

Meeting: COUNCIL
Date: May 25, 2009
Dept: Planning and Public Works
Report No: PLAN-2009-34-CNC

Title: TOWNSHIP OF SCUGOG OFFICIAL PLAN REVIEW –
STATUTORY PUBLIC MEETING

RECOMMENDATION:

THAT all submissions received at the Statutory Public Meeting held on May 25, 2009 pursuant to Section 17 of the *Planning Act* and any further comments received prior to June 5, 2009 be referred to Staff for consideration in preparing the *Recommended Township of Scugog Official Plan*;

AND THAT the Commissioner of Planning and Public Works/Deputy CAO be directed to undertake the necessary policy and mapping adjustments to the *Draft Township of Scugog Official Plan*, dated February 2009, in accordance with the strikeout version appended as Attachment 4 to Staff Report No. PLAN-2009-34-CNC, including the use of appropriate discretion to craft minor adjustments and corrections before submitting the *Recommended Township of Scugog Official Plan* to Council for adoption;

AND THAT the *Recommended Township of Scugog Official Plan*, as revised hereto, be submitted to Council on June 22, 2009 for adoption by By-law;

AND THAT the Clerk be directed to forward a copy of Staff Report No. PLAN-2009-34-CNC and Council resolution to the Region of Durham, agencies prescribed by the *Planning Act* and parties on the contact list.

BACKGROUND:

1. INTRODUCTION

The purpose of this report is to provide Council with an overview of the comments received on the draft version of the new Township of Scugog Official Plan (Draft Official Plan) released in February 2009, and to summarize the proposed changes to the Plan. The report also presents information about the Official Plan for the Statutory Public Meeting to be held on May 25, 2009, pursuant to Section 17 of the *Planning Act*.

The attachments to this report have been provided under separate cover due to their size.

2. OFFICIAL PLAN REVIEW PROCESS TO DATE

In January 2007, Council authorized initiation of the Official Plan Review (see Staff Report No. PLAN-2007-02). The budget and terms of reference for the Review were approved in March 2007 (see Staff Report No. PLAN-2007-11).

Through this Review, the Township's existing Official Plan, adopted in 1998, is being updated to implement the Greenbelt Plan, the 2005 Provincial Policy Statement, amendments to the Durham Regional Official Plan resulting from the Region's five-year review (ROPA 114) and the Growth Plan for the Greater Golden Horseshoe. The resulting document is a more contemporary Official Plan that sets out a development and planning strategy for the Township to the year 2031.

The Review is being carried out in three phases:

- Phase I (Issues Identification) was completed in June, 2007 following: release of the *Planning Issues Report* and the *Growth Management Discussion Paper* in April, 2007; a statutory public meeting required by the *Planning Act* to initiate the Review (May 28, 2007); and two open houses to hear comments on the background reports (May 31, 2007 and June 4, 2007).
- Phase II (Key Policy Directions) was concluded in October, 2008, with the receipt of public comments on the *Planning Directions Report*. This report, released in June, 2008, was the final document in a series of nine background papers prepared during Phases I and

II of the Review. Public input during this phase was received through two workshops (September 23 and 24, 2008) and a Council public meeting (October 27, 2008).

- Phase III (Official Plan Preparation) is currently in progress, and began with the release of the *Proposed Strategic Directions* report in September, 2008. The Draft Official Plan was released in February, 2009 for comment until April 24, 2009. The Statutory Open House required pursuant to the *Planning Act* was held on March 30, 2009. The Statutory Public Meeting is the next step in the process.

3. COMMENTS ON DRAFT OFFICIAL PLAN

The Draft Official Plan was made available to the public through the Township's website, on CD and in hard copy at the Municipal Office and Scugog Memorial Public Library. Copies of the Plan were also sent to prescribed agencies and parties on the study contact list.

