCP, permit agricultural related uses in the rural area, including the Countryside Area designation of the ORMCP. The ORMCP is the primary Provincial policy affecting the Subject Lands. It defines agricultural- related uses to include farm-related</p>

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industrial uses that meet four criteria. The criteria are:

- (e) “are directly related to, and compatible with, farm operations in the surrounding area and do not hinder those farm operations,
- (f) support agriculture,
- (g) benefit from being in close proximity to farm operations, and
- (h) provide products or services, or both directly to farm operations as a primary activity;”

The proposed use is a use which is directly related to farm operations, and which has the potential to be directly related to local farm operations and support agriculture generally and locally. It will benefit by being in close proximity to farm operations, as will the farm operations benefit from their proximity to the operation which offers the farm operations the opportunity to sell their products directly to the mill.

The Planning Justification Report indicates that “The proposed rural location is desirable for increasing the grower base locally and regionally for direct field delivery and from nearby grain storage operations. The proposed location provides a new outlet for the farming communities and grain storage operations in the Township and the Region.” The Applicant has further advised that “Milling grains are from Canada only. No imported grains. 10% of seeds are imported for blending use.... In recent years we have contracted a local grower in the Lindsay area in the Kawartha Lakes Region to grow our triticales grain that used to be brought from Manitoba. We hope to continue to do similar agreements with smaller farms in the Region for grains such as rye, hard wheat, soft wheat and buckwheat which account for over 70% of our usage.” The Region also notes that there are two farms in the Township which grow grain seeds and one in the Township of Brock.

Further, the review of the issues identified including noise, noxious weeds, and air quality as outlined in Appendix D, indicates that the facility can be designed to address the concerns and to be compatible with, and not hinder, adjacent farm operations which is also required in accordance with Section 34 of the ORMCP.

With respect to the DROP, as noted in the Region’s comments:

“The ROP designates the subject site as “Oak Ridges Moraine – Countryside Areas” in the “Greenlands System”. Within the Oak Ridges Moraine designation, only applications for development and site alteration that conform with the ORMCP will be considered.... The proposal will support the surrounding agricultural community, providing a direct service to farming operations in Durham Region. It is a dry industrial use and the subject site does not contain or is not adjacent to any key natural heritage features. Accordingly, the proposed use will have minimal impact on the environment and there does not appear to be any public health or safety issues.”

The Township Official Plan reflects the policies and designations of the ORMCP, and the Official Plan indicates that the policies and designations are provided for

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reference only. A complete copy of the Moraine Plan should be reviewed before any determination is made with respect to an interpretation of the policies for the Oak Ridges Moraine Conservation Plan.”

Conclusion: The review of the policy framework indicates that the proposed development is in keeping with the rural area as established in Provincial, Regional and Township planning policy subject to addressing specific requirements of the policies and identified issues.

Issue 12 – Alternative Sites – Issue Summary

Submissions were received which suggested that the proposed use would be better located elsewhere in the Township in an industrial area.

Issue 12 – Alternative Sites – Issue Review and Conclusion

The Applicant’s planner carried out a detailed review of available lands for industrial development in the Uxbridge Urban Area and the Township’s hamlets and concluded that there were no suitable parcels available for the proposed use. With respect to the Rural Employment Areas, he concluded that the proposed use was not complementary to the permitted or existing uses in the areas, and that the zoning for the limited supply of vacant lots does not permit the proposed use. A review of the zones for the Rural Employment Areas supports this conclusion.

Conclusion: There is a limited supply of land available in the rural industrial areas in the Township and the zoning does not permit the proposed use.

***Note:** Given the number of submissions, many of which raised similar issues, a summary of each issue has been prepared which incorporates the major concerns raised in the submissions.

APPENDIX E

ZONING BY-LAW AMENDMENT

BY-LAW NUMBER 2019-

OF

THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

BEING A BY-LAW PASSED PURSUANT TO THE PROVISIONS OF SECTIONS 34 AND 36 OF THE PLANNING ACT, R.S.O. 1990, AS AMENDED, TO AMEND ZONING BY-LAW NO. 81-19, AS AMENDED, OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE, WITH RESPECT TO CERTAIN LANDS DESCRIBED AS PART LOT 17, CONCESSION 3, IN THE TOWNSHIP OF UXBRIDGE, IN THE REGIONAL MUNICIPALITY OF DURHAM.

WHEREAS the Planning and Economic Development Committee of the Council of the Corporation of the Township of Uxbridge conducted a statutory public meeting pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, on the 4th day of June, 2018 regarding an application to amend the Township's Zoning By-law No. 81-19, with respect to permitting a dry grain processing plant (mill) on certain lands described as Part of Lot 17, Concession 3, Township of Uxbridge;

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, as amended;

AND WHEREAS the Council of the Corporation of the Township of Uxbridge has, pursuant to Section 34 (17) of the Planning Act, R.S.O. 1990, as amended, considered whether further notice is to be given with respect to the By-law prior to the passing thereof and has determined that the By-law hereinafter set out substantially implements the proposal presented at the public meeting with respect to the subject lands held on the 4th day of June, 2019 and that no further public meeting is necessary.

