

Meeting: COUNCIL
Date: June 22, 2009
Dept: Planning and Public Works
Report No: PLAN-2009-42-CNC

Title: TOWNSHIP OF SCUGOG OFFICIAL PLAN REVIEW –
ADOPTION OF NEW OFFICIAL PLAN

RECOMMENDATION:

THAT the necessary by-law be passed to adopt the *Recommended Township of Scugog Official Plan* appended as Attachment 1 to Staff Report No. PLAN-2009-42-CNC as the new Official Plan of the Township of Scugog;

AND THAT as required by Subsection 26(7) of the *Planning Act*, Council declare to the Regional Municipality of Durham, as the approval authority, that the new Official Plan: conforms with provincial plans or does not conflict with them, as the case may be; has regard to the matters of provincial interest listed in Section 2 of the *Planning Act*, and is consistent with the Provincial Policy Statement issued pursuant to Subsection 3(1) of the Act;

AND THAT the Clerk be authorized and directed to make application to the Regional Municipality of Durham for approval of the new Official Plan and for a Regional Official Plan Amendment to implement the provisions of the new Official Plan;

AND THAT the Clerk be requested to give notice of the adoption of the new Official Plan in accordance with Subsection 17(23) of the *Planning Act*.

BACKGROUND:

1. INTRODUCTION

The purpose of this report is to make a recommendation regarding the adoption of a new Official Plan for the Township of Scugog. To this end, the report:

- Provides responses to the submissions made at the Statutory Public Meeting on May 25, 2009 and on the strikeout version of the Draft Official Plan prior to June 5, 2009;
- Summarizes the proposed changes to the Draft Official Plan since the Public Meeting; and
- Presents the Recommended Official Plan, which is appended as Attachment 1 to this report (provided under separate cover due to its 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 1997, 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 building on the directions was then released in February, 2009 for comment until April 24, 2009. The Township held a Statutory Open House and Public Meeting pursuant to the *Planning Act* on March 30, 2009 and May 25, 2009, respectively, to receive comments on the Draft Plan. A strikeout version of the Draft Plan, reflecting input received through the consultation process, was prepared for the Public Meeting and made available for final comment until June 5, 2009. Two reports to refine the parks, open space and trails policies and mapping were presented to Committee and Council on June 1 and 8, 2009, respectively.

Presentation of the Recommended Official Plan to Council for adoption is the next step in the process.

3. FINALIZATION OF NEW OFFICIAL PLAN

Through Report No. PLAN-2009-34-CNC, Staff was directed to undertake the necessary policy and mapping adjustments to the Draft Official Plan in accordance with the strikeout version dated May 25, 2009. The authority to use appropriate discretion to craft minor adjustments and corrections before submitting the new Official Plan to Council for adoption on June 22, 2009 was also given.

To this end, the Recommended Official Plan and adopting by-law, appended as Attachment 1, are brought forward for Council's consideration. The Recommended Plan has also reflects the submissions received at and subsequent to the May 25th Public Meeting and further refinements requested by Council, as discussed below.

3.1 Response to Submissions

Council heard ten deputations at the May 25th Public Meeting and made numerous comments on the strikeout version of the Draft Official Plan. Subsequent to the meeting, the Township received four submissions.

Attachment 2 summarizes all the input received at and subsequent to the May 25th Public Meeting and provides responses from the Township's planning consultant, Meridian Planning Consultants. The Official Plan has been amended, where appropriate, to address the comments.

3.2 Refinements to Parks, Open Space and Trails Policies and Mapping

At the request of Council, Staff, with the assistance of the Township's planning consultant, have refined the parks, open space and trails policies and mapping, as noted in Staff Report Nos. PLAN-2009-35-GP&A and PLAN-2009-39-CNC. The proposed text revisions include:

- Additional **goals and objectives** for future parks, open space and recreation planning;
- A **Township-wide parks and open space hierarchy** comprised of the following classifications: Township Park; Community Park; Neighbourhood Park; Parkette; and Open Space Linkages and Trails. These classifications are intended to accommodate the needs and interests of different age groups within each area of the Township, with regard for the ability of the municipality to deliver the service;
- **Standards for parks and open space development** for each classification, providing more detailed direction regarding:
 - Purpose and function;
 - Typical size;
 - Location within the municipality and neighbourhood; and
 - Type of facilities provided.
- **Parkland dedication and acceptability policies** for development applications. This is to ensure the Township is satisfied with the location, size, configuration and general topography of the proposed park site within the development or redevelopment area where land, as opposed to cash-in-lieu, is required for park dedication purposes.

