



The Corporation of the Township of Brock
Planning and Community Affairs Agenda

Session 1

Monday, March 15, 2021, 1:30 p.m.

Virtual Meeting

Pages

1. Call to Order
2. Disclosure of Pecuniary Interest and Nature thereof in Closed Session
3. Closed Session
None
4. Rise from Closed Session
5. Call Open Session to Order & Moment of Silence – 1:30 p.m.
6. Disclosure of Pecuniary Interest and Nature Thereof
7. Matters from Closed Session
8. Public Meetings
 - 8.1. Cannabis Growth and Production By-law
Proposed amendment to Zoning By-law No. 287-78-PL, the comprehensive Zoning By-law, and an Official Plan Amendment in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, as amended to incorporate a new By-law regarding the growth and production of Cannabis.
 - 8.1.1. Staff Presentation/Overview
 - 8.1.2. Public Comments & Questions
9. Presentations
None
10. Delegations
None
11. Staff Reports

- 11.1. Report: 2021-PCA-02 - 2021 Planning Fees Review Report and By-law 7
Author: Debbie Vandenakker
Communication No. 346/21

Recommendation:

That Report: 2021-PCA-02 be endorsed by the Planning and Community Affairs Committee and,
That the attached by-law be prepared for enactment at the March 22nd Council Meeting.

- 11.2. Report: 2021-PCA-07 - Proposed Cannabis Official Plan and Zoning By-law Amendments 33
Author: Kent Randall, B.E.S., MCIP, RPP, Township Planning Consultant
Communication No. 351/21

Recommendation:

That the Planning and Community Affairs Committee endorse the recommended Official Plan Amendment No. 5 and Zoning By-law Amendment PL-3015-2021, for approval at the March 22, 2021 session of Council

- 11.3. Report: 2021-PCA-03 - McFeeter's Surplus Farm Severance Rezoning Report (2-2020-RA - 396 Cameron Street, Cannington) 60
Author: Debbie Vandenakker
Communication No. 352/21

Recommendation:

That the Planning and Community Affairs Committee accept this report and recommend that the associated Zoning By-law 2962-2021 be approved at the March 22, 2021 session of Council.

12. Correspondence

Recommendation:

That items listed under Section 12, Correspondence, be approved

- 12.1. Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures) - Changes to the Conservation Authorities Act and Planning Act 95
Durham Region Planning Division
Communication No. 139/21

Recommendation:

That Communication No. 139 be received for information.

12.2.	Kawartha Conservation 2020 Year in Review and Strategic Plan Accomplishments Kawartha Conservation Communication No. 144/21 Recommendation: That Communication No. 144 be received for information.	103
12.3.	Regional Broadband Network, Applications for Provincial and Federal Funding Durham Region Legislative Services Communication No. 145/21 Recommendation: That communication no. 145 be received for information	141
12.4.	Lake Simcoe Protection Plan Rescue Lake Simcoe Coalition Communication No. 151/21 Recommendation: That communication no. 151 be received for information.	159
12.5.	Upper York Sewage Solution Durham Region Legislative Services Communication No. 157/21 Recommendation: That communication no. 157 be received for information	163
12.6.	Response to November 25, 202 Notice of Motion regarding Minister's Zoning Orders City of Pickering Communication No. 158/21 Recommendation: That communication no. 158 be received for information	165
12.7.	Request from the Region of Durham that the Region of York affirm by Resolution its support for the Lake Simcoe Solution as Document in the Upper York Sewage Solutions (UYSS) Environmental Assessment City of Pickering Communication No. 159/21 Recommendation: That communication no. 159 be received for information.	170

- 12.8. Report PLN 06-21, Environmental Registry Posting 019-2811 174
 Comments on the Minister of Municipal Affairs and Housing's authority to address site plan matters and apply inclusionary zoning as part of a ministerial zoning order
 City of Pickering
 Communication No. 160/21
- Recommendation:**
 That communication no. 160 be received for information
- 12.9. Kawartha Conservation 2021 Budget 187
 Kawartha Conservation
 Communication No. 164/21
- Recommendation:**
 That communication no. 164 be received for information.
- 12.10. Planning and Development Department Report PL02-21, Envision 236
 Durham - Employment Area Conversion Requests
 Town of Whitby
 Communication No. 171/21
- Recommendation:**
 That communication no. 171 be received for information.
- 12.11. Regional Council Decision - Upper York Sewage Solutions Individual 251
 Environmental Assessment - Approval Status
 York Region Corporate Services
 Communication No. 178/21
- Recommendation:**
 That communication no. 178 be received for information.
- 12.12. Proclamation of Provisions of the Conservation Authorities Act 258
 Ministry of the Environment, Conservation and Parks
 Communication No. 199/21
- Recommendation:**
 That communication no. 199 be received for information.
- 12.13. Request from the Region of Durham that the Region of York affirm by 263
 Resolution its support for the Lake Simcoe Solution as Documented in the Upper York Sewage Solutions (UYSS) Environmental Assessment
 Durham Region Legislative Services
 Communication No. 204/21
- Recommendation:**
 That communication no. 204 be received for information

12.14.	Proclamation of Provisions of the Conservation Authorities Act (FAQs) Ministry of the Environment, Conservation and Parks Communication No. 205/21	265
	Recommendation: That communication no. 205 be received for information.	
12.15.	Lake Simcoe Protection Plan review - Rescue Lake Simcoe Coalition policy recommendations Rescue Lake Simcoe Coalition Communication No. 215/21	269
	Recommendation: That communication no. 215 be received for information.	
12.16.	Consulting on growing the size of the greenbelt Minister Steve Clark, Ministry of Municipal Affairs and Housing Communication No. 246/21	285
	Recommendation: That communication no. 246 be received for information.	
12.17.	Board of Directors Meeting No. BOD-02-21, Friday February 26, 2021 - Agenda Lake Simcoe Region Conservation Authority Communication No. 286/21	286
	Recommendation: That communication no. 286 be received for information.	
12.18.	Meeting No. SPA-01-21 - Friday February 26, 2021 - Agenda Lake Simcoe and Couchiching / Black River Source Protection Authority Communication No. 287/21	292
	Recommendation: That communication no. 287 be received for information	
12.19.	Durham Region's Municipal Comprehensive Review: City Comments on Major Transit Station Areas - Proposed Policy Directions City of Oshawa Corporate Services Department Communication No. 290/21	295
	Recommendation: That communication no. 290 be received for information.	
12.20.	Durham Region's Municipal Comprehensive Review: City Comments on Major Transit Station Areas - Proposed Policy Directions City of Oshawa Planning Services Communication No. 292/21	366

Recommendation:

That communication no. 292 be received for information.

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| 12.21. | 10 Year Review of Lake Simcoe Protection Plan
Town of Georgina
Communication No. 297/21 | 437 |
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Recommendation:

That communication no. 297 be received for information.

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| 12.22. | Cannabis in Brock
Kitty Bavington
Communication No. 339/21 | 461 |
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Recommendation:

That communication no. 339 be received for information.

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| 12.23. | Cannabis Grow-Op in Rural Area
Bonnie Lambert
Communication No. 340/21 | 463 |
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Recommendation:

That communication no. 340 be received for information.

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| 12.24. | Cannabis Grow Op - 6th Concession of Beaveton
Karen Brohm
Communication No. 341/21 | 465 |
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Recommendation:

That communication no. 341 be received for information.

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| 12.25. | Cannabis Zoning By-law Amendments
Susan Ross
Communication No. 350/21 | 466 |
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Recommendation:

That communication no. 350 be received for information.

- 13. Other Business
 - 14. Public Questions and Clarification
 - 15. Closed Session (if required)
 - 16. Adjournment
- Recommendation:**
That we do now adjourn at TIME.

Date:	08/03/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

346/21



Corporation of the Township of Brock

Staff Report to the Mayor and Members of Council

From:	Debbie Vandenakker
Position:	Planner
Title / Subject:	2021 Planning Fees Review Report and By-law
Date of Report:	February 23, 2021
Date of Meeting:	March 15, 2021
Report No:	2021-PCA-02

1.0 Strategic Goal/Priority

To provide Council with an analysis of current Planning fees as they relate to comparable surrounding municipalities and recommend a strategic fee increase that moves closer to a cost-recovery model for Planning.

2.0 Issue / Origin

It is recognized that Brock's Planning fees are substantially lower than other area municipal planning fees. This was appropriate when the majority of planning work was completed by consultants at the applicant's expense. Now that Brock has a full year of internal planning work completed in-house and has revised the budget structure to better represent the costs of planning, it is felt that now is the appropriate time to begin the process of bringing the Township's Planning fees into better alignment with staff costs.

3.0 Background

In July 2018, the Township of Brock hired a Planner to provide fulltime in-house planning services. With the completion of over a year of planning understanding and application processing, an analysis of average planning costs vs. revenue (i.e. planning application fees) is possible.

The purpose of the report is to provide an analysis of existing planning revenue compared to surrounding area municipalities to better reflect a cost-recovery model of planning costs within the Township. With annual planning revenues averaging around \$20,000 per year, it is clear that this service is not operating anywhere near optimal cost-recovery levels.

It is recommended that staff prepare a similar report using a comparable methodology to assess the cost-recovery level of success with the new fees in place for the 2023 budgeting process. Based on that report, it is also recommended that a determination be made at that point if Council feels an outside consultant report regarding Planning Fees would be beneficial.

4.0 Analysis

It is estimated that approximately 60% of planning staff time is currently dedicated to planning matters related to processing applications that have paid fees. It is important to note that the Chief Building Official's (CBOs) time in managing and supporting the Planner is not included in the budgeting line item as a Planning cost. The 15% allocation of the CBOs time reflected in the 2021 operating budget can be considered in future analysis of Planning Fees. The general intent is for planning fees to represent a cost-recovery type of budgeting process, but that not all planning functions can be paid for through application fees. Policies, committees, issues and planning documentation are all examples of time-consuming work that is essential to the role, but that cannot be recovered through application fees.

Table 1 – The following table shows a comparison table of Brock's fees as they relate to surrounding area municipalities' fees. It is recognized that the Town of Georgina's fees are very high compared to the other municipalities and therefore, it was decided that Brock's fees would be included as part of the calculation of average fees so as not to unfairly skew the results to higher fees.

Not all municipalities charge all fees and the terminology can be somewhat different. The table lists all planning fees noted in each municipality's planning fee by-law. A column noting the percent difference between Brock's fee and that municipality's fees has been added to illustrate the percent difference to standardize a method of averaging a required increase in the fees. The bottom portion of the table does not show the final average column in the far right, as there were not enough comparable fees to do so. The line items have been included however to ensure that they are considered as part of the final Planning Fees By-law where appropriate.

The recommended fee increases will allow Brock to bring our Planning fees more in line with other comparable area municipalities to come closer to a cost-recovery model of budgeting for planning services. A schedule dealing with concurrent applications has been created in the by-law to recognize and reflect the resource savings available when applications are made concurrently.

Table 1: Planning Fees Comparison

Application Type	Brock Fee	Scugog Fee	%	Uxbridge Fee	Brock	Ramara Fee	%	Georgina Fee	%	AVG	% from Avg
Official Plan Amendment	\$1,630.00	\$7,900.00	21%			\$ 5,500.00	30%	\$ 25,000.00	7%	\$ 10,007.50	16%
Zoning By-law Amendment – Minor Application	\$1,630.00	\$3,600.00	45%	\$ 4,712.00	35%	\$ 2,000.00	82%	\$ 14,544.00	11%	\$ 5,297.20	31%
Zoning By-law Amendment – All other	\$1,630.00	\$6,200.00	26%	\$ 4,712.00	35%	\$ 5,000.00	33%	\$ 21,154.00	8%	\$ 7,739.20	21%
Removal of Holding Symbol	\$ 550.00	\$1,100.00	50%	\$ 740.00	74%	\$ 1,500.00	37%	\$ 3,255.00	17%	\$ 1,429.00	38%
Extension of Temp Use		\$600.00	0%	\$ 1,350.00	0%			\$ 3,255.00	0%	\$ 1,041.00	0%
Temporary Use	\$1,630.00	\$3,600.00	45%	\$ 2,945.00	55%	\$ 2,000.00	82%	\$ 7,221.00	23%	\$ 3,479.20	47%
Site Plan Control – Comm	\$1,910.00	\$8,300.00	23%	\$ 3,700.00	52%	\$ 5,000.00	38%			\$ 4,727.50	40%
Major Site Plan	\$1,910.00	\$5,600.00	34%	\$ 7,465.00	26%	\$ 5,000.00	38%			\$ 4,993.75	38%
Site Plan Amendment	\$1,095.00	\$1,100.00	100%	\$ 720.00	152%			\$ 4,500.00	24%	\$ 1,853.75	59%
Minor Variance-residential	\$ 495.00	\$1,750.00	28%	\$ 700.00	71%	\$ 1,000.00	50%	\$ 1,424.00	35%	\$ 1,073.80	46%
Application Tabling	\$ 125.00	\$300.00	42%	\$ 300.00	42%					\$ 241.67	52%
Plan of Subdivision – Municipal Comments	\$7,610.00	\$13,700.00	56%	\$ 16,000.00	48%	\$ 7,000.00	109%	\$ 30,307.00	25%	\$ 14,923.40	51%
Revision to Draft Approval	\$5,440.00	\$4,000.00	136%	\$ 2,985.00	182%	\$ 1,000.00	544%	\$ 4,374.00	124%	\$ 3,559.80	153%
Plan of Condominium	\$7,610.00	\$13,700.00	56%					\$ 30,307.00	25%	\$ 17,205.67	44%
Revision to Plan of Condominium	\$5,440.00	\$4,000.00	136%	\$ 2,985.00	182%	\$ 1,000.00	544%	\$ 4,374.00	124%	\$ 3,559.80	153%
Land Division – municipal Comment	\$ 285.00	\$1,400.00	20%	\$ 458.00	62%					\$ 714.33	40%
Part Lot Control	\$1,095.00	\$100.00	1095 %	\$ 175.00	626%	\$ 2,000.00	55%			\$ 842.50	130%

Application Type	Brock Fee	Scugog Fee	%	Uxbridge Fee	Brock	Ramara Fee	%	Georgina Fee	%	AVG	% from Avg
Clearance Letter	\$ 1 (for calculation)	\$2,700.00	5%					\$ 4,374.00	3%	\$ 2,399.67	5%
Telecommunication Tower Consultation Application	\$1,890.00	\$600.00	315%	\$ 3,710.00	51%			\$ 4,374.00	43%	\$ 3,524.67	54%
Cash in Lieu of Parking	\$ 540.00										
Section 8 of Rental Housing Protection Act	\$ 125.00										
Additional Public Meeting	\$ 820.00	\$ 815.00	101%	\$ 715.00	115%						
Solar Application Review	\$ 285.00										
Release of 1ft reserve (.3m)	\$ 550.00			\$ 740.00	74%						
Pre-Consultation - minor						\$ 600.00					
Pre-Consultation - major						\$ 800.00		\$ 763.00			
Site Plan Inspection Fee								2.7% construction cost / min \$1000			
Property Info Report	\$ 125.00							\$ 326.00			
Land Division Clearance Letter		\$1,500.00		\$ 100.00							
Second Dwelling Agreement		\$1,500.00		\$ 740.00							
Reactivation of Dormant Application (> 1 year)		\$2,500.00									
Regional OP Amendment – Municipal Comment	\$ -	\$4,600.00									

The table indicates that on average (for the applications we could calculate), the Township's fees are 57% of the average of the surrounding area municipalities' fees. It was determined that increasing fees to 70% of the average of the surrounding municipalities appears appropriate to move us closer to cost-recovery and still maintain competitiveness for new development.

