

February 28, 2019

**via upload to Environmental Registry of Ontario website**

Mr. Charles O'Hara  
Director, Growth Policy, Planning and Analysis  
Ministry of Municipal Affairs and Housing  
777 Bay Street,  
23<sup>rd</sup> Floor, Suite 2304  
Toronto, Ontario  
M5G 2E5

Dear Mr. O'Hara

**Re: ERO Registry No. 013-4504 – Proposed Amendment to the Growth Plan, 2017  
Port Perry – Part of Lots 21 and 22, Concession 8, Port Perry, Township of Scugog**

CM Planning Inc. is the planning consultant for Honey Heights Developments Ltd., the owners of land located on the south side of Whitfield Road and north of the Honey Harbour Heights Estates development at the north end of Port Perry, in the Township of Scugog. As shown in Attachment 1, the property is subject to a settlement area expansion deferred by the Region of Durham through the approval of the Township of Scugog's 2009 Municipal Comprehensive Review. **For the reasons detailed below, we request that a policy be added to the proposed amendment to the Growth Plan 2017 to allow for the settlement area boundary expansions for Towns/Villages within the Protected Countryside in the Greenbelt Area without the requirement for municipal services and without a restriction to a maximum of 5 hectares for residential development where municipal services are not available.**

The Township of Scugog has made a similar request through their submission of report number DEV-2019-006 (please refer to Attachment 2). It is the Township's recommendation to the Province that "minor settlement area expansions and minor adjustments to settlement areas and rural settlement areas be permitted within the Greenbelt on the basis that the Growth Plan, Provincial Policy Statement, Durham Regional Official Plan and the Scugog Official Plan all provide appropriate protection to natural heritage features and that the proposed policies also provide appropriate limitations on the scale of any settlement area or rural settlement area that is proposed outside of a municipal comprehensive review".

As stated in the ERO Policy Notice No. 013-4504, the overall goal of the proposed changes to the Growth Plan is to "streamline growth management planning in the Greater Golden Horseshoe to achieve", among other outcomes, "More Land for Housing" by respecting "the ability of local governments to make decisions about when and where to add new land for housing, to ensure that there is enough housing supply to meet demand" and "Greater Local Autonomy and Flexibility for Municipalities" by ensuring "municipalities will have the ability to implement the Plan in a manner that better reflects their local context while protecting the Greenbelt".

Our comments herein pertain to the proposed amendment to the Growth Plan related to making "growth planning easier for rural communities" and ensuring the "provincial agricultural and

natural heritage system mapping reflect local realities” as quoted from the Ministry of Municipal Affairs and Housing (MMAH) News bulletin issued on January 15, 2019.

**Settlement Area Boundary Expansions – Making Growth Planning Easier for Rural Communities**

As further detailed in the ERO notice, the proposed changes to the Growth Plan aim to “respect the ability of local governments to make decisions about how they grow”. Settlement area boundary expansions are considered a “system that enables local municipal decisions on reasonable changes to settlement area boundaries in a timely manner so as to unlock land faster for residential and commercial development and support more jobs and housing”.

**History and Site Specific Considerations**

The northern expansion to Port Perry came about through the Township Official Plan adopted in 1997, where the property was brought into the urban boundary and designated ‘Partial/Private Service Residential’. The Region of Durham deferred the designation in 1999 and subsequent to the deferral the Township passed resolutions in support of the lands being designated for residential development. Although the designation was ultimately not approved by the Region at the time, it was largely due to an original Minimum Distance Separation (MDS) arc of influence covering a significant portion of the property. An MDS update report has since determined the MDS arc to be limited to just a small area of the property.

In the early 2000’s, and before the Growth Plan or the Greenbelt Plan came into effect, the Township required significant improvements, land dedication requirements and zoning restrictions directly affecting the subject property as part of the approval of the subdivision to the south. This included the provision and construction of a road through the property, the dedication of a large open space area buffering homes to the east and zoning restrictions on the use and disposition of the property. The required improvements, land dedications and zoning restrictions were imposed on the property in anticipation and recognition of the future development potential of the property.