Two new schedules (Township-wide and Port Perry) have been prepared to formally designate the parks and open space classification hierarchy in the Official Plan. The trail system has been relocated from Schedule C – Transportation System to the new schedules, as it more closely aligns with the parks and open space uses.

Further changes requested by Council on June 8, 2009 in response to Report No. PLAN-2008-39-CNC have been included in the Recommended Official Plan.

4. THE NEW TOWNSHIP OF SCUGOG OFFICIAL PLAN

The new Official Plan will provide an up-to-date policy framework for guiding growth and development within the municipality, while taking into consideration important social, economic and environmental matters. Input received through the Official Plan Review has confirmed that the direction the new Official Plan is taking to strengthen the sustainability planning approach is appropriate and has garnered strong support. The key features of this approach include:

- A strengthening of the Township's existing ecosystem approach to environmental and natural heritage planning, consistent with the overarching policy direction set out in Provincial and Regional documents;
- A stronger focus on sustainability in all facets of community development;
- Reinforcement of the Township's rural character and agrarian basis, and desire to preserve the natural, social and economic benefits afforded by Lake Scugog;
- The fostering of vibrant residential neighbourhoods that provide a variety of housing options for people at various stages of their life cycles;
- A commercial and employment land use strategy that promotes economic stability, vitality and diversity and caters to the changing needs of the market and the residents of the Township;
- The preservation and enhancement of the Township's rich cultural heritage that is integral to its unique urban design and community

revitalization strategies including the Downtown Development Strategy; and,

- A Growth Management Program that ensures growth takes place in a coordinated and fiscally responsible manner.

It is recommended that the necessary by-law be passed to replace the existing Township of Scugog Official Plan, adopted on November 3, 1997, with the Recommended Official Plan appended as Appendix 1 to this report. Council must also make certain declarations of its conformity with the *Planning Act* in adopting the new Official Plan. These declarations are included in the Recommendation section of this report.

5. NEXT STEPS

5.1 Region of Durham Approval and Regional Official Plan Amendment

Following Council adoption, **it is recommended that the Clerk make application to the Region of Durham for approval of the new Official Plan.** Staff will report to Council on the results of the Region's circulation and any modifications proposed by the Regional Planning Department. Under the *Planning Act*, the Region must issue a notice of decision within 180 days of receiving the Township's new Official Plan. This is expected to occur in early 2010.

Introduction of the proposed Gateway Regeneration Area designation at the south end of Port Perry will require an amendment to the Durham Regional Official Plan. The Regional Planning Department has indicated that such a redesignation of an Employment Area can only be considered through a comprehensive Official Plan Review. As such, **it is recommended that a Regional Official Plan Amendment application be made at the same time as the Recommended Official Plan is submitted for approval** to implement this change and any other requirements that may arise through the Region's approval process.

5.2 Notice of Adoption

In accordance with Subsection 17(23) of the *Planning Act*, **it is also recommended that the Clerk give written notice of Council's adoption of the new Official Plan**, containing the prescribed information, to:

- The Region of Durham, as the approval authority;
- Each person or public body that filed a written request to be notified of adoption; and
- Any other person or public body prescribed in the regulations.

5.3 Further Submissions

Submissions received after the June 22, 2009 Council Meeting and related outstanding matters will be addressed during the circulation of the new Official Plan by the Region of Durham. During this process, the Regional Planning Committee will also hold a public meeting in Scugog to hear comments related to the approval of the Plan.

Some of the comments received during the Region's circulation may necessitate modifications to the Council-adopted Official Plan. These changes are not expected to impact on the overall approach or direction of the Plan itself.

5.4 Growth Plan Conformity

The direction of the Growth Plan for the Greater Golden Horseshoe ("Places to Grow"), as further defined in the Growing Durham Study and Regional Official Plan Amendment No. 128 (ROPA 128), has been reflected in the new Official Plan. Modifications to the Plan may be required as a result of the Province's approval of ROPA . These will likely be identified by the Region through its approval of the new Official Plan.

5.5 Availability of the New Official Plan

The new Official Plan will be available on the Township's website for downloading, and in paper form at the Municipal Office for review. The new Plan will also be available for purchase in print format for a fee of \$70, as set out in the Township's Fees and Charges By-Law No. 124-04.