Table 2: Total Previous Fees and Estimated Total New Fees illustrates a probable revenue increase based on an average of the number of applications received by type in 2019 and 2020. Planning applications often take longer than one calendar year to process and close-out, but the table is generally indicative of the past year's planning application processing. Table 2 is an illustration, not an exact representation of the 2020 budget calculations.

Table 2: Total Previous Fees and Estimated Total New Fees

	2020	2021
Rezoning	\$9,900 Average of 5 applications @ \$1980 (RA plus advertising fee)	\$25,300 1 minor @ \$3700, 4 major @ \$5400
Brock Official Plan Amendment	None received	None received
Regional Official Plan Amendment	No existing fee	New fee would be \$1000.00 but not included in comparison as all ROPAs received are part of a concurrent surplus farm severance process
Land Division	\$1,140	\$2000 4 Land Division comments at \$500 each
Site Plan Approval	\$4,380 4 @ \$1095 each	\$11,000 2 minor @ \$2000 2 major \$3500
Comment on Subdivision	\$7,600 1 application	\$10,500 1 application
TOTAL FEES	\$23,020	\$48,800

Recommended Fee Increases

To reflect the need to increase fees, as well as a structure that represents the efficiencies that can be gained by submitting concurrent applications, two fee tables have been created. The first, **Table 3** of this report is Schedule "A" in the draft Planning Fees By-law (**Attachment No. 1**). The second is **Table 4** of this report, or Schedule "B" in the draft by-law.

Table 3: Schedule "A" - Planning Applications Fees

Planning Application Type	Fee
a) Applications to Amend the Official Plan	\$7,000.00
b) Applications for Municipal Review and Comments on Regional Official Plan Amendment	\$1,000.00
c) Applications Deemed "Major" to Amend the Zoning By-Law	\$5,400.00
d) Applications Deemed "Minor" to Amend the Zoning By-Law	\$3,700.00
e) Applications for Temporary Use By-Law	\$2,450.00
f) Applications for an extension to a Temporary Use By-Law	\$725.00
g) Applications for Municipal Review and Comments for Draft Plan of Subdivision Approval	\$10,500.00
h) Applications for Municipal Review and Comments for Red-Line Draft-Approved Plan of Subdivision	\$2,500.00
i) Applications for Municipal Review and comments for Draft Plan of Subdivision Approval for Registration of Condominium	\$10,500.00
j) Applications for Municipal Review and Comments for Red-Line Draft-Approved Plan of Subdivision for Registration of a Condominium	\$2,500.00
k) Applications Deemed "Major" for Site Plan Development Approval	\$3,500.00
l) Applications Deemed "Minor" for Site Plan Development Approval	\$2,000.00
m) Applications to Amend and Existing Site Plan Development Agreement	\$1,300.00
n) Land Division Committee Applications	\$650.00
o) Minor Variance under subsection 45 (1) of the Act	\$750.00
p) Permission under subsection 45 (2) of the Act	\$750.00
q) Application for Minor Variance or Permission under subsections 45 (1) and 45 (2) of the Act - Tabling Fees	\$170.00
r) Removal of a holding symbol	\$1000.00
s) Making a cash payment in lieu of providing required parking	\$2000.00
t) Pre-Consultation Meeting – Minor	\$100.00
u) Pre-Consultation Meeting – Major	\$350.00
v) Approval under section 8 of the <i>Rental Housing Protection Act</i>	\$125.00/unit with a min of \$550.00 to a max of \$2,740.00

Planning Application Type	Fee
w) Designating lands not subject to part lot control	\$1,095.00
x) An additional public meeting for any application which requires one (1) statutory public meeting in accordance with the Act	\$820.00
y) Release of 1-foot reserve (0.3m)	\$550.00
z) Solar Application Review	\$285.00
aa) Telecommunication Tower Review	\$2,500.00
bb) Reactivation of Dormant Application (longer than 1 year)	\$1,000.00

Note: Application fees include required planning Clearance Letters and municipal advertising fees.

Table 4: Schedule "B" - Concurrent Application Fees

Concurrent Planning Application Type	Fee
a) Applications for Severance of a dwelling surplus to a farming operation within the Greenbelt that require a Regional Official Plan Amendment, Zoning By-law Amendment and Land Division. This fee includes the pre-consultation and Clearance Letters.	\$5,000.00
b) Concurrent application for Minor Zoning By-law Amendment and comment on Land Division application	\$4,000.00
c) Concurrent application for Major Zoning By-law Amendment and comment on Land Division application	\$5,700.00
d) Concurrent application for Major Zoning By-law Amendment and Major Site Plan Development Approval	\$7,000.00
e) Concurrent application for Minor Zoning By-law Amendment and Major Site Plan Development Approval	\$5,800.00
f) Concurrent application for Major Zoning By-law Amendment and Minor Site Plan Development Approval	\$6,000.00
g) Concurrent application for Minor Zoning By-law Amendment and Minor Site Plan Development Approval	\$4,500.00
h) Concurrent application for Municipal Comment on Subdivision Approval and Major Zoning By-law Amendment	\$12,500.00
i) Concurrent application for Municipal Comment on Subdivision Approval for Registration of a Condominium and Major Zoning By-law Amendment	\$12,500.00

Changes to the Existing Planning Fees By-law

To summarize, the following key changes were made to the existing Planning Fees By-law:

- Revised all instances referring to the Clerk-Administrator as either the Clerk and/or the CAO.
- Revised all instances referring to "he" in reference to the Clerk-Administrator to read "he or she" to remove gender specificity in the role.
- Added definitions (I) through (Q) in section 1 to add definitions of "minor" and "major" to rezoning and site plan applications as well as to pre-consultations.
- Revised Section 3. (a) to change "the planning services costs related to all work in excess of 15 hours" to "25 hours" and "an hourly rate of \$30.00" to "\$45.00".
- Revised references to Schedule "G" to Schedule "C".
- Revised references to "minor rezoning" applications to read "major or minor application type".
- Schedule "A" of the by-law now contains a full list of all Planning Applications Fees (rather than separate schedules by application type).
- Fees now include the \$350.00 advertising fee that was previously noted as a separate fee.
- Schedule "B" of the by-law is now a table of Concurrent Application Fees.
- Schedule "C" now contains the Financial Agreement portion of the By-law. The front page has been updated to add more details of "The Developer" including legal references to the property in question to ensure that the agreement can be registered on title. Changes to item 3 and item 4 of the Financial Agreement are provided in Table 5 below. The changes reflect the new application fee structure in the securities requirements by application type.

Table 5: Changes to requested Securities – Item 3. and Item 4. In Financial Agreement

Existing By-Law	Updated Draft By-Law
The Developer shall, forthwith after execution hereof, post with the Township a security deposit in cash or by certified cheque or in lieu thereof, by irrevocable letter of credit, in the amount of \$5,000.00 in the case of a site plan approval application, \$5,000.00 in the case of a minor zoning application, \$5,000.00 in the case of concurrent minor zoning and site plan approval applications, \$10,000.00 in the case of subdivision and condominium applications, and \$5,000.00 in all other cases (including concurrent applications) to guarantee the performance of the Developer's obligations to pay the consulting costs. In the event	The Developer shall, forthwith after execution hereof, post with the Township a security deposit in cash or by certified cheque or in lieu thereof, by irrevocable letter of credit, in the following amounts: (a) \$5,000.00 in the case of a minor zoning application, (b) \$10,000.00 in the case of a major zoning application, (c) \$2,000.00 in the case of a minor site plan approval application, (d) \$5,000.00 in the case of a major site plan approval application,

Existing By-Law	Updated Draft By-Law
<p>the application is for a plan of subdivision or a plan of condominium, the Developer agrees to post an additional \$5,000.00 security upon draft plan approval pursuant to the <i>Planning Act</i>, R.S.O. 1990, c. P.13, as amended from time to time, being given for the plan of subdivision or the condominium plan, which amount shall, together with any other amounts required to have been posted, be held by the Township to guarantee the performance of the Developer's obligations to pay the planning services costs and consulting costs. The additional \$5,000.00 shall take the form of cash, certified cheque or irrevocable letter of credit only. In the event that an application has been referred and/or appealed to the Ontario Municipal Board, and provided that the Township and the Developer are supportive of the application, the Developer shall post with the Township a security deposit in cash or by certified cheque or in lieu thereof, by irrevocable letter of credit, of up to \$25,000.00, the amount of which shall be determined by the Clerk, in his absolute discretion. In the event that a cash deposit is provided as security, the Township shall have no obligation to invest such money in an interest bearing vehicle, nor to pay any interest earned by the Township on such monies to the Developer. If, in the opinion of the Clerk, in the Clerk's absolute discretion, at any time and from time to time, such amounts are insufficient, such amounts shall be increased, and the Developer shall post such additional sum as may be required as a result of such increase. For the purposes of this section and Section 4, the Clerk for the Township shall in his absolute discretion determine whether any application constitutes a "minor zoning application."</p>	<p>(e) \$5,000.00 in the case of concurrent minor zoning and minor site plan approval applications, (f) \$10,000.00 in the case of concurrent major zoning and major site plan approval applications, (g) \$10,000.00 in the case of subdivision and condominium applications (including all concurrent application options), (h) \$5,000.00 in all other cases to guarantee the performance of the Developer's obligations to pay the consulting costs, and (i) In the event the application is for a plan of subdivision or a plan of condominium, the Developer agrees to post an additional \$5,000.00 security upon draft plan approval pursuant to the <i>Planning Act</i>, R.S.O. 1990, c. P.13, as amended from time to time, being given for the plan of subdivision or the condominium plan, which amount shall, together with any other amounts required to have been posted, be held by the Township to guarantee the performance of the Developer's obligations to pay the planning services costs and consulting costs. The additional \$5,000.00 shall take the form of cash, certified cheque or irrevocable letter of credit only.</p> <p>In the event that an application has been referred and/or appealed to the LPAT, and provided that the Township and the Developer are supportive of the application, the Developer shall post with the Township a security deposit in cash or by certified cheque or in lieu thereof, by irrevocable letter of credit, of up to \$25,000.00, the amount of which shall be determined by the Clerk, in his or her absolute discretion. In the event that a cash deposit is provided as security, the Township shall have no obligation to invest such money in an interest-bearing vehicle, nor to pay any interest earned by the Township on such monies to the Developer. If, in the opinion of the Clerk, in the Clerk's absolute discretion, at any time and from time to time, such amounts are insufficient, such amounts shall be increased, and the Developer shall post such additional sum as may be required as a result of such increase. For the purposes of</p>

Existing By-Law	Updated Draft By-Law
	this section and Section 4, the Clerk for the Township shall in his or her absolute discretion determine whether any application constitutes a "minor" or "major" planning application.
<p>The Developer agrees that if at any time accounts not paid within thirty (30) days accumulate to an amount greater than 50% of the total security held by the Township pursuant to this agreement, the Developer shall be in default of this agreement and all Township staff, including the Township Planner, and Consultants shall immediately cease processing the application, and the Clerk may immediately draw on the security in whole or in part without any obligation to account to the Developer for any such amount drawn. Any monies drawn pursuant to this paragraph shall be applied towards outstanding accounts and any surplus may be retained by the Township without any obligation on the part of the Township to account to the Developer for any such surplus. Thereafter, processing of the application will not recommence until the security deposit is replenished in accordance with one of the following:</p> <p>(a) if the application is for site plan approval, the security shall be replenished to \$5,000.00;</p> <p>(b) if the application is for a minor zoning application or for a concurrent minor zoning and site plan approval application, the security shall be replenished to \$5,000.00;</p> <p>(c) if the application is for a plan of subdivision or condominium, the security shall be replenished to \$10,000.00;</p> <p>(d) for all other applications, except as provided in (e) below, the security shall be replenished to \$5,000.00; or</p> <p>(e) if the application is for an approval for a plan of subdivision or condominium which, at the time of such replenishment has received draft plan</p>	<p>1. The Developer agrees that if at any time accounts not paid within thirty (30) days accumulate to an amount greater than 50% of the total security held by the Township pursuant to this agreement, the Developer shall be in default of this agreement and all Township staff, including the Township Planner, and Consultants shall immediately cease processing the application, and the Clerk may immediately draw on the security in whole or in part without any obligation to account to the Developer for any such amount drawn. Any monies drawn pursuant to this paragraph shall be applied towards outstanding accounts and any surplus may be retained by the Township without any obligation on the part of the Township to account to the Developer for any such surplus. Thereafter, processing of the application will not recommence until the security deposit is replenished in accordance with one of the following:</p> <p>(a) if the application is for major site plan approval, the security shall be replenished to \$5,000.00;</p> <p>(b) if the application is for minor site plan approval, the security shall be replenished to \$2,000.00;</p> <p>(c) if the application is for a minor zoning application or for a concurrent minor zoning and site plan approval application, the security shall be replenished to \$5,000.00;</p> <p>(d) if the application is for a major zoning application or for a concurrent major zoning and site plan approval application, the security shall be replenished to \$10,000.00;</p> <p>(e) if the application is for a plan of subdivision or condominium, the security shall be replenished to \$10,000.00;</p>

Existing By-Law	Updated Draft By-Law
approval, the security shall be replenished to \$15,000.00;	(f) for all other applications, the security shall be replenished to \$5,000.00; or
(f) if the application has been appealed to the Ontario Municipal Board, the security shall be replenished to 50% of what was placed on deposit in accordance with paragraph 3 contained herein.	(g) if the application is for an approval for a plan of subdivision or condominium which, at the time of such replenishment has received draft plan approval, the security shall be replenished to \$15,000.00;
	(h) if the application has been appealed to the LPAT, the security shall be replenished to 50% of what was placed on deposit in accordance with paragraph 3 contained herein.