In 2009, the Township of Scugog adopted a new Official Plan with the property being designated ‘Residential’ and ‘Open Space’. In 2010, the Region of Durham approved the new Scugog Official Plan with the property being shown as designated ‘Residential’ and ‘Open Space’ yet subject to a Deferral as shown on Attachment 1. Since then, Scugog has entered into a Financial Agreement with the owners to fund the resolution of the Deferral, and a staff report to Council (COMS-2014-05-CNC) states that “it remains the Township’s position, based on the Official Plan, that the lands in question be designated for development.”

Further to this report, and further to discussions with the Township of Scugog and the Region of Durham, the Region has agreed, in a letter dated February 14, 2017, to “examine the urban land needs for Port Perry, and consider, in a comprehensive manner, the expansion of the Port Perry Urban Area” based on the addition of policy 3.4.3.3 to the Greenbelt Plan 2017 allowing the Region to consider the expansion of Towns/Villages within the Protected Countryside as part of a municipal comprehensive review.

The Region of Durham is currently undertaking a municipal comprehensive review of their Official Plan. Policy 3.4.3.3 of the Greenbelt Plan further requires any expansion to be in accordance with the policies of 2.2.8.2 and 2.2.8.3 of the Growth Plan, which, with the current requirement for municipal servicing and limitation on the size of an expansion in policies 2.2.8.3 and 2.2.8.4 as detailed below, will affect the potential for an approval of the deferred expansion.

## **Proposed Changes to the Growth Plan**

The MMAH News bulletin on the proposed changes to the Growth Plan dated January 15, 2019, states that the Ontario government is proposing changes to the Growth Plan to “[m]ake growth planning easier for rural communities”. It further states that “[m]unicipalities, including rural communities, would be able to adjust settlement area boundaries more easily, while continuing to provide protection for agricultural lands and natural areas.” However, the proposed amendment to the Growth Plan does not support the provincial government announcement for rural Towns/Villages within the Greenbelt Area where municipal servicing isn’t available in all areas:

- Proposed policy 2.2.8.3.k.ii. – limits the area of a proposed expansion to a “maximum size of 10 hectares, and residential development would not be permitted on more than 50 per cent of the lands that would be added to the settlement area”, although not all expansion areas have municipal services available to allow for reduced lots sizes. A maximum of 5 hectares for a residential development expansion on private services severely limits the number of lots for developments due to larger lot size requirements.
- Proposed policy 2.2.8.3.k.v. – requires expansions in the Greenbelt Area to be serviced by ‘existing municipal water and wastewater systems’, though not all areas of rural Towns/Villages have municipal services.
- Proposed policy 2.2.8.4.d. – allows a municipality to ‘adjust’ ‘settlement area boundaries’ ‘outside of’ a municipal comprehensive review but not for ‘rural settlements’ or ‘settlement areas’ in the Greenbelt Area and only where there would be ‘no net increase in land within settlement areas’.
- Proposed policy 2.2.8.4.e. – allows a municipality to ‘adjust’ ‘settlement area boundaries’ ‘outside of’ a municipal comprehensive review but only where the ‘settlement area’ is serviced by ‘municipal water and wastewater systems’, though not all areas of rural Towns/Villages have municipal services.
- Proposed policy 2.2.8.5.c. – allows for a ‘settlement area boundary expansion’ ‘in advance of’ a municipal comprehensive review but only for settlement areas that are not in the Greenbelt Area.
- Proposed policy 2.2.8.5.d. – allows for a ‘settlement area boundary expansion’ ‘in advance of’ a municipal comprehensive review but only where the proposed expansion is serviced by ‘municipal water and wastewater systems’, though not all areas of rural Towns/Villages have municipal services.

- Proposed policy 2.2.8.6 – allows for a maximum of 40 hectares for settlement area expansions outside of the Greenbelt Area and with municipal services, however Port Perry is within the Greenbelt Area and not all areas within Port Perry have municipal services.

The proposed policy changes to the Growth Plan clearly do not “[m]ake growth planning easier for rural communities” or allow for “[m]unicipalities, including rural communities” to “be able to adjust settlement area boundaries more easily” [ERO No. 013-4504] for the vast majority of rural settlements, including Towns/Villages surrounding the Greater Toronto Area (GTA) within the Greenbelt Area where pressure to accommodate rural populations is great. For many Towns/Villages surrounding the GTA, the proposed policies only reinforce the policies of the Growth Plan 2017 that prohibit settlement boundary expansions in areas without municipal services.