6. ENVIRONMENTAL CONSIDERATIONS

Addressed in the new Official Plan.

7. ACCESSIBILITY CONSIDERATIONS

Addressed in the new Official Plan.

8. 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).

9. CONCLUSION

The adoption of a new Township of Scugog Official Plan will mark the culmination of a comprehensive review process involving detailed research, analysis and policy formulation with extensive public participation throughout. The vision of this blueprint for the Township's future is to create a distinct, sustainable and liveable community that will offer a high quality of life for all residents, respectful of its heritage and rural character.

The Recommended Official Plan submitted for adoption is based on the strikeout version of the Draft Official Plan and reflects further changes made in response to comments received at and subsequent to the May 25th Public Meeting. It is recommended that Council adopt the Recommended Official Plan as the new Official Plan of the Township of Scugog and forward the document to the Region of Durham for approval.

Once Council passes the by-law to adopt the new Official Plan, the Clerk will give notice in accordance with the provisions of the *Planning Act*. Any further submissions will be addressed through the Region's approval process. The outcome of this process will be reported to Council.

Respectfully submitted:

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

Approved for presentation to Council:



Bev Hendry
CAO

ATTACHMENT 1

Recommended Township of Scugog Official Plan (June 22, 2009)

(Provided Under Separate Cover)

ATTACHMENT 2

Comments on the Official Plan Received at and Subsequent to
the May 25th Statutory Public Meeting

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
Public Meeting Comments – May 25, 2009		
Council Questions / Comments	Section 3.6 amend wording of proposed LEED requirements from “shall” to “may”	Text has been amended
	Section 3.12 is there capacity within the Plan to seek LEED or an equivalency	Text has been amended to acknowledge 3 rd party green building standards
	Section 4.3 request that further consideration be given to permitting residential uses in the Community Commercial designation	Text has been amended to allow residential in community commercial designation
	Section 6.0 can park policies be revised to include a park’s classification system and improvements to mapping	Text has been amended to include a parks classification system and associated policies. New schedules (B and B-1) have also been created
	Can modifications be made to Plan to account for Green Energy Act	Policy not amended as regulations not yet in place to allow for drafting of sufficient policy – additional information required from Province
	Section 3.10 is section too permissive to allow for car repair business/dealership	Text has been amended to address concerns
	Section 3.8 are accessory apartments permitted in any residential zone/area? Due we need to keep tabs on sewage?	Text amended to improve clarity

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Section 3.16 (e) how do you balance health issues with water quality management of this issue	Text has been amended
	Section 4.1.3 can we include provisions to stop paving of front yards	New text included within Section 4.1.6 (b)(vi)
	Section 4.2.5 Historic Downtown policies – concerns with respect to parking accessibility	Text has been amended
	Section 4.2.6 can anything be done about umbrellas and flags encroachments	Issue can be addressed through a licensing by-law
	Section 4.5.3 How do we ensure that area will be phased at same percentage as built	To be addressed in development agreements – Text amended to improve clarity
	Section 5.3.4 Blackstock can we put in investigate innovative sewer treatment	Text has been amended
	Section 5.3.4 can policies be included to see land developed more intensely than in the past	Text has been amended
	Section 8.8 improve wording with respect to the accessibility and conditions of trails in the Township	Text has been amended
	Section 8.3 add guidelines to Section 8.3 rural roads to accommodate rural farm machinery	Text has been amended

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Various text and mapping throughout Plan	Technical amendments have been addressed in the Official Plan
Mr. Guy Latreille	Expressed concern that shoreline designation not located on property	Shoreline designation shown on Schedule A in addition to Greenland’s System
Ms. Cheryl Helm	Official Plan should contain strong regulations and policies for parks within subdivisions	New parks and open space policies have been included within the Official Plan
	Can the emergency road that runs from Cawkers Cove Road to the end of Honey Beach Road be designated a public trail	Schedule A-1 has been revised to include lands within open space
Mr. Ron Kantor	Request expansion of Port Perry Urban Area to include lands adjacent to Whitefield Road	Schedule Revised to include lands within Port Perry Urban Boundary
Ms. Valerie Cranmer Fourteen Estates	Requested client’s lands be placed within Hamlet of Caesarea	Schedule Revised to remove environmental areas from Hamlet Boundary and place portion of requested lands within Hamlet boundary
Ms. Valerie Canmer Philo Investments	Request for adjustment to boundary of Epsom to provide for a proposed road from Reach Street to Marsh Hill Road	Minor Amendments made to Hamlet. Schedule has been revised