- A more definitive signatures section has been added at the end of the Financial Agreement as the prior format was confusing as to where to sign and by whom. This signature structure provides a place for both the Clerk and the CAO to sign off on the Financial Agreement.

5.0 Related Policies / Procedures

By-law 3000-2021 has been prepared and is provided as **Attachment 1** to this report to update the fees as noted in the report above. The Township's website will need to be updated with the new Planning Fees By-law.

6.0 Financial / Budget Assessment

The recommendations of this report result in Planning Fees that more accurately represent a cost recovery model of operating. The increased fees are intended to remove some of the taxpayer financial burden of planning services. Based on the estimates provided in this report on the 2020 "typical" planning year, it is expected that planning revenues may increase approximately \$25,000 per year.

As is illustrated in the report, this increase places Brock's fees at approximately 70% of the surrounding comparable municipalities. The increase will allow Brock to have fees that more accurately match costs while still maintaining Brock's competitiveness for encouraging new development.

7.0 Communications

This report was provided to the former Treasurer and the Clerk's department for review and comment.

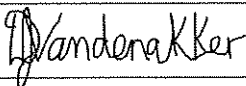


8.0 Conclusion

Brock's Planning Fees are too low based on comparable municipal fees and Planning Services expenditures. The recommended increase brings estimated revenues more in line with a cost-recovery model for planning expenses. The increase also keeps us competitive for development.

It is recommended that the 2021 fee increase be approved and that a similar report to this one, assessing the cost-recovery success of these fees in 2023, be provided to Council to determine if an outside Planning Fees study is warranted to further define Brock's Planning Fees structure for the future.

9.0 Recommendation

That the Planning and Community Affairs Committee endorse this report and attached By-law 3000-2021 for approval by Council on March 22, 2021.

Title	Name	Signature	Date
Planner	Debbie Vandenakker		02.23.2021
Chief Building Official	Richard A. Ferguson, CBCO		
Chief Administrative Officer	Dean A. Hustwick		MARCH 2/21

BY-LAW NUMBER 3000-2021

AS AMENDED BY
BY-LAWS NUMBER 1415-96-PL, 1444-97-PL, 1757-2002-PL, 1910-2004-PL,
2095-2007-PL, 2266-2010-PL, 2415-2012-PL, 2525-2014-PL, 2576-2015-PL,
2699-2016-PL, 2771-2017-PL, 2835-2019-PL, and 1290-
94-PL (CONSOLIDATED VERSION)

**A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF
APPLICATIONS MADE IN RESPECT OF PLANNING MATTERS ("THE PLANNING FEES
BY-LAW")**

WHEREAS section 69(1) of the *Planning Act*, R.S.O. 1990, c. P.13, provides that the council of a municipality may, by by-law, prescribe a tariff of fees for the processing of applications made in respect of planning matters;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BROCK enacts as follows:

1. In this by-law,
 - (a) "Act" means the *Planning Act*, R.S.O. 1990, c. P.13, as may be amended from time to time;
 - (b) "Applicant" means a person who submits an application;
 - (c) "Application" means any application referred to in subsection 2 (a) hereof;
 - (d) "CAO" means the Chief Administrative Officer for the Township;
 - (e) "Clerk" means the Clerk for the Township;
 - (f) "Consultant" includes, but is not limited to, any engineer, surveyor, solicitor or planner, other than the Township Planner;
 - (g) "Consulting Costs" means the fees and disbursements payable by the Township to a consultant or consultants for services rendered in connection with the application;
 - (h) "Floor Area" means the aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of such floor;
 - (i) "Planning Services Costs" means fees and disbursements applicable to services provided by the Township Planner;
 - (j) "Township" means the Corporation of the Township of Brock, and for the purposes of this by-law includes the Committee of Adjustment for the Township of Brock;
 - (k) "Township Planner" means a qualified planner employed by the Township to provide planning services and consultation to the Township.
 - (l) "Major" Zoning By-Law Amendment means a zoning by-law amendment application may be considered "major" when external consulting expertise is required.
 - (m) "Minor" Zoning By-Law Amendment means a Zoning by-law amendment application may be considered "minor" when Township staff are confident that the application can be processed and reviewed by internal staff.
 - (n) "Major" Site Plan Development Approval means a Site Plan Development

Approval application may be considered "major" when external consulting expertise is required.

- (o) "Minor" Site Plan Development Approval means a Site Plan Development Approval application may be considered "minor" when Township staff are confident that the application can be processed and reviewed by internal staff.
 - (p) Pre-Consultation Meeting – Minor means a pre-consultation meeting may be required "minor" when only internal staff are required to attend.
 - (q) Pre-Consultation Meeting – Major means a pre-consultation meeting may be required "major" when external consulting expertise or additional technical expertise are required to attend.
2. (a) There shall be a fee for the submission and processing of each application submitted to the Township for:
- (i) an amendment to the Official Plan under section 21 of the Act;
 - (ii) an amendment to the Zoning By-Law under sections 34, 36, 37, 38 and 39 of the Act;
 - (iii) site plan development approval under section 41 of the Act;
 - (iv) a minor variance under subsection 45 (1) of the Act;
 - (v) permission under subsection 45 (2) of the Act;
 - (vi) consent under section 53 of the Act;
 - (vii) municipal review and comments for draft plan of subdivision approval under section 51 of the Act;
 - (viii) municipal review and comments for draft plan of subdivision approval for registration of a condominium under section 51 of the Act;
 - (ix) removal of a holding symbol under section 36 of the Act;
 - (x) making a cash payment in lieu of providing required parking under section 40 of the Act;
 - (xi) approval under sections 4 and 8 of the *Rental Housing Protection Act*, R.S.O. 1990, c. R.24;
 - (xii) designating lands not subject to part lot control under subsection 50 (7) of the *Planning Act*, R.S.O. 1990, c. P.13.
- (b) The fee shall be in the amount as set out in the schedules attached hereto and forming part of this by-law.
- (c) The applicable fee shall be paid at the time that the application is submitted.
3. In addition to the fee required pursuant to Section 2 hereof:
- (a) Planning services costs related to all work in excess of 25 hours which is undertaken by the Township Planner in connection with an application shall be charged as a fee to the applicant based upon an hourly rate of \$45.00; and,
 - (b) Where the CAO and/or Clerk in his or her absolute discretion deems it advisable to retain a consultant or consultants to assist in processing the application, then the consulting costs shall be charged as a fee to the applicant.
 - (c) In the event fees are chargeable to the applicant pursuant to paragraphs (a) or (b) hereof, the applicant shall pay the fees to the Township based upon invoices provided by the Clerk.

4. Where Section 3 applies, the CAO or Clerk may at any time, including before or after a consultant is retained, require the applicant to enter into an agreement with the Township, such agreement to be in the form as set out in Schedule "C" attached hereto and forming part of this by-law, and the obligations thereunder shall be secured by the posting of a cash security or letter of credit as set out in Schedule "C."
5. Notwithstanding Sections 3 and 4 of this by-law, where
 - (a) the Township is opposed to any application mentioned in Section 2 (a), and
 - (b) the application is appealed to or comes before the Land Planning Appeal Tribunal (LPAT), then the planning services costs and consulting costs incurred thereafter may not be charged as a fee to the applicant, and any agreement entered into between the Township and the applicant under Section 4 shall be limited to the planning services costs and consulting costs incurred prior to and including the day upon which Council for the Township makes a decision concerning the subject application.
6. The Township may not accept or process any application in respect of which there has not been compliance with Section 2 (c) or 4.
7. The CAO or Clerk shall, in his or her absolute discretion, determine whether any application constitutes a "minor" or a "major" application type or revision whenever such terms are used in the tariff of fees contained in the schedules to this by-law.
8. Wherever a discretion to make a decision is conferred upon the CAO or Clerk in this by-law, the applicant may appeal the decision of the Clerk to the Township Council upon written application to the Clerk who shall refer the matter to Township Council for a final decision.
9. The tariff of fees set out in the schedules attached hereto shall be nonrefundable, except that Township Council or the Committee of Adjustment, as the case may be, may, by resolution, waive or refund, in whole or in part, the applicable fees for any application upon written application to the Clerk who shall refer the matter to the appropriate body for a final decision.
10. If any provision of this by-law is declared invalid for any reason by a court of competent jurisdiction, the remainder of this by-law shall continue in force.
11. In this by-law, words importing the singular number only shall include the plural, and vice versa, and words importing the masculine gender shall include the feminine gender.
12. This by-law shall be known as the "Planning Fees By-Law."

BY-LAW NUMBER 1290-94-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 6th day of June, 1994.

"G.S. Graham"
Clerk-Administrator

"Donald Hadden"
Mayor

BY-LAW NUMBER 1415-96-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 22nd day of July, 1996.

"G.S. Graham"
Clerk-Administrator

"Keith Shier"
Mayor

BY-LAW NUMBER 1444-97-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 3rd day of February, 1997.

"G.S. Graham"
Clerk-Administrator

"Keith Shier"
Mayor

BY-LAW NUMBER 1757-2002-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 25th day of March, 2002.

"G.S. Graham"
Clerk-Administrator

"W. Terry Clayton"

Mayor

BY-LAW NUMBER 1910-2004-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 20th day of September, 2004.

"G.S. Graham"
Clerk-Administrator

"Keith Shier"
Mayor

BY-LAW NUMBER 2095-2007-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 17th day of September, 2007.

"G.S. Graham"
Clerk-Administrator

"Larry O'Connor"
Mayor

BY-LAW NUMBER 2266-2010-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 1st day of March, 2010.

"Thomas G. Gettinby"
Clerk

"Larry O'Connor"
Mayor

BY-LAW NUMBER 2415-2012-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 11th day of June, 2012.

"Thomas G. Gettinby"
Clerk

"W. Terry Clayton"
Mayor

BY-LAW NUMBER 2525-2014-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 17th day of March, 2014.

"Thomas G. Gettinby"
Clerk

"W. Terry Clayton"
Mayor

BY-LAW NUMBER 2576-2015-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 19th day of January, 2015.

"Thomas G. Gettinby"
Clerk

"John Grant"
Mayor

BY-LAW NUMBER 2631-2015-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 7th day of December, 2015.

"Thomas G. Gettinby"
Clerk

"John Grant"
Mayor

BY-LAW NUMBER 2699-2016-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 21st day of November, 2016.

"Thomas G. Gettinby"
Clerk

"John Grant"
Mayor

BY-LAW NUMBER 2771-2017-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 4th day of December, 2017.

"Thomas G. Gettinby"
Clerk

"John Grant"
Mayor

BY-LAW NUMBER 2835-2019-PL READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 4th day of February, 2019.

"Thomas G. Gettinby"
Clerk

"Debbie Bath-Hadden"
Mayor

BY-LAW NUMBER 3000-2021 READ A FIRST, SECOND, THIRD TIME and FINALLY
PASSED THIS 22nd day of March, 2021.