The Township has received comments on the Draft Official Plan from several agencies and organizations, including the Region of Durham, Ministry of Municipal Affairs, Central Lake Ontario Conservation Authority, Kawartha Region Conservation Authority, Parks Canada and Bell Canada. Submissions have also been received from a number of interest groups including Scugog Lake Stewards Inc., Port Perry Downtown BIA and the Mississaugas of Scugog Island First Nation. As well, 18 individuals provided comments.

The Township's planning consultant, Meridian Planning Consultants, has summarized the comments received and proposed responses in a series of tables appended to this report:

- Attachment 1 provides an overview of the submissions received from agencies, organizations and individuals.
- Attachment 2 provides a summary of the comments received from the Region of Durham, the approval authority for the new Official Plan.
- Attachment 3 provides an overview of proposed revisions to the document as a result of comments received from the internal review.

Most of the comments received on the Draft Official Plan were requests for minor changes to the wording of the policies or the mapping in the

schedules. The appendix tables summarize the proposed responses to the comments in greater detail.

As noted above, the Township received comments from key regulatory and approval agencies through the consultation process. In most instances, the planning consultant has proposed a refinement to the Official Plan to address the concerns raised. However, there are certain matters where there remains a difference of opinion.

The remainder of this section addresses comments received from key agencies or on specific topics:

3.1 Region of Durham

There were a few issues raised by the Region that are not proposed to be incorporated into the Recommended Official Plan:

- The Region has requested the Township to change the name of the “Main Central Area” to “Centre” to be consistent with the Regional Official Plan designation. The planning consultant is of the opinion that identically matching words are not required or appropriate.
- The Region has suggested that building heights in the Community Commercial Area be increased to permit higher density. The planning consultant is of the opinion that this is neither necessary nor appropriate given the limitation on gross floor area and the fact that residential uses are not permitted.
- The Region has recommended that all proposed residential uses be eliminated from the Gateway Regeneration Area. The planning consultant believes that this is a unique area that needs special consideration. The Region has indicated that a Regional Official Plan Amendment may be required to incorporate the draft policies. This amendment would be pursued at the time of seeking approval of the Official Plan, following Township Council adoption.
- The Region has suggested that the Neighbourhood Commercial policies include minimum building heights and floor space targets to encourage higher density uses. The planning consultant is of the opinion that policies as proposed significantly reduce the likelihood of new Neighbourhood Commercial developments from occurring, as

they would require justification based on population growth and distribution of existing centres.

- The Region has suggested that Employment Areas be given minimum building heights and floor space targets to encourage higher density. The planning consultant is of the opinion that this is not appropriate in Port Perry.
- The Region has recommended that Public Parks and Recreational Facilities be removed from the Prestige Industrial designation. The planning consultant is of the opinion that these uses are compatible and appropriate in those areas.
- The Region has suggested Accessory Service and Retail uses in the Industrial designations be limited to 10% or a gross floor area of 500 square metres. The planning consultant is of the opinion that these provisions are more appropriately contained in the Zoning By-law.

3.2 Ministry of Municipal Affairs and Housing

The Ministry has indicated that it is concerned with the proposed expansion plans for the Hamlets, citing the extent of growth contemplated exceeds their expectations for such settlements. Further discussion with the Ministry regarding this matter will be required. It is noted that the Plan anticipates that only about 8 per cent of all growth will be directed to the Hamlets.

3.3 Central Lake Ontario Conservation Authority

CLOCA has requested the Township to introduce Shoreline Development policies for Chalk Lake similar to those proposed for Lake Scugog. This is difficult because Chalk Lake is located within the Oak Ridges Moraine and the policies related to this area cannot be changed until the Oak Ridges Moraine Conservation Plan is revised or reviewed in 2015.

The planning consultant has proposed several revisions to the General Provisions of the new Official Plan, so as to provide the same level of environmental protection for Chalk Lake as Lake Scugog. However, the development policies for the Chalk Lake area are fixed by the Oak Ridges Moraine Conservation Plan.