Settlement area boundary expansions must still meet the strict requirements of the Greenbelt Plan and Growth Plan including no expansion into the Natural Heritage System for expansions in the Greenbelt Area. With these restrictions already in place, allowing minor expansions of hamlets within the Greenbelt Area would serve rural populations within the Greenbelt Area whose options for housing are restricted, while still “maintain[ing] protections for the Greenbelt, agricultural lands, the agri-food sector, and natural heritage systems” [ERO No. 013-4504].

Through the Proposed Amendment to the Growth Plan, there is an opportunity to continue directing growth to urban centres and Towns/Villages within the Greenbelt Area, as the Growth Plan 2006 and the Greenbelt Plan 2005 provided, while continuing to provide protection for agricultural lands and natural heritage features.

In addition, the Provincial Policy Statement, the Growth Plan, the Greenbelt Plan, the Durham Regional Official Plan and the Scugog Official Plan all have policies to ensure the protection of natural heritage features within the Greenbelt Area.

**We therefore request we request that a policy be added to the Proposed Amendment to the Growth Plan 2017 to allow for the settlement area boundary expansions for Towns/Villages within the Protected Countryside in the Greenbelt Area without the requirement for municipal services and without a restriction to a maximum of 5 hectares for residential development where municipal services are not available in order to “make growth planning easier for rural communities” as stated in the Ministry of Municipal Affairs and Housing News bulletin.**

#### **Mapping – Ensuring Agricultural System and Natural Heritage System Mapping Reflects Local Realities**

As stated in the ERO Policy Notice No. 013-4504, the Agricultural System and Natural Heritage System mapping are meant to be “systems that are factual and reflect the local mapping realities, while providing for the appropriate level of protections for our natural resources”.

The proposed amendments to Growth Plan policies 4.2.2.4 and 4.2.2.5 regarding the Natural Heritage System mapping and policies 4.2.6.8 and 4.2.6.9 regarding the Agricultural System mapping, provide for refinement to the provincial mapping in upper- and single-tier municipal

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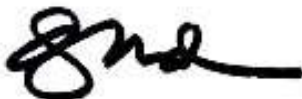


official plans, but not in local municipal official plans, through site specific studies at the time of development applications, or via a municipal zoning by-law update as provided for in policy 5.4.2 of the Greenbelt Plan (2017).