"Becky Jamieson"
Clerk

"Ted E. Smith"
Deputy Mayor

Schedule "A"
Planning Applications Fees

Planning Application Type	Fee
a) Applications to Amend the Official Plan	\$7,000.00
b) Applications for Municipal Review and Comments on Regional Official Plan Amendment	\$1,000.00
c) Applications Deemed "Major" to Amend the Zoning By-Law	\$5,400.00
d) Applications Deemed "Minor" to Amend the Zoning By-Law	\$3,700.00
e) Applications for Temporary Use By-Law	\$2,450.00
f) Applications for an extension to a Temporary Use By-Law	\$725.00
g) Applications for Municipal Review and Comments for Draft Plan of Subdivision Approval	\$10,500.00
h) Applications for Municipal Review and Comments for Red-Line Draft-Approved Plan of Subdivision	\$2,500.00
i) Applications for Municipal Review and comments for Draft Plan of Subdivision Approval for Registration of Condominium	\$10,500.00
j) Applications for Municipal Review and Comments for Red-Line Draft-Approved Plan of Subdivision for Registration of a Condominium	\$2,500.00
k) Applications Deemed "Major" for Site Plan Development Approval	\$3,500.00
l) Applications Deemed "Minor" for Site Plan Development Approval	\$2,000.00
m) Applications to Amend and Existing Site Plan Development Agreement	\$1,300.00
n) Land Division Committee Applications	\$650.00
o) Minor Variance under subsection 45 (1) of the Act	\$750.00
p) Permission under subsection 45 (2) of the Act	\$750.00
q) Application for Minor Variance or Permission under subsections 45 (1) and 45 (2) of the Act - Tabling Fees	\$170.00
r) Removal of a holding symbol	\$1000.00
s) Making a cash payment in lieu of providing required parking	\$2000.00
t) Pre-Consultation Meeting – Minor	\$100.00
u) Pre-Consultation Meeting – Major	\$350.00
v) Approval under section 8 of the <i>Rental Housing Protection Act</i>	\$125.00/unit with a min of \$550.00 to a max of \$2,740.00
w) Designating lands not subject to part lot control	\$1,095.00
x) An additional public meeting for any application which requires one (1) statutory public meeting in accordance with the Act	\$820.00
y) Release of 1-foot reserve (0.3m)	\$550.00
z) Solar Application Review	\$285.00
aa) Telecommunication Tower Review	\$2,500.00
bb) Reactivation of Dormant Application (longer than 1 year)	\$1,000.00

Note: Application fees include required planning Clearance Letters and municipal advertising fees.

Schedule "B"
Concurrent Application Fees

These fees are set out for circumstances where multiple or concurrent applications are being processed for one property.

Concurrent Planning Application Type	Fee
a) Applications for Severance of a dwelling surplus to a farming operation within the Greenbelt that require a Regional Official Plan Amendment, Zoning By-law Amendment and Land Division. This fee includes the pre-consultation and Clearance Letters.	\$5,000.00
b) Concurrent application for Minor Zoning By-law Amendment and comment on Land Division application	\$4,000.00
c) Concurrent application for Major Zoning By-law Amendment and comment on Land Division application	\$5,700.00
d) Concurrent application for Major Zoning By-law Amendment and Major Site Plan Development Approval	\$7,000.00
e) Concurrent application for Minor Zoning By-law Amendment and Major Site Plan Development Approval	\$5,800.00
f) Concurrent application for Major Zoning By-law Amendment and Minor Site Plan Development Approval	\$6,000.00
g) Concurrent application for Minor Zoning By-law Amendment and Minor Site Plan Development Approval	\$4,500.00
h) Concurrent application for Municipal Comment on Subdivision Approval and Major Zoning By-law Amendment	\$12,500.00
i) Concurrent application for Municipal Comment on Subdivision Approval for Registration of a Condominium and Major Zoning By-law Amendment	\$12,500.00

Schedule "C"
Financial Agreement – 3000-2021 Planning Fees By-law

THIS AGREEMENT made this _____ day of _____, 20__.

BETWEEN:

THE DEVELOPER

_____ (Developer Legal Name)

_____ (Developer Address)

_____ (Phone Number) _____ (Email Address)

Regarding property,

_____ (Property Legal Description – Lot and Concession Number)

_____ (Property municipal address)

_____ (Property Roll or Pin Number(s))

(hereinafter called the "Developer") OF THE FIRST PART;

AND

THE CORPORATION OF THE TOWNSHIP OF BROCK

(hereinafter called the "Township")

OF THE SECOND PART.

WHEREAS the Developer is desirous of developing certain lands more particularly described in Schedule "A" (the "Lands") attached hereto;

AND WHEREAS the Developer has submitted an application to the Township and/or the Committee of Adjustment for _____
_____ pertaining to the land ("Application");

AND WHEREAS, in addition to the prescribed application fee, pursuant to the Planning Fees By-Law Number 3000-2021, as amended, the Developer may be required to pay for planning services provided by a planner employed by the Township ("Township Planner");

AND WHEREAS the Developer has agreed that the fees and disbursements for planning services provided by the Township Planner ("Planning Services Costs") and fees and disbursements payable by the Township to the Consultant for services rendered in connection with the application ("Consulting Costs") may be charged as a fee to the Developer;

AND WHEREAS the Developer has agreed to reimburse the Township for all fees and

disbursements incurred by the Township in connection therewith;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants hereinafter expressed, and in further consideration of the sum of Two Dollars (\$2.00) of lawful money of Canada now paid by the Township to the Developer, the receipt of which is hereby acknowledged, the parties hereto covenant and agree as follows:

1. The Developer agrees to indemnify and save the Township completely harmless with respect to all costs, fees and disbursements incurred by the Township in connection with the processing of the above-noted matters. The Developer specifically acknowledges and agrees to pay all planning services costs as well as consulting costs. Without limiting the generality of the foregoing, such indemnification shall extend to the following:
 - (a) all planning and engineering fees, disbursements and related expenses of the Township Engineer and Township Planner as a result of their services required to be performed for the Township in connection with these matters and any subconsultants required to be retained by them;
 - (b) all legal fees and disbursements as a result of legal services rendered to the Township in connection with these matters;
 - (c) all other fees, disbursements and related expenses incurred by the Township in any way whatsoever in connection with these matters; and
 - (d) all other consultants.
2. The Township may render an account to the Developer from time to time for planning services costs and consulting costs chargeable to the Developer. The Developer shall pay promptly any and all accounts rendered by the Township to the Developer pursuant to any provision of this agreement. All accounts shall be due and payable thirty (30) days after the date the same are rendered. Any question or dispute concerning any account rendered by the Township to the Developer shall be submitted to the Clerk, in writing, within two weeks of the date on which the account is rendered. If within two weeks of the rendering of any account a question or dispute is received by the Clerk concerning the account, the Clerk shall, at the request of the Developer, submit the matter to Council for the Township for resolution. The parties agree that any question or dispute concerning the account, including the appropriateness of the amount, the service rendered or any other matter, shall be determined finally by Council for the Township in its sole discretion. If no question is received by the Clerk within the said two-week period, the accounts shall be deemed acceptable to the Developer and shall be paid by the Developer in accordance with this agreement. Failure to pay such accounts within thirty (30) days from the date of issue thereof shall result in interest being added thereto at the rate of fifteen (15%) per cent per annum calculated monthly until payment in full has been received.

3. The Developer shall, forthwith after execution hereof, post with the Township a security deposit in cash or by certified cheque or in lieu thereof, by irrevocable letter of credit, in the following amounts:
- (a) \$5,000.00 in the case of a minor zoning application,
 - (b) \$10,000.00 in the case of a major zoning application,
 - (c) \$2,000.00 in the case of a minor site plan approval application,
 - (d) \$5,000.00 in the case of a major site plan approval application,
 - (e) \$5,000.00 in the case of concurrent minor zoning and minor site plan approval applications,
 - (f) \$10,000.00 in the case of concurrent major zoning and major site plan approval applications,
 - (g) \$10,000.00 in the case of subdivision and condominium applications (including all concurrent application options),
 - (h) \$5,000.00 in all other cases to guarantee the performance of the Developer's obligations to pay the consulting costs, and
 - (i) In the event the application is for a plan of subdivision or a plan of condominium, the Developer agrees to post an additional \$5,000.00 security upon draft plan approval pursuant to the *Planning Act*, R.S.O. 1990, c. P.13, as amended from time to time, being given for the plan of subdivision or the condominium plan, which amount shall, together with any other amounts required to have been posted, be held by the Township to guarantee the performance of the Developer's obligations to pay the planning services costs and consulting costs. The additional \$5,000.00 shall take the form of cash, certified cheque or irrevocable letter of credit only.

In the event that an application has been referred and/or appealed to the LPAT, and provided that the Township and the Developer are supportive of the application, the Developer shall post with the Township a security deposit in cash or by certified cheque or in lieu thereof, by irrevocable letter of credit, of up to \$25,000.00, the amount of which shall be determined by the Clerk, in his or her absolute discretion. In the event that a cash deposit is provided as security, the Township shall have no obligation to invest such money in an interest-bearing vehicle, nor to pay any interest earned by the Township on such monies to the Developer. If, in the opinion of the Clerk, in the Clerk's absolute discretion, at any time and from time to time, such amounts are insufficient, such amounts shall be increased, and the Developer shall post such additional sum as may be required as a result of such increase. For the purposes of this section and Section 4, the Clerk for the Township shall in his or her absolute discretion determine whether any application constitutes a "minor" or "major" planning application.

4. The Developer agrees that if at any time accounts not paid within thirty (30) days

Page 10 of 14

This document is available in alternate formats upon request. Please contact the Clerk's Department at 705-432-2355.

accumulate to an amount greater than 50% of the total security held by the Township pursuant to this agreement, the Developer shall be in default of this agreement and all Township staff, including the Township Planner, and Consultants shall immediately cease processing the application, and the Clerk may immediately draw on the security in whole or in part without any obligation to account to the Developer for any such amount drawn. Any monies drawn pursuant to this paragraph shall be applied towards outstanding accounts and any surplus may be retained by the Township without any obligation on the part of the Township to account to the Developer for any such surplus. Thereafter, processing of the application will not recommence until the security deposit is replenished in accordance with one of the following:

- (a) if the application is for major site plan approval, the security shall be replenished to \$5,000.00;
- (b) if the application is for minor site plan approval, the security shall be replenished to \$2,000.00;
- (c) if the application is for a minor zoning application or for a concurrent minor zoning and site plan approval application, the security shall be replenished to \$5,000.00;
- (d) if the application is for a major zoning application or for a concurrent major zoning and site plan approval application, the security shall be replenished to \$10,000.00;
- (e) if the application is for a plan of subdivision or condominium, the security shall be replenished to \$10,000.00;
- (f) for all other applications, the security shall be replenished to \$5,000.00; or
- (g) if the application is for an approval for a plan of subdivision or condominium which, at the time of such replenishment has received draft plan approval, the security shall be replenished to \$15,000.00;
- (h) if the application has been appealed to the LPAT, the security shall be replenished to 50% of what was placed on deposit in accordance with paragraph 3 contained herein.

5. Any letter of credit posted with the Township pursuant to paragraph 3 or 4 shall be drawn on a chartered bank of Canada acceptable to the Treasurer of the Township provided that such letter of credit shall be in a form acceptable to the Township solicitors and shall contain the following provisions:

- (a) the letter of credit shall be security for any obligations of the Developer pursuant to the provisions of this agreement, without any limitations whatsoever;
- (b) drawings on the letter of credit shall be permitted upon presentation of a letter from the Township to the bank claiming default by the Developer under the terms of this agreement, and such default shall not be limited to

- the actions of the Developer;
 - (c) partial drawings shall be permitted;
 - (d) if the Township has not determined the extent of the default or the amount required to rectify the default or compensate the Township or third parties as a result thereof, the Township may draw on the full amount of the letter of credit without any requirements to justify the amount of the draw;
 - (e) the irrevocable standby letter of credit shall be deemed to be automatically extended without amendment for one year from the present or any future expiration date hereof, unless thirty days prior to any such date the bank notifies the Township in writing by registered mail that it elects not to consider the irrevocable standby letter of credit renewed for any such additional period. Upon receipt by the Township of such notice, the Township may thereunder by means of a sight draft(s) accompanied by the Township's written certification that the amounts drawn will be retained and used by it to meet the obligations incurred or to be incurred in connection with the agreement, and further that the Township will release any amount(s) not required by it to the Developer.
6. Notwithstanding the posting of the security referred to in paragraphs 3 and 5 of this agreement, the Developer's obligation to pay the planning services costs and consulting costs to the Township shall continue in full force and effect. The security remaining shall be released by the Township to the Developer when the Developer has fulfilled all his obligations under this agreement.
7. Notwithstanding any provisions in this agreement, where the Township refuses or opposes the application and the application is appealed or referred to the LPAT for a hearing, the planning services costs and consulting costs incurred by the Township following such refusal or opposition may not be charged as a fee to the Developer. However, nothing herein shall prevent the Township from recovering from the Developer any planning services costs and consulting costs incurred prior to and including the day upon which Council for the Township makes a decision concerning the subject application.
8. The Developer's obligations pursuant to this agreement shall continue, regardless of whether the Developer is or remains the owner of the lands. If the Developer ceases to be the owner of the lands, the Developer's obligations, pursuant to this agreement may be terminated on delivering written notice to that effect to the Township, in which event such notice shall take effect thirty (30) days from the date of receipt by the Township ("Effective Date of Termination"). Notwithstanding such termination, the Developer's obligations pursuant to this agreement shall continue in full force and effect until the effective date of termination and thereafter until all obligations incurred by the Developer pursuant to this agreement to the effective date of termination have been satisfied in full.
9. This agreement shall ensure to the benefit of and be binding upon the respective

heirs, executors, successors and assigns of each of the parties hereto. For greater certainty, it is understood and agreed that upon a change of ownership of the lands, the new registered owner from the date of registration shall become bound by the provisions hereof and thereafter shall be required to post security in accordance with paragraphs 3, 4 and 5 hereof, notwithstanding any security held for the previous owner.

10. The Developer agrees that the Township shall be permitted, from time to time, and upon reasonable notice to the Developer, to enter onto the Lands, at reasonable hours, for the purposes of inspecting the lands.
11. The Developer agrees that this agreement may be registered on title to the lands.

FINANCIAL AGREEMENT SIGNATURES

I have read and agree to the provisions laid out in by-law 3000-2021 and understand it's content and application. Further, I hereby agree to the provisions of Schedule "D" of by-law 3000-2021, "Financial Agreement" of The Planning Fees By-Law.

DEVELOPER SIGNATURE

I/we have the authority to bind the Corporation.

Property Owner – Please print name

Property Owner - Signature

Signed on this ____th day of _____, 20__.

TOWNSHIP OF BROCK SIGNATURES

We have the authority to bind the Corporation.