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

- 1.** THAT Schedule "A3" of Zoning By-law No. 81-19, as otherwise amended, is hereby amended by changing the Zone classification with respect to certain lands in Part of Lot 17, Concession 3, Township of Uxbridge from the Rural (RU) Zone to Holding Rural Exception No. 110 ((H) RU-110) Zone which (H)RU-110 Zone classification is hereinafter defined, in accordance with Schedule "A" attached hereto and by reference forming part of this By-law.
- 2.** THAT Section 4.4.5 entitled "SPECIAL ZONE CATEGORIES–RURAL (RU) ZONE" of Zoning By-law No. 81-19, as amended, is hereby amended by adding the following new subsection:

"4.4.5.110 HOLDING RURAL EXCEPTION NO. 110 ((H) RU-110) ZONE

- a. No person shall within the Holding Rural Exception No. 110 ((H) RU-110) Zone located in Part of Lot 17, Concession 3, Township of Uxbridge, and shown on Schedule “A3” of Zoning By-law 81-19, as amended, use any building or structure or make any other use of the land until the Holding (H) Symbol is removed by amendment to this By-law, except any use, building or structure existing as of March 11, 2019, a farm, a conservation, forestry and reforestation use, a public use in accordance with the provisions of Section 5.18 hereof and accessory uses to these permitted uses.
- b. Upon removal of the Holding (H) Symbol within the Holding Rural Exception No. 110 ((H) RU-110) Zone located in Part of Lot 17, Concession 3, Township of Uxbridge, and shown on Schedule “A3” of Zoning By-law 81-19, as amended, notwithstanding the provisions of Sections 4.4.1. 4.4.2, and 4.4.3 of Zoning By-law 81-19, as otherwise amended to the contrary, the following provisions shall apply and be complied with respect to the lands in the Rural Exception No. 110((H) RU-110) Zone:

ONLY PERMITTED USES

- i. A dry grain processing plant;
- ii. Conservation, forestry and reforestation or similar passive uses that provide for the preservation and management of the natural environment;
- iii. A farm;
- iv. A public use in accordance with the provisions of Section 5.18 hereof; and,
- v. Accessory uses to the permitted uses.

REGULATIONS

The following regulations shall apply to the lands in the RU-110 Zone:

- i. Minimum Lot Requirement and Lot Frontage
Existing as of March 11, 2019
- ii. Minimum Yard Dimensions

Front Yard Depth	60 metres
East Side Yard Width	30 metres
West Side Yard Width	60 metres
Rear Yard Depth	15 metres
- iii. Maximum Area which can be disturbed by development
50 %

- iv. Maximum Impervious Area
20%
- v. Maximum Ground Floor Area Requirement
3,800 m²
- vi. Maximum Lot Coverage of All Buildings
10 %
- vii. Maximum Height of Buildings and Structures

Processing Tower	18.3 metres
Surge Bins	15 metres
Office and other buildings	2 storeys
- viii. Minimum parking
20 parking spaces

c. That the Council of the Corporation of the Township of Uxbridge shall not remove the Holding (H) Symbol from the Holding Rural Exception No. 110 ((H) RU-110) Zone in Part of Lot 17, Concession 3, Township of Uxbridge, and shown on Schedule “A3” of Zoning By-law 81-19, as amended until the following conditions have been satisfied:

- i. Formal Environmental Compliance Approval (ECA) through the Ministry of Environment, Conservation and Parks (MECP) to address noise impacts and air quality. This will require submission of a noise study indicating strict compliance with NPC-300, as well as an Emission Summary and Dispersion Modelling Report that incorporates the recommended best practices to aid in the reduction of emissions or reducing the impacts of such emissions;
- ii. All studies required by the Township have been prepared to the satisfaction of the Township of Uxbridge and the recommendations incorporated into the Site Plan and Site Plan Agreement for the Subject Lands and financially secured and registered on the title of the property including
 - A detailed plan for the facility and related processes to mitigate any risk related to the spread of noxious weeds which will be approved by the Township in consultation with Provincial and/or weed control specialists;
 - An agreement with the proponent with respect the appointment of a weed inspector to monitor the facility on a regular basis, at the cost of the operator;
 - Establishment of a truck haul route plan which will minimize the number of trucks travelling through Goodwood;

- Prohibition of truck deliveries outside the hours of 8 am to 5 pm and the establishment of restrictions on outside activity related to the operation on the site generally for a similar time period;
 - Requirement for a Traffic Impact Brief to address operation of the site and site access, with the scope of the Brief to be determined in consultation with the Region;
 - Assessment of the shallow aquifer elevation and establishment of any modifications to the infiltration design with the scope of the review being determined in consultation with the Township;
 - Provision of detailed designs for site servicing including a water and sewage plan, a stormwater management plan, a well monitoring plan for a minimum of five years, a lighting plan, landscaping plan, and cost estimates to address comments identified by AECOM Canada Ltd. and the Region of Durham with the scope of the work being determined in consultation with the Township and the Region of Durham as applicable; and,
 - A landform conservation plan that satisfies the requirements of the Oak Ridges Moraine Conservation Plan, with the scope being determined in consultation with the Township and the Region of Durham;
- iii. Submission of a clearance letter for archeological assessment from the Ministry of Tourism, Culture and Sport to the Region of Durham;
- iv. Submission of a Regional Reliance letter and Certificate of Insurance to the Region's satisfaction to the Region for environmental work completed (Phase I Environmental Site Assessment); and,
- v. Any agreements required by the Region of Durham have been entered into with the Region and registered on the title of the property.
3. **THAT** Zoning By-law No. 81-19, as amended, is hereby amended to give effect to the foregoing, but Zoning By-law No. 81-19, as amended, shall in other respects remain in full force and effect save as may be otherwise amended or hereinafter dealt with.
4. **THAT** this By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of Uxbridge subject to the applicable provisions of the Planning Act, R.S.O. 1990, as amended.

READ A FIRST, SECOND and THIRD time and finally passed on the __th day of March, 2019.

DAVE BARTON
MAYOR

DEBORAH LEROUX
CLERK

SCHEDULE "A"
TO ZONING BY-LAW No. 2019-__
TOWNSHIP OF UXBRIDGE



AREA AFFECTED BY THIS BY-LAW



THIS SCHEDULE "A" TO BY-LAW No. 2019-__ PASSED ON THE __th DAY OF ____, 2019

MAYOR

CLERK