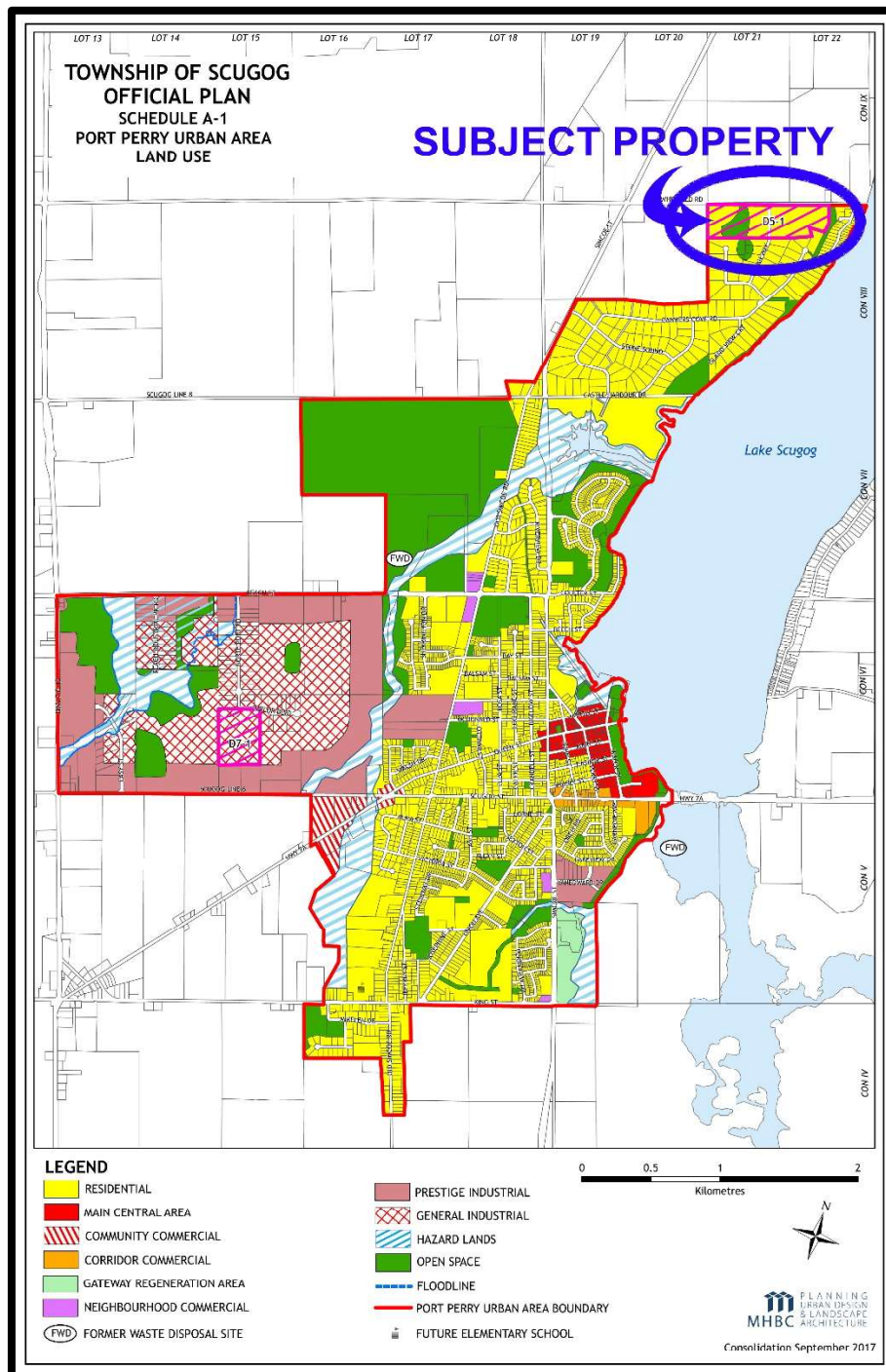
**We therefore also request that, for clarity, a policy be added to the Proposed Amendment to the Growth Plan to allow for the refinement of Agricultural System and Natural Heritage System mapping by lower-tier municipalities as permitted by policy 5.4.2 of the Greenbelt Plan (2017) in order to “ensure provincial agricultural and natural heritage systems maps reflect local realities” as stated in the Ministry of Municipal Affairs and Housing News bulletin.**

Thank you for the opportunity to provide comments on the Proposed Amendment to the Growth Plan and for your consideration of this important matter. We believe the changes requested herein will help to achieve the overall goal of the proposed changes to the Growth Plan of streamlining growth management planning in the Greater Golden Horseshoe.

Yours truly  
CM PLANNING INC.



Carolyn Molinari  
cc Templeman LLP  
Township of Scugog  
client



**Port Perry Settlement Area Expansion - Deferred Area**

Base map: Township of Scugog Official Plan Schedule A-1 – Port Perry Urban Area

Source: <https://www.scugog.ca/en/township-office/resources/Documents/Official-Plan-Schedules---Combined--Sept-2017.pdf>



# Township of Scugog Staff Report

To request an alternative accessible format, please contact the Clerks Department at 905-985-7346.

**Report Number:** DEV-2019-006

**Prepared by:** Kevin Heritage, MCIP, RPP  
Director of Development Services

**Department:** Development Services

**Report to:** Council

**Date:** February 11, 2019

**Reference:** Strategic Direction #2 – Financial Sustainability  
Strategic Direction #3 – Economic Development

**Report Title:** Proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe, 2017

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## Recommendation:

1. That Report DEV-2019-006 entitled “Proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe, 2017” be received;
  2. That minor settlement area expansions and minor adjustments to settlement areas and rural settlement areas be permitted within the Greenbelt on the basis that the Growth Plan, Provincial Policy Statement, Durham Regional Official Plan and the Scugog Official Plan all provide appropriate protection to natural heritage features and that the proposed policies also provide appropriate limitations on the scale of any settlement area or rural settlement area that is proposed outside of a municipal comprehensive review; and
  3. That Report DEV-2019-006 entitled “Proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe, 2017” be forwarded to the Province as the Township’s comments for consideration, and circulated to the Region of Durham and the local area municipalities for information.
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# 1. Background:

## 1.1. Introduction

This staff report provides Council with an overview of the proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe, 2017; to consider the proposed Amendment within the context of the Scugog Official Plan; and, to forward comments to the Province for consideration. The deadline for the submission of comments to the Province is February 28<sup>th</sup>, 2019.