CAO – Dean A. Hustwick

Date

Clerk – Becky Jamieson

Date

IN WITNESS WHEREOF the parties hereto have affixed their corporate seals, duly attested by the hands of their proper signing officers in that respect.

SIGNED, SEALED AND	)	THE CORPORATION OF THE
DELIVERED in the presence of	)	TOWNSHIP OF BROCK
)	
Authorized to be executed by By-Law	)	Per: _____
Number _____	)	Deputy Mayor – Ted E. Smith
passed on the _____)	
)	
day of _____,)	
_____.	)	Per: _____
	)	Clerk - Becky Jamieson
)	
)	
)	
	)	We have the authority to bind the
	)	Corporation.
)	
	)	Per: _____
	)	(Authorized Signing Officer)
)	
)	
	)	Per: _____
	)	(Authorized Signing Officer)
)	
)	
)	
	)	We have the authority to bind the
	)	Corporation.
)	
)	
	)	Per: _____
	)	(Authorized Signing Officer)
)	
)	



Date:	09/03/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Corporation of the Township of Brock

Staff Report to the Mayor and Members of Council

From:	Kent Randall, B.E.S., MCIP, RPP
Position:	Township Planning Consultant
Title / Subject:	Proposed Cannabis Official Plan and Zoning By-law Amendments
Date of Report:	March 8, 2021
Date of Meeting:	March 15, 2021
Report No:	2021-PCA-07

1.0 Strategic Goal/Priority

The goal of this report is to provide an overview of the proposed general amendments to the Township of Brock Official Plan (OPA No. 5) and Zoning By-law related to Cannabis Production and Processing and recommend approval of those amendments, subject to comments from Council and the public. Council was provided the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) in January 2021 with the Cannabis update report. No changes have been made to these amendments since that report.

2.0 Issue / Origin

The *Cannabis Act* came into force on October 17, 2018. Medical Cannabis is regulated by the federal government.

Municipalities are responsible for controlling/managing land uses associated with the growth and production of Cannabis. No federal or provincial guidance was provided to municipalities on how to effectively control this land use.

On April 8, 2019 (and extended for a second year in April of 2020), the Township of Brock passed an Interim Control By-law (ICBL) that prohibits the production and processing of Cannabis within

the entirety of the Township, with the exception of lands that are located within Industrial zones. The ICBL also does *not* apply to the growth of four (4) or less cannabis plants for personal use.

The primary intent of the ICBL was to suspend the establishment of new large rural growing operations through the Access to Cannabis for Medical Purposes (ACMPR) licences. These licenses permit a landowner (with Federal permissions) to grow medical Cannabis to supply up to four prescriptions to individuals on one single property. Some prescriptions require hundreds of plants to fulfil the dosage amounts prescribed. As a result, very large ACMPR operations (some with thousands of plants) were established at several rural locations in the Township. Some of these operations caused significant impacts to neighbouring property owners, due to the lack of controls related odour, security and water usage. As such, the ICBL was enacted to allow for the study of the appropriate land use controls for the growth and production of Cannabis within the entire Township.

Since the *Cannabis Act* came into force, Township staff have regularly dealt with resident complaints related to the impacts of large operations (established before the enactment of the ICBL) that are operating under the ACMPR license structure. It has become apparent that the large scale and lack of rules from the federal government for growing under ACMPR licences is the central public concern of the *Cannabis Act* in Brock. All other means of producing and processing Cannabis are highly regulated and enforceable, but ACMPR licenses offer no ability for the Township to address concerns or enforce safety, operational or scale issues.

When the Cannabis Act came into force, the Township's planning documents (Official Plan and Zoning By-law) indirectly permitted Cannabis Production and Processing. Without appropriate policies and provisions, the Township is not able to control the scale, location or impact of this relatively new land use.

3.0 Background

After the passing of the ICBL in April of 2019, EcoVue Consulting undertook a Land Use Study that examined the potential land use impacts associated with Cannabis Production and Processing (CPP). The Land Use Study also provided recommended approaches to controlling/managing CPPs through the Township's existing planning documents (Official Plan, Zoning By-law, Site Plan Control By-law). As a result of these recommendations, the Township instructed EcoVue and Township staff to prepare amendments to the Official Plan (OPA), the Zoning By-law (ZBA) and the Site Plan Control By-law (SPC).

Given that an OPA and ZBA would provide enough basis to apply provisions of the SPC By-law, the first priority is to move forward with just the OPA and ZBA (provided in Attachments 1 and 2 of this report). However, the SPC By-law will be updated in the future in order to provide greater clarification and requirements related to CPPs.

3.1 Public Consultation

As part of the OPA and ZBA drafting process, the Township embarked on a public consultation program with the intent of informing residents and stakeholders of the proposed amendments, and soliciting comments, questions and concerns related to CPPs.

In February 2020, Township Staff created an on-line Cannabis survey to seek public input on the issue and the proposed OPA and ZBA. 27 members of the public provided responses to the survey. Opinions ranged from permitting Cannabis as a crop without land use controls, to prohibiting Cannabis growth and production in Brock completely.

On February 26, 2020, Township staff, in cooperation with EcoVue Consulting, hosted two Open Houses to present the public with the information contained in the Land Use Study, as well as the Draft OPA and ZBA. Afternoon and evening open house sessions were held at Rick MacLeish Community Centre. Each session followed the same schedule: the first hour included a drop-in format where information boards and hand-outs were provided and staff was available to answer questions; with the last hour was dedicated to a formal presentation and question and answer period.

A Statutory Public meeting is also required under Sections 22 and 34 of the *Planning Act*. Due to COVID-19, the April 6, 2020 Statutory Public Meeting was cancelled. As such, the rescheduled Public Meeting is now taking place in order to present the final draft OPA and ZBA to Council and the public for formal input.

It is noted that the ICBL will expire on April 8, 2021. Therefore, it is imperative that the proposed OPA and ZBA are passed prior to this expiration.

4.0 Analysis

As noted in previous reports to Council, the primary intent of the OPA and ZBA is to isolate CPP as a unique land use that requires its own set of regulations in order to mitigate potential impacts to sensitive land uses. Extensive research and public consultation have demonstrated to staff and the undersigned that the following issues are typically related to CPPs, to varying degrees:

- **Odour** – particularly odour related to outdoor production or indoor production where proper odour control measures are not taken.
- **Security/Safety** – Several of the existing growing operations in the area do not have adequate security, including proper fencing. It is noted that ACMPR licenses do not require any level of security measures. One of these ACMPR operations has had at least 1-2 incidents related to burglary and/or trespassing.
- **Discharge of Water/Runoff** – Some larger operations require significant amounts of water that may be discharged on to the site or to adjacent properties.

It is noted that the above impacts are primarily related to ACMPR operations, as the licensing system for commercial/industrial CPPs require a much higher level of scrutiny and license-related requirements for odour control and security.

As such, the proposed OPA and ZBA attempt to reconcile those issues, while also providing opportunities for the establishment of CPPs in a responsible and appropriate manner.

Proposed Official Plan Amendment No. 5

As noted above, the Township's Official Plan does not contemplate Cannabis Production and Processing, and consequently, many of the policies governing land use within various land use designations indirectly permit Cannabis Production and Processing with no regard to potential impacts on sensitive land uses. Therefore, we are proposing the following changes to the Official Plan:

1. Amend the Agricultural Land Sectoral Policies (Section 3.2.1) to establish a 'Cannabis Production and Processing Facility' and a 'Medical Cannabis Production Site' as independent land uses separate and distinct from an 'Agricultural Use' or a 'Home Occupation'.

The purpose of separating general CPPs (commercial/industrial cultivation/production facilities) from Medical sites (ACMPRs) is required in order provide some flexibility for review of those ACMPRs that are not as extensive as the larger operations that have recently been established.

2. Amend the Agricultural Land Sectoral Policies (Section 3.2.1) by adding a new Section 3.2.1.6 to permit a 'Cannabis Production and Processing Facility' and a 'Medical Cannabis Production Site' within the Rural Area, provided the proposed uses satisfy the criteria outlined within the Official Plan (see below) and subject to the regulations of the Township Zoning By-law.
3. Amend the Settlement Areas Policies (Section 5.4 Mixed Use Corridors) to prohibit the establishment of a 'Cannabis Production and Processing Facility' or a 'Medical Cannabis Production Site' within the Mixed-Use Corridors Land Use Designation.
4. Amend the Settlement Areas Policies (Section 5.6 Employment Areas) to permit a 'Cannabis Production and Processing Facility' and a 'Medical Cannabis Production Site' within the Employment Land Use Designation subject to criteria.
5. Amend the Development Review Policies (Section 7.3 Information Requirements) by adding a new Section 7.3.2.1 to provide more detailed application requirements for a 'Cannabis Production and Processing Facility' and a 'Medical Cannabis Production Site' including the requirements for pre-consultation with the Township and that such applications be subject to Site Plan Control, and a more detailed list of studies required in support of an application.

The requirements in this section are mostly related to required setback distances to sensitive land uses (residential uses, schools, retirement residences) for odour control. However, the setback distances may be reduced if the facility is equipped with an adequate air treatment control system.

6. Amend the Interpretation Policies (Section 9) by adding a new 'Section 9.6 – Definitions' and by providing definitions for a 'Cannabis Production and Processing Facility' and a 'Medical Cannabis Production Site'.

Proposed Zoning By-law Amendment 3015-2021

The proposed ZBA will implement the policies of the Official Plan with site-level provisions and regulations. Like the OPA, the amendment will introduce new definitions for CPPs and medical cannabis production (ACMPRs) and also provide general provisions for new operations. An overview of the proposed changes is as follows:

1. To include the following new definitions: "adverse effect", "air treatment control", "cannabis", "cannabis production and processing facility", "medical cannabis production site", and "sensitive land use" in relation to the establishment of cannabis production and processing as a permitted land use within the Township of Brock.
2. To delete and replace in the following definitions: "farm", "home industry", "home occupation", "manufacturing, processing, assembling or fabricating plant", "warehouse", and "wholesale establishment" to ensure that these definitions exclude cannabis production and processing.
3. To add "cannabis production and processing facility" and "medical cannabis production site" to Plate "B", entitled "Permitted Uses and Activities in General Zone Categories".
4. To permit a "cannabis production and processing facility" in the Rural (RU) Zone, Restricted Industrial (M1) Zone, the General Industrial (M2) Zone, and the Rural Industrial (M3) Zone.
5. To permit a "medical cannabis production site" in the Rural (RU) Zone, Restricted Industrial (M1) Zone, the General Industrial (M2) Zone, and the Rural Industrial (M3) Zone.
6. To add a new subsection "10.37 Cannabis Production" to Section 10, entitled 'General Provisions' with regulations specific to cannabis cultivation and processing including required setbacks from certain zones and sensitive land uses. Larger setbacks are required when cannabis production and processing does not include air treatment control. This new subsection also contains regulations specific to buildings or structures for security purposes and open storage and requires that all cannabis production and processing be subject to Site Plan Control.

It is our opinion that these proposed changes to the Official Plan and Zoning By-law will provide the Township with adequate controls over new CPP facilities. It is important the Township ensure the protection of sensitive land uses from nuisance impacts, while at the same time allowing opportunities for the establishment of legitimate CPP operations. We believe that the proposed OPA and ZBA strikes the balance between appropriate land use development and the protection of the public interest.

5.0 Related Policies / Procedures

In accordance with previous recommendations from EcoVue and from Township staff, we recommend that, after the approval of the OPA and ZBA, the Township take the necessary steps to prepare an amendment to the existing Site Plan Control By-law (in accordance with the recommendations of the Land Use Study) and also provide a guidance document that provides for an easy-to-follow Site Plan process for new CPPs. This step will alleviate staff time responding to inquiries and requests by phone as preliminary inquiries can be directed to the website.

6.0 Financial / Budget Assessment

N/A

7.0 Communications

As noted above, an on-line survey and two public open houses have been conducted on this issue. We have also provided a summary of public comments within previous reports to Council. A comprehensive list and summary of public comments has been provided within the OPA text package.

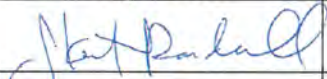
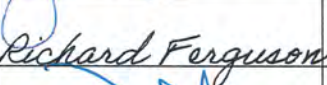

8.0 Conclusion

The undersigned and staff are providing the Planning and Community Affairs Committee with the proposed Official Plan and Zoning By-law amendments to permit and manage Cannabis Production and Processing within the Township. Given the extensive public consultation that has taken place, it is our opinion that the proposed amendments will appropriately manage and control Cannabis Production and Processing.

9.0 Recommendation

That the Planning and Community Affairs Committee endorse the recommended Official Plan Amendment No. 5 and Zoning By-law Amendment PL-3015-2021, for approval at the March 22, 2021 session of Council.

It should be noted that the Region of Durham has delegated the approval of Official Plan Amendment No. 5 to the Township.

Title	Name	Signature	Date
Planning Consultant	Kent Randall		03.08.2021
Chief Building Official	Richard A. Ferguson, CBCO		
Chief Administrative Officer	Dean A. Hustwick		MARCH 9/21

**AMENDMENT NO. 5
TO THE
OFFICIAL PLAN OF THE
TOWNSHIP OF BROCK**

Cannabis Production and Processing

Prepared For:

The Corporation of the Township of Brock

Prepared By:

EcoVue Consulting Services Inc.
311 George Street North
Suite 200
Peterborough, ON K9J 3H3

Drafted: February 1, 2021

Circulated to Area Municipalities for comment on Friday February 5, 2021.
Appendices Not Provided.

Comments requested by Friday March 12, 2021

**THE CORPORATION OF THE
TOWNSHIP OF BROCK**

BY-LAW NO. 3015-2021

Being a By-law passed pursuant to the provisions of Sections 17, 21 and 22 of the *Planning Act*, R.S.O. 1990, as amended.