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
Ms. Valerie Cranmer 17300 Island Road	Section 2.1.1(d) remove infill and add reference to hamlets back into this section	Text has been amended in this section as well in Section 5.2.3 New lot creation text has been included within Plan
Ms. Valerie Cranmer Coates Road	Requests a modification to the ORM policies to recognize when and how Council may deal with technical issues relating to lot line adjustments	No change ORM policies to remain as stated
Ms. Valerie Cranmer Washago Bay Lane	Request modification to Official Plan to permit creation of new lots on private lanes	No change
Mr. Gavin Baxter	Section 4.3 include a residential component within the Community Commercial designation	Text has been amended
	Section 3.18 provide recognition for waste recycling improvements in commercial areas	Text has been amended
	Request a portion of 200 acres of parkland be designated as urban food production land	No change
	Section 3.12 suggest that LEED is not a sufficient goal and that other programs should be investigated	Text has been amended to acknowledge 3 rd party green building standards

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Section 4.5 Gateway Regeneration Area – suggested that a ratio be created to allocate job creation per GFA	Text has been amended
Mr. Bob Martindale 949656	Recommend that Nestleton Station and Nestleton be merged	No Change
Written Correspondence Following Public Meeting		
Region of Durham June 2, 2009	Remove WD Reference from strikeout version	Text has been amended
	Revise Waste Disposal Assessment Area Symbolically as Required by MOE	
	Section 4.3.3 (b) An amendment would be required should development exceed the proposed 10 meter building height or 0.5 FSI	FSI maximum removed from Section
	Section 4.7.2 (f) a maximum floor space index restricts efficient use on a parcel of land and a maximum building height limits options for intensification. An amendment would be required should development exceed the proposed 11 meter height or 0.5 FSI	FSI maximum removed from Section

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Text amendment required for Section 4.7.2 (o)(iv) – Reference to Stormwater Management Labels on Schedule B	Text has been amended
	Add to Section 4.7.4.1 that service related uses must serve the immediate Employment Area	Text has been amended
	Section 7.7.2.1-7.7.2.4 move policies to after the Natural Core and Natural Links Area policies in a new section called ORM Specific Land Use policies	Text has been amended
	Section 7.12 (a) Replace the words 6.13.2 with 7.13.2	Text has been amended
	Revise Section 7.12(c) to indicate that granny flats/garden suites are permitted within hamlets on the ORM	Text has been amended
	Schedule C – use official road name labels on schedules	Schedules have been amended
	Revise Section 3.2 to reflect the recently approved Green Energy Act	Policy not amended as regulations not yet in place – additional information required from Province
	Section 4.7.2 add policy which indicates that a minimum 50% of all forecast employment shall be accommodated within the Employment Areas	Text has been amended

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Section 4.7.2 (p) replace the words “development constraints” with “environmental features”	Text has been amended
	Section 4.7.2 (p) (iii) Revise policy wording	Text has been amended
	Section 5.1.2 (c) remove landscape contractors as a permitted use within the agricultural designation Section 5.1.2 (c)	Text has been amended
	Section 9.10.3 Revise section reference	Text has been amended
	Schedule C add approved Regional Trail network to Schedule C	Schedule has been amended
Mr. Gavin Baxter (S.H.E.D.) May 26, 2009	Plan should stipulate LEED Gold for all private projects and LEED Platinum for all Municipal projects	Text has been amended to recognize alternative 3 rd party green building standards
	Can a small percentage of waterfront land (30 meters) off the lake be designated part of the waterfront redevelopment land	
	Can the trail system be defined by the urban boundary	Trail boundaries to remain generally as set. Possible preparation of active transportation plan may result in the expansion of trail boundaries in the future

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
Central Lake Ontario Conservation Authority June 9, 2009	Schedule E indicates woodlands but text only contains significant forest areas and ORM woodlands – can consistent terminology be used	Schedule Revised
	Text definition of significant woodland should be included within the Plan	No change
	Amend section 3.15 to account for specific wording	Text has been amended
	Section 3.23 is a glossary of terms to be included within the Official Plan (e.g. celebration tree, special status tree etc)	No change
	Section 7.4.1 (a) include reference to vegetative buffer area	Text has been amended
	Section 7.2(h) and 7.13.1. Acknowledge alterative wording for key hydrologic features	Text has been amended
	Section 2.2 Can the Official Plan contain an a schedule of approved resource documents in addition to the ORM and Greenbelt	Text has been amended to account for other heritage documents. No Schedule to be included in plan.
	Section 3.20 Recommend more direct policy stating long-term monitoring requirements to ensure efficacy of mitigation measure be included	No change SWM Plans will do this