3.4 Kawartha Region Conservation Authority

KRCA supports the strong environmental policies in the new Official Plan and acknowledges a strong focus on the protection of water resources, as well as the natural heritage systems throughout the Township. The planning consultant has proposed revisions to the draft document to reflect KRCA comments related to linking the Official Plan with the Lake Scugog Environmental Management Plan and the important role of the East Cross Forest Conservation Area. Other revisions include mapping changes to the wetland boundary in the Port Perry Employment Area and minor text revisions to the Hazard Lands, Shoreline and Rural System policies.

3.5 Boundary Expansions

Many of the comments received from the public relate to expansions of the Shoreline areas, Hamlet areas and, in some cases, the Port Perry Urban Area.

The Region has indicated that no further development should occur outside the lands already designated in the Official Plan. Staff supports this direction, having rounded out settlement areas where appropriate and permitted on Schedule A. Specifically:

- The Shoreline areas have been reviewed, and where possible the designation has been rounded out to provide for logical and orderly development.
- Where possible, the planning consultant has proposed adjustments to the Hamlet boundaries, in particular for Caesarea, Seagrave and Nestleton. Rounding out was considered where it represented a logical expansion of the community within the Growth Management Guidelines provided for in the “Growing Durham” Study, ROPA 114 and the Township’s Growth Management Strategies. However, not all requests to further round out the Hamlet areas have been accommodated.
- The Port Perry Urban Area Boundary cannot be expanded until at least 2015 due to the Greenbelt Plan.

4. PROPOSED OFFICIAL PLAN AND NEXT STEPS

The planning consultant has proposed a series of changes to the Draft Official Plan to address the comments received to date. The strikeout version, provided as Attachment 4, shows the proposed revisions.

There may be further changes to the Official Plan as a result of the Statutory Public Meeting. It is also recommended that the public be provided until June 5, 2009 to submit any final comments. Copies of the document will be made available on the Township website, in the Municipal Office and Scugog Memorial Public Library, and only circulated to individuals or agencies requesting copies.

Once all feedback has been received, Staff and the planning consultant will finalize the Recommended Official Plan using the strikeout version as the basis. Any further revisions required as a result of the Statutory Public Meeting and the subsequent comment period will also be incorporated. It is recommended that the Commissioner of Planning and Public Works/Deputy CAO be given the discretion to craft minor adjustments and corrections as may be required.

Staff expects to present the Recommended Official Plan and adoption by-law to Council on June 22, 2009. Once adopted, the new Official Plan will be sent to the Region of Durham to initiate the statutory approval process, as set out in Section 17 of the *Planning Act*. During this process, the Regional Planning Committee will hold a public meeting, likely in Scugog, to hear comments related to the approval of the Plan. Complementary amendments to the Regional Official Plan to enable implementation of the Township's document would be brought forward at this time, if required.

5. ENVIRONMENTAL CONSIDERATIONS

Addressed in the new Official Plan.

6. ACCESSIBILITY CONSIDERATIONS

Addressed in the new Official Plan.

7. FUNDING OPTIONS

Financing for the remaining tasks to complete the Official Plan Review is available from funds carried forward from the approved 2008 Planning and Public Works Department Budget (Official Plan Review).

8. CONCLUSION

The Township Official Plan Review is nearing completion. The Statutory Public Meeting scheduled for May 25, 2009 represents the last official public consultation requirement prior to Council adoption of the Plan by-law.

Numerous submissions were received on the Draft Official Plan released in February 2009. The submissions have been reviewed and summarized in the attached tables. Most comments have been addressed in the strikeout version appended to this report. Any further comments will be addressed over the coming two weeks and incorporated into the Recommended Official Plan.

Staff intends to present the Recommended Official Plan to Council for adoption on June 22, 2009. Notification of Council's intent to adopt the new Official Plan will be provided in the Bulletin Board, on the Township website and mailed to interested parties on the contact list.

Respectfully submitted:

Approved for presentation to Council:

Gene Chartier, P.Eng.
Commissioner of Planning &
Public Works/Deputy CAO

Bev Hendry
CAO