The Council of the Corporation of the Township of Brock, in accordance with the provisions of Sections 17, 21 and 22 of the *Planning Act*, R.S.O. 1990, as amended, hereby enacts as follows:

1. Amendment No. 5 to the Official Plan of the Township of Brock, consisting of the attached explanatory text is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Region of Durham for approval of Amendment No. 5 to the Official Plan of the Township of Brock.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice under Section 17(23) of the *Planning Act*.
4. This By-law shall come into force and take effect on the day of final passing thereof.

Enacted and passed this 22nd day of March, 2021.

Signed: _____
Ted E. Smith, Deputy Mayor

CORPORATE SEAL OF
MUNICIPALITY

Signed: _____
Becky Jamieson, Clerk

Certified that the above is a true copy of By-law No. 3015-2021, as enacted and passed by the Council of the Township of Brock on the 22nd day of March, 2021.

Signed: _____
Becky Jamieson, Clerk

CERTIFICATE
AMENDMENT NO. 5
OFFICIAL PLAN OF
THE TOWNSHIP OF BROCK

The attached explanatory text constituting Amendment No. 5 to the Official Plan of the Township of Brock, was prepared by the Council of the Township of Brock and was adopted by the Council of the Township of Brock by By-law No. 3015-2021 in accordance with the provisions of Sections 17, 21 and 22 of the *Planning Act*, R.S.O. 1990, on the 22nd day of March, 2021.

Signed: _____
Deputy Mayor – Ted E. Smith

CORPORATE SEAL OF
MUNICIPALITY

Signed: _____
Clerk – Becky Jamieson

Signed: _____
CAO – Dean A. Hustwick

This amendment to the Official Plan of the Township of Brock, which has been adopted by the Council of the Township of Brock, is hereby approved in accordance with the provisions of Sections 17, 21 and 22 of the *Planning Act*, R.S.O. 1990 as Amendment No. 3 to the Official Plan of the Township of Brock.

Date

Region of Durham

**AMENDMENT NO. 5
TO THE
OFFICIAL PLAN OF
THE TOWNSHIP OF BROCK**

TABLE OF CONTENTS

INTRODUCTION.....	2
<i>STATEMENT OF COMPONENTS</i>	2
PART "A" -- THE PREAMBLE	3
1.0 <i>PURPOSE OF THE AMENDMENT</i>	3
3.0 <i>BASIS OF THE AMENDMENT</i>	3
PART "B" -- THE AMENDMENT	4
1.0 <i>INTRODUCTORY STATEMENT</i>	4
2.0 <i>DETAILS OF THE AMENDMENT</i>	4
3.0 <i>IMPLEMENTATION AND INTERPRETATION</i>	7
PART "C" -- THE APPENDICES	8

**AMENDMENT NO. 5
TO THE
OFFICIAL PLAN OF
THE TOWNSHIP OF BROCK**

INTRODUCTION

STATEMENT OF COMPONENTS

- PART "A" THE PREAMBLE does not constitute part of this Amendment.
- PART "B" THE AMENDMENT, consisting of the following text constitutes Amendment No. 5 to the Official Plan of the Township of Brock.
- PART "C" THE APPENDICES do not constitute part of Amendment No. 5 to the Official Plan of the Township of Brock, and contain planning reports, background information and public and agency comments pertaining to the Amendment.

PART “A” -- THE PREAMBLE

1.0 PURPOSE OF THE AMENDMENT

The Township of Brock Official Plan currently does not contemplate Cannabis Production or Processing as a land use. As such, an amendment to the Official Plan is necessary to permit Cannabis Production and Processing responsibly in the Township, as well as to ensure that the implementing Zoning By-law conforms to the Township of Brock Official Plan and the Durham Region Official Plan. Therefore, the purpose of Amendment No. 5 to the Township of Brock Official Plan is to:

1. Amend the Agricultural Land Sectoral Policies (Section 3.2.1) to establish a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’ as independent land uses separate and distinct from an ‘Agricultural Use’ or a ‘Home Occupation’;
2. Amend the Agricultural Land Sectoral Policies (Section 3.2.1) by adding a new Section 3.2.1.6 to permit a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’ within the Rural Area provided the proposed uses satisfy the criteria outlined within the Official Plan and subject to the regulations of the Township Zoning By-law;
3. Amend the Settlement Areas Policies (Section 5.4 Mixed Use Corridors) to prohibit the establishment of a ‘Cannabis Production and Processing Facility’ or a ‘Medical Cannabis Production Site’ within the Mixed Use Corridors Land Use Designation;
4. Amend the Settlement Areas Policies (Section 5.6 Employment Areas) to permit a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’ within the Employment Land Use Designation subject to criteria;
5. Amend the Development Review Policies (Section 7.3 Information Requirements) by adding a new Section 7.3.2.1 to provide more detailed application requirements for a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’ including the requirement for pre-consultation with the Township, requirement that such applications be subject to Site Plan Control, and a more detailed list of studies required in support of an application; and
6. Amend the Interpretation Policies (Section 9) by adding a new ‘Section 9.6 – Definitions’ and by providing definitions for a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’.

These amendments apply to the entirety of the Township of Brock.

3.0 BASIS OF THE AMENDMENT

On April 8, 2019, Council for the Township of Brock passed an Interim Control By-law (ICBL) to temporarily prohibit the establishment of new Cannabis Production or Processing Facilities, or the expansion of existing Cannabis Production and Processing Facilities on any lands within the Township of Brock for a period of twelve months in order to allow for the completion of research and consultation. The ICBL excluded the establishment of Cannabis Production and Processing Facilities on lands where a “Manufacturing, Processing, Assembling and/or Fabrication Plant” is

legally permitted. A Report to Council (dated September 10, 2019) provided an overview of the recommendations derived from a Cannabis Land Use Impact Study completed by EcoVue Consulting Services Inc. The study recommended changes to land use planning documents including the Township's Official Plan, Zoning By-law and Site Plan Control By-law in order to mitigate potential land use impacts. The report is included as Part C – Appendix 1. Two Public Open Houses were held on February 26, 2020 to present the results of the land use study as well as the draft Official Plan and Zoning By-law Amendments. A Statutory Public Meeting presenting revised amendments to the Official Plan and Zoning By-law was held on March 15, 2021. The comments received from the public are included as Part C – Appendix 2.

Currently, the Official Plan does not contemplate Cannabis Production and Processing as a land use. Consequently, many of the policies governing land use within various land use designations indirectly permit Cannabis Production and Processing. The Official Plan Amendment contained herein, will provide clarity to municipal planners, prospective developers and the public regarding the appropriate location and site development requirements for Cannabis Production and Processing in the Township.

PART “B” -- THE AMENDMENT

1.0 INTRODUCTORY STATEMENT

All of this part of the document entitled PART “B” -- THE AMENDMENT, consisting of the following text, constitutes Amendment No. 5 to the Official Plan of the Township of Brock.

2.0 DETAILS OF THE AMENDMENT

The Official Plan of the Township of Brock is hereby amended as follows:

1. Section 3.2.1 (Agricultural Lands Sectoral Policies) is hereby amended by deleting and replacing Section 3.2.1.3, which shall read as follows:

“Permitted agricultural uses include the growing of crops, including nursery and horticultural crops, raising of livestock and poultry and other animals for food, fur and/or fiber, as well as aquaculture; apiaries, agro-forestry; and maple syrup production, but shall not include a *cannabis production and processing facility* or a *medical cannabis production site*. Agriculture-related uses are those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are established in proximity to the farm operation”.

2. Section 3.2.1 (Agriculture Lands Sectoral Policies) is hereby amended by creating a new subsection (3.2.1.6), and re-numbering all subsequent sections accordingly. The new Section 3.2.1.6 shall read as follows:

“*Cannabis Production and Processing Facilities and Medical Cannabis Production Sites* are permitted in Rural Areas subject to the following:

- i) A *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* shall not be permitted in conjunction with any residential use on a single lot;

- ii) All *Cannabis Production and Processing Facilities* and *Medical Cannabis Production Sites* shall be subject to the Information Requirements contained in Section 7.3.2.1 of this Plan; and,
 - iii) A *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* is permitted subject to the requirements of the implementing Zoning By-law.
3. Section 3.2.4 (Home Occupations) is hereby amended by deleting and replacing Section 3.3.4.5, which shall read as follows:
- “Home occupations shall include businesses such as bed and breakfast accommodation, but shall not include medical offices, medical facilities, group homes a *cannabis production and processing facility* or a *medical cannabis production site*”.
4. Section 5.4 (Mixed Use Corridors) is hereby amended by adding a new subsection 5.4.1.4, which shall read as follows:
- “A *cannabis production and processing facility* or a *medical cannabis production site* shall not be permitted in Mixed Use Corridors”.
5. Section 5.6 (Employment Areas) is hereby amended by deleting and replacing Section 5.6.3.2, which shall read as follows:
- “Permitted uses in Employment Areas are: manufacturing, assembly and processing of goods, service industries, research and development facilities, warehousing, business parks, limited personal service uses, hotels, storage of goods and materials, freight transfer and transportation facilities, *cannabis production and processing facilities*, and *medical cannabis production sites*. *Cannabis production and processing facilities* and *medical cannabis production sites* will be encouraged to locate in Employment Areas with municipal servicing. Applications for the development of a *cannabis production and processing facility* or *medical cannabis production site* are subject to the Information Requirements contained in Section 7.3.2.1 of this Plan. Uses declared to be obnoxious under the provisions of any applicable statute, regulation or guidelines shall not be permitted.
- Limited personal service and retail uses, serving the Employment Area may be permitted up to 10% of the aggregate gross floor area of the permitted uses. Major retail use with a gross leasable area of 2,000 square metres or greater or any single retail use greater than 500 sq. metres that is not ancillary to employment uses shall not be permitted within Employment Areas”.
6. Section 7.3 (Information Requirements) is hereby amended by adding a new Section 7.3.2.1, which shall read as follows:

“7.3.2.1 Cannabis Production and Processing

In addition to the information requirements of Section 7.3.2 of this Official Plan, the following requirements shall also apply to an application to establish a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site*:

- a) Applicants shall attend a pre-consultation with Township staff in advance of submitting any planning application in order to review the proposal for a *cannabis production and processing facility* or a *medical cannabis production site*;
- b) All proposed *cannabis production and processing facilities* and *medical cannabis production sites* shall be subject to Site Plan Control;
- c) All proposed *cannabis production and processing facilities* and *medical cannabis production sites* shall demonstrate dark sky friendly lighting and building design as part of the Site Plan Control process;
- d) All proposed *cannabis production and processing facilities* and *medical cannabis production sites* will be required to undertake detailed hydrogeological and/or site servicing studies, to the satisfaction of the Municipality, to ensure the proposed development can be adequately serviced without negatively impacting municipal water servicing capacity, surface or ground water supply, municipal wastewater facilities, watershed health and fish habitat. Development of *cannabis production and processing facilities* or *medical cannabis production sites* may not be permitted if adequate water or wastewater servicing cannot be provided. Development of *cannabis production and processing facilities* and *medical cannabis production sites* shall address to the greatest extent possible, any *adverse effects* identified;
- e) Where ecological and hydrologic features are present, all proposed *cannabis production and processing facilities* shall undertake an Environmental Impact Assessment, which includes an assessment of impacts of wastewater on the ecological and hydrological integrity of the watershed including fish habitat. The Township may require that medical cannabis production sites also undertake an Environmental Impact Statement where assessment of the potential impacts of the medical cannabis production site are deemed necessary. Development of a *cannabis production and processing facility* or *medical cannabis production site* in these situations shall undertake appropriate measures to mitigate to the greatest extent possible, any *adverse effects* identified;
- f) All *cannabis production and processing facilities* and *medical cannabis production sites* shall be required to undertake odour screening studies, to the satisfaction of the Municipality, and to mitigate identified impacts through recommended odour control measures;
- g) All proposed *cannabis production and processing facilities* and *medical cannabis production sites* may be required to undertake noise impact studies, at the discretion of the Municipality, to assess potential impacts on adjacent sensitive receptors and mitigate as appropriate;

- h) All proposed *cannabis production and processing facilities* and *medical cannabis production sites* are subject to the Township's Zoning By-law."".
7. Section 9 (Interpretation) is hereby amended by adding a new Section 9.6 - Definitions, which shall read as follows:

"9.6 Definitions

Defined terms are *italicized* throughout the text, except where otherwise stated:

Adverse Effect as defined in the *Environmental Protection Act*, shall mean one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Cannabis - shall mean a genus of flowering plants in the family *Cannabaceae*. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs [hemp milk, hemp seed, hemp oil], fiber and biofuels).

Cannabis Production and Processing Facility - shall mean lands, buildings or structures used for growing, producing, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, to the Cannabis Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto."

Medical Cannabis Production Site - shall mean the use of any land, buildings or structures for the purpose of producing, processing, testing, destroying, packaging and/or shipping of cannabis which is authorized by registration of a designated person by the Federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

3.0 IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of Official Plan Amendment No. 5 shall be in accordance with the respective policies of the Official Plan of the Township of Brock.

PART “C” -- THE APPENDICES

The following appendices do not constitute part of Official Plan Amendment No. 5 but are included as information supporting the Amendment.

- **Appendix No. 1 - Zoning By-law Amendment**
- **Appendix No. 2 – Public Comments**

Final Draft for Consultation

CANNABIS PRODUCTION & PROCESSING
ZONING BY-LAW AMENDMENT
TOWNSHIP OF BROCK

Final Draft for Consultation

Circulated to Area Municipalities for
comment on Friday February 5, 2021.

Comments requested by Friday March
12, 2021

February 2021
File No. 01-2020-PL

NOTICE OF THE PASSING

**OF A ZONING BY-LAW BY THE
CORPORATION OF THE TOWNSHIP OF BROCK**

TAKE NOTICE that the Council of the Corporation of the Township of Brock passed By-law No. 3014-2021 on the 25th day of March, 2021, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, as amended. All written/oral submissions made in respect of this application were considered by Council as contained within the staff report/resolution.