This report has been prepared with the assistance of the Township's planning consultant (Jamie Robinson - MHBC Planning, Urban Design and Landscape Architecture).

## 1.2. General Information

On January 15<sup>th</sup>, 2019, the Province released proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe, 2017, (Growth Plan) on the Environmental Registry of Ontario. The public comment period is 45 days and expires on February 28<sup>th</sup>, 2019.

According to the Province, the components of the amendment that are applicable to Scugog are intended to accomplish the following:

- Increase housing supply

Make it faster and easier for local governments to make modest changes to settlement area boundaries. Intensification and density targets used to direct residential and employment growth within settlement areas would better reflect growth rates, local realities and market conditions. This would allow municipalities to make more land available for housing to accommodate forecasted growth.

- Attract investment, create and maintain jobs

Ensure that significant employment areas are protected, which is critical for the economy and for the jobs the region needs to prosper. Reducing red tape will encourage local economic development.

- Make growth planning easier for rural communities

Be able to adjust settlement area boundaries more easily, while continuing to provide protection for agricultural lands and natural areas. Changes would also ensure provincial agricultural and natural heritage systems maps reflect local realities.



The proposed changes are intended to respect the ability of local governments to make decisions about how they grow, while maintaining protections for the Greenbelt, agricultural lands, the agri-food sector, and natural heritage systems.

The proposed amendment contains six main priority areas that include the following:

1. Employment Planning;
2. Settlement Area Boundary Expansions;
3. Small Rural Settlements;
4. Agricultural and Natural Heritage Systems;
5. Intensification and Density Targets; and,
6. Major Transit Station Areas (Not applicable to Scugog).

A description of the six main priority areas and staff's responses to each priority area within the context of the Township are outlined in the Discussion section of this report.

## **2. Discussion:**

The six main priority areas that are relevant to the Township are as follows.

### **2.1. Employment Planning**

Section 2.2.5.6 of the Growth Plan is proposed to be revised to enable upper and single tier municipalities to designate additional employment lands, prior to the next municipal comprehensive review. Staff recommend that lower tier municipalities have the ability to designate additional employment lands prior to a municipal comprehensive review in conformity with an upper tier plan.

Policies have been modified that would provide the Region and the Township with the ability to undertake conversions of employment areas to non-employment uses, at any time before the next municipal comprehensive review. It is not expected that any conversions within the Township's employment areas will be contemplated, but the proposed policies enable consideration of conversions subject to criteria (Section 2.2.5.10). The criteria applicable to this policy are outlined in section 2.2.5.9 a), d) and e) as follows:

- a) there is a need for the conversion;
- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as other policies of this Plan; and
- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.

One other criterion is that the conversion would maintain a significant number of jobs on the lands within the employment area.

Policies have been modified to require municipalities to provide appropriate policies to maintain land use compatibility between employment uses and adjacent non-employment uses (Section 2.2.5.8). This section adds protection to industrial and manufacturing uses from the encroachment of sensitive land uses, major retail uses or major office uses.

## **2.2. Settlement Area Boundary Expansions**

Additional policies are proposed to permit municipalities to expand settlement area boundaries outside of a municipal comprehensive review provided there is no net increase in land within the settlement area or subject to meeting additional criteria. This policy recognizes that there may be existing lands in settlement areas that are not developable and provides flexibility to ensure that sufficient land is available to support anticipated growth (Section 2.2.8.5).

An additional policy has been included to allow municipalities to undertake settlement area boundary expansions of up to 40 hectares without undertaking a municipal comprehensive review provided specific criteria are met (Sections 2.2.8.5 & 2.2.8.6). However, these policies prohibit such expansions to be considered if municipalities are situated in the Greenbelt. The entire Port Perry Settlement Area is identified as a Town/Village within the Greenbelt.