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Section 3.22 text change appears to remove aquifer from HVA as opposed to removing area	Text has been amended
	Section 3.2.1 could a more general statement be used in this Section	No change
	Section 4.8.3 recommend that either reference to flooding include streams and lakes or that Chalk Lake be included by name	Text has been amended
	Section 5.2 amend policies to clarify applicability of Chalk Lake	No change
	Section 6.1 include definition in OP for significant	No change
	Section 7.2(f) should make reference to a minimum 30 metre vpz as the current wording would seem to allow a study to determine a lesser area	Text has been amended
	Section 7.2 include definition of naturalized stormwater management ponds	No change
	Section 7.4(e) recommend that natural heritage schedules show existing recreation and snowmobile trails	Trails shown on Schedules B-1 and C
	Section 7.5 suggest alternate wording	No change ORM policies

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Section 7.8.3 Suggest minor revisions to the Natural Core Sections	No change ORM policies
	Suggest numerous Schedule revisions	Schedules revised to improve clarity
	Section 7.13 Table 1 suggest minor revisions	No change ORM policies
ZelinkaPriamo June 5, 2009	Would like existing YIG to be placed within a single designation	Text has been amended in Section 4.2.1(h)
	Request a site specific policy for the YIG lands to ensure flexibility for existing uses	Text has been amended in Section 4.2.1(h)
	Section 3.6 remains inconsistent with Section 3.12	Text amended to ensure consistency
	Section 3.12 inconsistency remains in terms of “encourage” versus “shall meet”	Text amended to ensure consistency
	Section 3.12 clarification from Staff is requested as to whether the LEED Silver Standard will apply to all developments	Text amended to improve clarity
	Section 3.18 request for statement to allow for flexible implementation and interpretation of policies	No change
	Section 3.18 (l) new policy inconsistent with section 6.1.3(k)	Section 3.18(l) refers to maintenance while Section 6.1.3(f) refers to lands to be dedicated

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Section 3.18 (o) Request confirmation that new policy related to cool roofs will be deleted in its entirety	Policy removed
	Section 4 and Schedule A-1 special policy requested for YIG lands	Text amended in Section 4.2.1 to recognize existing supermarket
	Identify mapping error between Schedule A-1 and Schedule F (Main Central Commercial Area)	Schedules revised
	Section 4.2.2 concerns expressed with removal of permission for department store on the subject lands	No change
	Section 4.2.3(e) express concerns with respect to proposed maximum building size limit as current OP contains no size limit	No change
	Section 4.2.6(b) would apply only to redevelopment of existing uses on Water Street only	Text amended to improve clarity
	Section 4.4.1(b) use of term “certain” lack clarity and should be deleted	Text amended
	Section 4.4.3 there is no trailhead policies within the Official Plan. Unable to locate trail head on subject lands	No change. Trail head to be located on Town owned lands abutting the waterfront

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Section 4.4.4.a.iii and 4.4.4.b.i it is not clear which access points will be targeted for consolidation	Text amended to improve clarity
	Section 4.2 there are no policies specifically to protect the Main Central Area	No change only limited commercial uses permitted in Main Central Area
	Section 4.5.2 (xii) question with respect to particular wording of section.	Text amended to improve clarity
	Section 4.5.3(b) a food store or supermarket is not specifically permitted in the Gateway Regeneration Area such uses should be recognized for policy to remain consistent	Text amended to improve clarity
	Section 4.5.3(b) reference to large format retail not consistent with reference to large-scale commercial uses	Text amended to improve clarity
	Section 4.3 there is no development cap on commercial uses	Section 4.3 contains development cap
	Section 4.5.3(e) clarity required whether policy will be applied on a site by site basis or for all lands within the designation	No change

Response to Comments Received at and Subsequent to the May 25th Public Meeting

Comment From	Comment	Response
	Open Space polices removed from Section 4 but remain on schedule A-1	Text amended to include open space policy reference
	Section 6.1.3 the word owner is still missing before ship in Section 6.1.3(h)	Text has been amended
	Section 8.3.2 is not consistent with Section 8.7	Text amended to improve clarity
	Section 9.2 Comment with respect to language in Official Plan to discourage Plan amendments	No change