AND TAKE NOTICE that any person or agency who, **before the by-law was enacted, made oral submissions at a public meeting or written submissions to Council**, may appeal to the Local Planning Appeal Tribunal (LPAT) in respect of the By-law by filing with the Clerk of the Corporation of the Township of Brock not later than **4p.m. on the 15th day of April, 2021** a notice of appeal on the prescribed form available in the office of the Clerk or from the LPAT website at www.elto.gov.on.ca together with a certified cheque in the amount of \$300.00 payable to the Minister of Finance.

The grounds for an appeal are restricted to: a) inconsistency with a Provincial Policy Statement; b) fails to conform with or conflicts with a Provincial Plan; or c) fails to conform with an applicable Official Plan. A notice of appeal must explain how the by-law is inconsistent with a Provincial Policy Statement, fails to conform with or conflicts with a Provincial Plan, or fails to conform with an applicable Official Plan.

PLEASE NOTE that only individuals, corporations and public bodies may appeal a zoning by-law to the LPAT. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

NO PERSON or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the LPAT, there are reasonable grounds to add the person or public body as a party. Additional information regarding public participation at LPAT, is available through the LPAT Support Centre at 1-866-448-2248.

An explanation of the purpose and effect of the By-law, describing the lands to which the By-law applies, and a Key Map showing the location of the lands to which the By-law applies, are attached.

The complete By-law is available in the office of the Clerk during regular office hours (8:30 a.m. – 4:30 p.m.) and on the Township website: www.townshipofbrock.ca.

Dated at the Corporation of the Township of Brock this 25th day of March, 2021.

Becky Jamieson
Municipal Clerk
bjamieson@townshipofbrock.ca
P.O. Box 10, Cannington, Ontario, L0E 1E0
705-432-2355 (Telephone), 705-432-3487 (Fax)

EXPLANATORY NOTE

TO ZONING BY-LAW NO. 3014-2021 PASSED BY THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BROCK

LANDS AFFECTED: This By-law applies only to the entirety of the Township of Brock.

PRESENT ZONING: N/A

PROPOSED ZONING: N/A

PURPOSE & EFFECT: The purpose and effect of By-law Number 3014-2021 is to amend Restricted Area By-law Number 287-78 PL of the Corporation of the Township of Brock as follows:

1. To include the following new definitions: “adverse effect”, “air treatment control”, “cannabis”, “cannabis production and processing facility”, “medical cannabis production site”, and “sensitive land use” in relation to the establishment of cannabis production and processing as a permitted land use within the Township of Brock.
2. To delete and replace in the following definitions: “farm”, “home industry”, “home occupation”, “manufacturing, processing, assembling or fabricating plant”, “warehouse”, and “wholesale establishment” to ensure that these definitions exclude cannabis production and processing.
3. To add “cannabis production and processing facility” and “medical cannabis production site” to Plate “B”, entitled “Permitted Uses and Activities in General Zone Categories”.
4. To permit a “cannabis production and processing facility” in the Rural (RU) Zone, Restricted Industrial (M1) Zone, the General Industrial (M2) Zone, and the Rural Industrial (M3) Zone and to include a letter “v” to reference a subsection of Section 6 of the Zoning By-law.
5. To permit a “medical cannabis production site” in the Rural (RU) Zone, Restricted Industrial (M1) Zone, the General Industrial (M2) Zone, and the Rural Industrial (M3) Zone and to include a letter “w” to reference a subsection of Section 6 of the Zoning By-law.
6. To add a new subsection “10.37 Cannabis Production” to Section 10, entitled ‘General Provisions’ with regulations specific to cannabis cultivation and processing including required setbacks from certain zones and sensitive land uses. Larger setbacks are required when cannabis production and processing does not include air treatment control. This new subsection also contains regulations specific to buildings or structures for security purposes and open storage and requires that all cannabis production and processing be subject to Site Plan Control.

**The following is a copy of
Zoning By-law No. 3014-2021 of the
Corporation of the Township of Brock**

Final Draft for Consultation

ZONING BY-LAW NUMBER 3014-2021
OF THE
CORPORATION OF THE TOWNSHIP OF BROCK

BEING A BY-LAW UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, R.S.O., 1990, AS AMENDED, TO AMEND BY-LAW NUMBER 287-78-PL, AS OTHERWISE AMENDED, OF THE CORPORATION OF THE TOWNSHIP OF BROCK, REGION OF DURHAM, WITH RESPECT TO CANNABIS PRODUCTION AND PROCESSING.

WHEREAS By-law No. 287-78-PL was passed under the authority of Section 34 of the Planning Act, R.S.O. 1990, c P.13, as amended, and regulates the use of land and the use and erection of buildings and structures within the Township of Brock;

AND WHEREAS the Council of the Corporation of the Township of Brock conducted a public meeting on the 22nd day of March, 2021, pursuant to Section 34 (12) of the *Planning Act*, R.S.O. 1990, as amended;

AND WHEREAS Section 34 of the Planning Act, R.S.O. 1990, as amended, permits Council to pass an amending Zoning By-law, and the Council of the Township of Brock deems it advisable to amend By-law No. 287-78-PL with respect to Cannabis Production and Processing;

AND WHEREAS the By-law hereinafter set out is in conformity with the approved Official Plans for the Regional Municipality of Durham and the Township of Brock;

NOW THEREFORE the Council of the Corporation of the Township of Brock **ENACTS** as follows:

1. **THAT** Section 11 of By-law No. 287-78-PL, as amended, entitled “Definitions” is hereby amended with the addition of the following terms (subsections), ordered appropriately, which shall read as follows:

“**ADVERSE EFFECT** as defined in the *Environmental Protection Act*, shall mean one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.”

“**AIR TREATMENT CONTROL** shall mean a mechanical system designed, approved

and implemented in accordance with a license issued by Health Canada for the purposes of controlling emissions and mitigating *adverse effects*. This includes but is not limited to treatment of particulate matter, odour, and noise emissions discharged as a by-product of a *cannabis production and processing facility* or a *medical cannabis production site*.”

“**CANNABIS** shall mean a genus of flowering plants in the family *Cannabaceae*. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs [hemp milk, hemp seed, hemp oil], fiber and biofuels).”

“**CANNABIS PRODUCTION AND PROCESSING FACILITY** shall mean lands, buildings or structures used for growing, producing, processing, testing, destroying, packaging and/or shipping of *cannabis* authorized by an issued license or registration by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, to the Cannabis Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto.”

“**MEDICAL CANNABIS PRODUCTION SITE**” shall mean the use of any land, buildings or structures for the purpose of producing, processing, testing, destroying, packaging and/or shipping of *cannabis* which is authorized by registration of a designated person by the Federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.”

“**SENSITIVE LAND USE:** Shall mean buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.”

2. **THAT** Section 11 of By-law No. 287-78-PL, as amended, entitled “Definitions” is hereby amended by deleting and replacing subsection 11.60 FARM, which shall read as follows:

“**11.60 FARM:** Shall mean any farming or agricultural use and includes berry or bush crops; breeding, raising or training horses or cattle; farms for grazing; flower gardening; field crops; goat or cattle dairies; growing, raising, picking, treating and storing of vegetable or fruit produce produced on the premises; mushroom farms; nurseries, orchards, riding stables; the raising of sheep or goats; the raising of swine, tree crops; market gardening; wood lots; such uses or enterprises as are customarily carried on in the field of general agriculture. “FARM” shall include a single-family dwelling house, buildings and structures, such as barns, silos, biogas digestion system, and accessory buildings, which are incidental to the operation of the farm, **but shall not include** a slaughterhouse; commercial greenhouses, farms devoted to the intensive hatching raising and marketing of chickens, turkeys; other fowl or game birds; fur-bearing animals including game farms which specialize in the raising of wild and undomesticated animals; fish, frogs or bees; a *cannabis production and processing facility* or a *medical cannabis production site*. Barns and silos, for the purposes of this By-law, shall be considered as principal or main buildings or structures on the lot in which they are located”.

3. **THAT** Section 11 of By-law No. 287-78-PL, as amended, entitled “Definitions” is hereby amended by deleting and replacing subsection 11.80 HOME INDUSTRY, which shall read as follows:

“**11.80 (b) HOME INDUSTRY:** Shall mean a small scale industry which is carried on in

accordance with the provisions of this By-law as an accessory use in a building accessory to the principal residence use of the property, but shall not include a *cannabis production and processing facility* or a *medical cannabis production site*.

4. **THAT** Section 11 of By-law No. 287-78-PL, as amended, entitled “Definitions” is hereby amended by deleting and replacing subsection 11.82 HOME OCCUPATION, which shall read as follows:

“11.82 HOME OCCUPATION: Shall mean any occupation which is carried on, in accordance with the provisions of this By-law relative thereto, as an accessory use and only by members of one family residing on the premises, but shall not include a *cannabis production and processing facility* or a *medical cannabis production site*”.

5. **THAT** Section 11 of By-law No. 287-78-PL, as amended, entitled “Definitions” is hereby amended by deleting and replacing subsection 11.102 MANUFACTURING, PROCESSING, ASSEMBLING OR FABRICATING PLANT, which shall read as follows:

“11.102 MANUFACTURING, PROCESSING, ASSEMBLING OR FABRICATING PLANT: Shall mean a plant in which the process of producing a product suitable for use, by hand or mechanical power and machinery, is carried on systematically with division of labour, but shall not include a *cannabis production and processing facility* or a *medical cannabis production site*”.

6. **THAT** Section 11 of By-law No. 287-78-PL, as amended, entitled “Definitions” is hereby amended by deleting and replacing subsection 11.191 WAREHOUSE, which shall read as follows:

“11.191 WAREHOUSE: Shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a truck terminal or a *cannabis production and processing facility* or a *medical cannabis production site*”.

7. **THAT** Section 11 of By-law No. 287-78-PL, as amended, entitled “Definitions” is hereby amended by deleting and replacing subsection 11.199 WHOLESALE ESTABLISHMENT, which shall read as follows:

“11.199 WHOLESALE ESTABLISHMENT: Shall mean the use of land or the occupancy of a building and/or structure, for the purposes of selling, and/or offering for sale, goods, wares and/or merchandise on a wholesale basis, and includes the storage or warehousing of those goods, wares and/or merchandise but shall not include a *cannabis production and processing facility* or a *medical cannabis production site*”.

8. **THAT** Plate “B” of By-law No. 287-78-PL, as amended, entitled “Permitted Uses and Activities in General Zone Categories” is hereby amended by adding the non-residential use “*Cannabis Production and Processing Facility*” and re-ordering the non-residential uses appropriately.

9. **THAT** Plate “B” of By-law No. 287-78-PL, as amended, entitled “Permitted Uses and Activities in General Zone Categories” is hereby amended by permitting “*Cannabis Production and Processing Facility*” within the Rural (RU) Zone, Restricted Industrial (M1) Zone, the General Industrial (M2) Zone; and Rural Industrial (M3) Zone (columns

5, 21, 22, and 23). A letter “(v)” shall be included with the dot indicating “*Cannabis Production and Processing Facility*” as a permitted use in each of the above-mentioned zones.

10. THAT Section 6 of By-law No. 287-78-PL, as amended, entitled “Plate ‘B’, Permitted Uses and Activities in Zones” is hereby amended by adding a new subsection “v”, which shall read as follows:

“v. A *Cannabis Production and Processing Facility* is a permitted use provided such use complies with all requirements of Subsection 10.37 of this By-law.”

11. THAT Plate “B” of By-law No. 287-78-PL, as amended, entitled “Permitted Uses and Activities in General Zone Categories” is hereby amended by adding the non-residential use “*Medical Cannabis Production Site*” and re-ordering the non-residential uses appropriately.

12. THAT Plate “B” of By-law No. 287-78-PL, as amended, entitled “Permitted Uses and Activities in General Zone Categories” is hereby amended by permitting “*Medical Cannabis Production Site*” within the Rural (RU) Zone, Restricted Industrial (M1) Zone, the General Industrial (M2) Zone; and Rural Industrial (M3) Zone (columns 5, 21, 22, and 23). A letter “(w)” shall be included with the dot indicating “*Medical Cannabis Production Site*” as a permitted use in each of the above-mentioned zones.

13. THAT Section 6 of By-law No. 287-78-PL, as amended, entitled “Plate ‘B’, Permitted Uses and Activities in Zones” is hereby amended by adding a new subsection “w”, which shall read as follows:

“w. A *Medical cannabis Production Site* is a permitted use provided such use complies with all requirements of Subsection 10.37 of this By-law.”

14. THAT Section 10 of By-law No. 287-78-PL, as amended, entitled “General Provisions” is hereby amended by adding a new Subsection 10.37 “CANNABIS PRODUCTION AND PROCESSING” as follows:

“10.37 Cannabis Production and Processing

Notwithstanding any other provision of this By-law to the contrary, where a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* is permitted, the following provisions shall apply:

- a) Only one *Cannabis Production and Processing Facility* or one *Medical Cannabis Production Site* shall be permitted on a single, conveyable lot;
- b) A *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* located within an enclosed building or structure shall be equipped with an *Air Treatment Control* system;
- c) Open storage of any goods, materials, or supplies associated with a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* shall be prohibited;

- d) A building or structure used for security purposes for a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* may be located in the required front yard of the lot upon which the *Cannabis Production and Processing Facility* or *Medical Cannabis Production Site* is located and is not required to comply with the minimum required front, side, or rear yard setbacks for the lot;
- e) All development in relation to the establishment or expansion of a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* shall be subject to Site Plan Control;
- f) No minor variance to the zoning requirements for a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* shall be permitted by the Committee of Adjustment and shall only be considered by way of a Zoning Bylaw Amendment; and,
- g) Separation distances between a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* and any Residential Zone, Community Facility (CF) Zone, Recreation (R) Zone or Open Space (OS) Zone shall be measured from the edge of the nearest building or crop line associated with the *Cannabis Production and Processing Facility* or *Medical Cannabis Production Site* to the greater of either the nearest lot line of a *sensitive land use* or the nearest zone boundary of any Residential Zone, Community Facility (CF) Zone, Recreation (R) Zone or Open Space (OS) Zone.