The Township has identified situations where minor expansions to the Port Perry settlement area are appropriate outside of a municipal comprehensive review. Staff recommend that the Township should have the same opportunity for minor settlement area expansions that are considered for those areas not within the Greenbelt. Notwithstanding the Greenbelt restriction, the Growth Plan Amendment establishes policies that limit the scale of minor expansions that may occur outside of a comprehensive review. These policies would provide a sufficient limit on the scale of any future settlement area boundary expansion that may occur to Port Perry outside of a comprehensive review. The Natural Heritage Policies of the Growth Plan, Provincial Policy Statement (PPS), Durham Region Official Plan and Township Official Plan all provide appropriate protection for natural heritage features.

Staff recommend that minor settlement area expansions be permitted within the Greenbelt on the basis that the Growth Plan, PPS, Durham Regional Official Plan and the Scugog Official Plan all provide appropriate protection to natural heritage features and that the proposed policies also provide appropriate limitations on the scale of any settlement area that is proposed outside of a municipal comprehensive review.

## **2.3. Small Rural Settlements**

The settlement area structure of the Growth Plan is proposed to be modified to include a new defined term of rural settlements.

A proposed policy has been added to permit minor adjustments to the boundaries of rural settlements outside of a comprehensive review (Section 2.2.8.7). Rural settlement policies would apply to the Township's hamlets. The proposed policy however, excludes rural settlements in the Greenbelt. All of the Township's hamlets are located within the Greenbelt. The Growth Plan, PPS, Durham Regional Official Plan and Township Official Plan all provide

appropriate protection for natural heritage features. The proposed policies also provide appropriate limitations on the scale of any settlement area expansion to a rural settlement that is proposed outside of a municipal comprehensive review.

Staff recommend that minor rural settlement area adjustments be permitted within the Greenbelt on the basis that the Growth Plan, PPS, Durham Regional Official Plan and the Scugog Official Plan all provide appropriate protection to natural heritage features and that the proposed policies also provide appropriate limitations on the scale of any rural settlement area that is proposed outside of a municipal comprehensive review.

#### **2.4. Agricultural and Natural Heritage Systems**

The proposed changes to the Growth Plan will recognize that the provincial agricultural mapping and natural heritage system mapping will not apply until it has been implemented in the upper and single-tier Official Plans.

Until such time that the new Provincial mapping is implemented in the upper tier, (Durham Region) Official Plan, the existing policies in the Growth Plan pertaining to prime agricultural areas and natural heritage systems will apply to the Region's and Township's municipal mapping. Refinements to provincial mapping would be permitted in advance of a municipal comprehensive review. Once provincial mapping of agricultural land has been implemented in an official plan, refinements will only be permitted through a municipal comprehensive review.

#### **2.5. Intensification and Density Targets**

The proposed policies will establish different minimum intensification targets for municipalities. Instead of the current minimum intensification targets, Municipalities within the Region of Durham will establish minimum intensification targets based on maintaining or improving upon their current minimum intensification target.

The establishment of Greenfield density targets would take effect during the Municipality's next comprehensive review. The minimum density target proposed for the Region of Durham is 50 residents and jobs per hectare and this is to be planned for on a Region-wide basis.

The proposed modification would also enable Municipalities to apply for different intensification targets.

#### **2.6. Major Transit Station Areas**

These policies do not apply within in the Township of Scugog.

### **3. Financial Implications:**

Since the Township is located within the Greenbelt, the proposed amendment to the Growth Plan does not provide the Township with any ability to expand the Port Perry urban area or the hamlet boundaries to accommodate further growth. This will limit the Township's potential to increase its assessment base to maintain its infrastructure and services.

### **4. Communication Considerations:**

As noted previously, on January 15, 2019, the Province released proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe, 2017 on the Environmental Registry of Ontario. The deadline for the submission of comments to the Province is February 28<sup>th</sup>, 2019.

### **5. Conclusion:**

Although the primary focus of the proposed amendment to the Growth Plan is to make growth planning easier for rural communities by permitting adjustments to settlement area boundaries, the Township being a Greenbelt community is not being given the opportunity to make such adjustments.

The key proposed Amendments to the Growth Plan and the implications of such amendments to the Township of Scugog have been outlined in this report. Staff recommend that this report be forwarded to the Province for consideration and be circulated to the Region of Durham and the area municipalities for information.

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Respectfully Submitted:

Reviewed By:

Kevin Heritage, MES, MCIP, RPP  
Director of Development Services

Paul Allore, MCIP, RPP  
Chief Administrative Officer

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