10.37.1 Cannabis Production in Industrial Zones

Notwithstanding any other provision of this By-law to the contrary, the following additional requirements shall apply to a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* that is permitted in an Industrial Zone:

- a) A *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* equipped with an *Air Treatment Control* system shall be setback the greater of:
 - i) 70 metres from the zone boundary of any Residential Zone, Community Facility (CF) Zone, Recreation (RE) Zone, or Open Space (OS) Zone; or
 - ii) 150 metres from the nearest lot line of a *sensitive land use*.

10.37.2 Cannabis Production in Rural Zones

Notwithstanding any other provision of this By-law to the contrary, the following additional requirements shall apply to a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* in a Rural Zone:

- a) A *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* equipped with an *Air Treatment Control* system shall be setback the greater of:
 - i) 70 metres from the zone boundary of any Residential Zone, Community Facility (CF) Zone, Recreation (RE) Zone, or Open Space (OS) Zone; or
 - ii) 150 metres from the nearest lot line of a *sensitive land use*.
- b) An outdoor *Cannabis Production and Processing Facility* and a *Medical Cannabis Production Site* not equipped with an *Air Treatment Control* system shall be setback a minimum of 300 metres from the nearest lot line

of a *sensitive land use*.

- c) Only one building or structure having a cement-based foundation of up to a maximum of 200 square metres may be used in association with a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* on a single lot.”

15. THAT Section 10 of By-law No. 287-78-PL, as amended, entitled “General Provisions” is hereby amended by amending the “PARKING SPACE REQUIREMENT TABLE” in subsection 10.18 “Parking and Regulations”. The type or nature of use in category (f) “Manufacturing, Processing, Assembly and/or Fabrication Plant, Hydro Generating” shall be deleted and replaced with the following text:

“Manufacturing, Processing, Assembly and/or Fabricating Plant, Hydro Generating Station, *Cannabis Production and Processing Facility*”.

16. THAT Zoning By-law No 3014-2021, as otherwise amended, is hereby amended to give effect to the foregoing, but Zoning By-law No. 287-78-PL, as otherwise amended, shall in all other respects remain in full force and effect.

17. THAT Zoning By-law No. 3014-2021 shall come into force on the date it is passed by the Council of the Corporation of the Township of Brock subject to the applicable provisions of the *Planning Act*, R.S.O., 1990, as amended.

THIS BY-LAW READ TWICE THIS 25th DAY OF March, A.D., 2021.

Deputy Mayor
Ted E. Smith

Clerk
Becky Jamieson

THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 25th DAY OF March, A.D., 2021.

Deputy Mayor
Ted E. Smith

Clerk
Becky Jamieson



Date:	09/03/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Corporation of the Township of Brock

Staff Report to the Mayor and Members of Council

From:	Debbie Vandenakker
Position:	Planner
Title / Subject:	McFeeter's Surplus Farm Severance Rezoning Report (2-2020-RA – 396 Cameron Street, Cannington)
Date of Report:	March 1, 2021
Date of Meeting:	March 15, 2021
Report No:	2021-PCA-03

1.0 Strategic Goal/Priority

To provide the Planning and Community Affairs Committee with sufficient information to accept this report and recommend that the associated Zoning By-law Amendment be approved at the March 22, 2021 session of Council.

2.0 Issue / Origin

On June 24, 2019 the Region of Durham hosted a pre-consultation meeting with Clark Consulting and Kent Randall, acting as the Township's Planner, to discuss amending the Durham Regional Official Plan (ROP) to facilitate a future severance of approximately 0.4 ha containing a dwelling (396 Cameron Street) considered surplus to a non-abutting farm operation. The retained lot would be approximately 22.2 ha. If approved, the proponent would also require a zoning by-law amendment through the Township of Brock as well as the completion of the Land Division process.

The ROP amendment has been approved with conditions provided by the Township of Brock.

3.0 Background

This application is part of a three (3) step planning approval process for surplus farm severances in Brock Township. Due to Greenbelt Plan restrictions that are reinforced by the Regional Official Plan, there are three required approvals for applicants who wish to sever surplus dwellings from their farming operations:

1. Regional Official Plan Amendment (ROPA)
 - Complete and approved
2. Zoning By-law Amendment (ZBA)
 - Will be complete upon Council approval of this report and attached Zoning By-law Amendment
3. Land Division approval
 - Was circulated by the Region of Durham to the Township of Brock on February 10, 2021 for comment. Please note the Township's comment will be provided directly to Regional Land Division committee from staff as it will mirror what Council has already approved in the ROPA report and Rezoning report.

The following file and property descriptions for each of these processes are provided below.

Brock Project No: 02-2020-PL

Brock File No. for ROPA:	02-2020-ROPA
Brock File No. for Rezoning:	02-2020-RA
Region File No. for ROPA:	OPA 2020-001
Regional Land Division No:	LD 029-2021
Applicant:	Clark Consulting on behalf of Darmar Farms / Dale McFeeters
Location:	Part Lot 23, Concession 12, Pt 2, 40R-13288 Township of Brock, 396 Cameron Street, Cannington

Attachments to this report are:

- No 1: Subject Lands Sketch
- No 2: Agency Comments Received
- No 3: Proposed By-law
- No. 4: Report 2020-CO-25 (ROPA report)

Darmar Farms Inc. is a bona fide farming operation that operates farms in The Region of Durham and The City of Kawartha Lakes. The farm at 396 Cameron St. E, Cannington, includes

a residence that is not required for a family member or employee of Darmar Farms Inc. **Attachment 1** provides the subject lands sketch.

On July 13, 2020, Council approved that the following response and Report 2020-CO-25 (**provided in Attachment 4**) be provided to the Region of Durham regarding the Regional Official Plan Amendment portion of this undertaking.

Please be advised that the Township of Brock has no objection to the above referenced Regional Official Plan Amendment, subject to the following:

- *That the requirements of the Township of Brock, financial and otherwise, be satisfied;*
- *That the severed portion of the application be rezoned with an RU-X zoning to provide for the front-yard and centerline set-back deficiencies; and*
- *That the rezoning process will prohibit further severance and residential uses on the retained 22.23 ha of agricultural lands.*

Report 2020-CO-25 reviewed the details of the provincial, regional and local policy review with findings that this application conforms to those policy directions.

4.0 Analysis

For most surplus farm severance applications, Planning staff provide one report that discusses both the ROPA and the Rezoning processes, followed by a separate Land Division comment sent directly to Regional staff from Township staff mirroring the comments already approved by Council. For this application, due to complications brought on by COVID 19 procedures and processes, a ROPA specific report was produced and provided to the Region (as noted above) to meet its Planning Committee schedule. This report therefore builds on the analysis already conducted through the ROPA stage of this process.

4.1 Agency Comments

Comments from the Region of Durham and the Lake Simcoe Region Conservation Authority are summarized below and provided in **Attachment 2**.

4.1.1 Region of Durham

The Region has no objection to the rezoning subject to a road widening being required along the proposed severed portion of the property measured from 15 m from the centre of the original road (approximately 5 metres) at the land severance application stage.

4.1.2 Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority provided the following comment.

1. *Consistency with Section 3.1 of the PPS has been demonstrated;*
2. *Ontario Regulation 179/06 does apply to the subject site however, the area proposed to be severed is outside of the regulatory area. A permit from the Conservation Authority will not be required prior to any development (lot*

creation) taking place; A permit from the LSRCA would be required prior to issuance of any municipal building permits for site alteration or development within the regulated area.

3. Conformity with the Greenbelt plan is demonstrated; and
4. The subject site is not located within an area that is subject to the policies contained in the Source Protection Plan.

4.2 Conformity with Brock Township Zoning By-law

Land use in the Township of Brock is regulated by Zoning By-law 287-78-PL. The subject lands are identified as being in the Rural (RU) Zone and Environmental Protection (EP) Zone.

Conformity with the zoning by-law requires the consideration of the provisions of Plate C of the zoning by-law, noted in **Table 1: Zoning By-law Provisions and Conformity** below. The considerations apply only to the severed portion of the application that contains the single detached dwelling and is currently zoned RU. Through the rezoning process, the severed lands will be rezoned with a Rural exception number to correctly identify the front yard set-back deficiency created by the Regional requirement for road widening. The effect of the road widening is that 5m of the frontage of the severed parcel is transferred to the Region of Durham as part of the Cameron Street Road right of way. The zoning sketch and By-law amendment schedules reflect this transfer.

Table 1: Zoning By-Law Provisions and Conformity

Zoning By-Law Provision Category	RU Zoning Provision	Existing Condition for Severed Parcel	Conformity Status
Min Lot Area (sq. metres)	c) 0.4 ha	0.4 ha	Conforms
Min Lot Frontage (m)	c) 46 m	80 m	Conforms
Min Front Yard Set-Back (m)	15 m	2.2m from edge of porch	RU-X zoning will address deficiency
Min Exterior Side (width) (m)	15 m	42 m	Conforms
Min Interior Side (width) (m)	8 m	11 m	Conforms
Min Rear (depth) (m)	15 m	18 m	Conforms
Min Gross Floor Area per Dwelling Unit (sq. m)	100 sq. m	350 sq. m	Conforms
Max Lot Coverage of All Buildings (%)	30%	10.3%	Conforms
Min Centreline Setback (metres)	30.24 m	12.2m	RU-X zoning will address deficiency
Min Landscaped Open Space (%)	30%	Approx. 80%	Conforms
Max Number of Dwelling Houses per Lot	1	1	Conforms

Max # of Dwelling Units per Lot	2	1	Conforms
Max Height of Buildings (m)	9 m	Standard 2 storey house	Assumed to conform
Other Zone Provisions	(r, s, u) N/A	N/A	N/A

5.0 Related Policies / Procedures

Attachment No. 3 contains Zoning By-law 2962-2021 to be passed by Council.

6.0 Financial / Budget Assessment

N/A

7.0 Communications

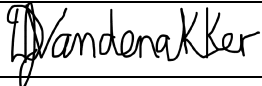

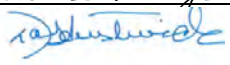
Ongoing communications with the applicant's consultant and the Region of Durham occurred throughout this file due to COVID-19 as well as the requirements for a survey for the transfer of the 5m to the Region for the road widening.

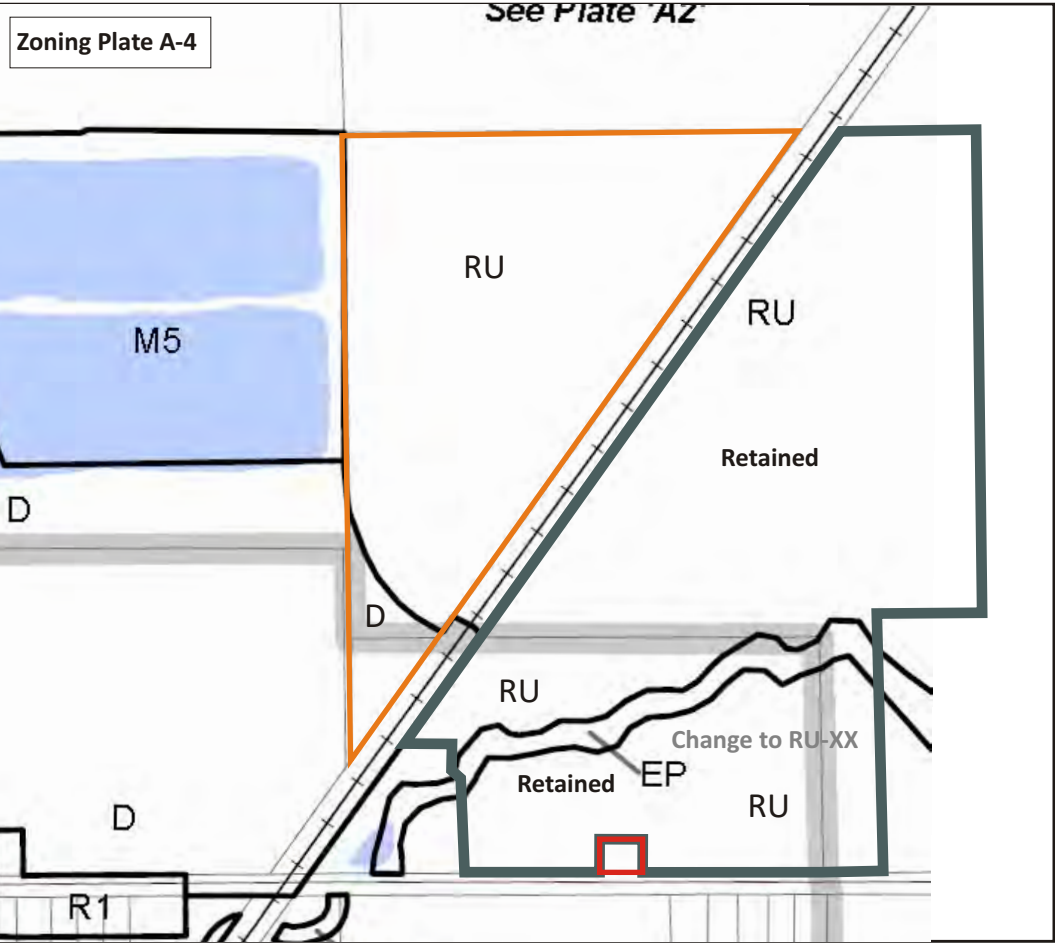
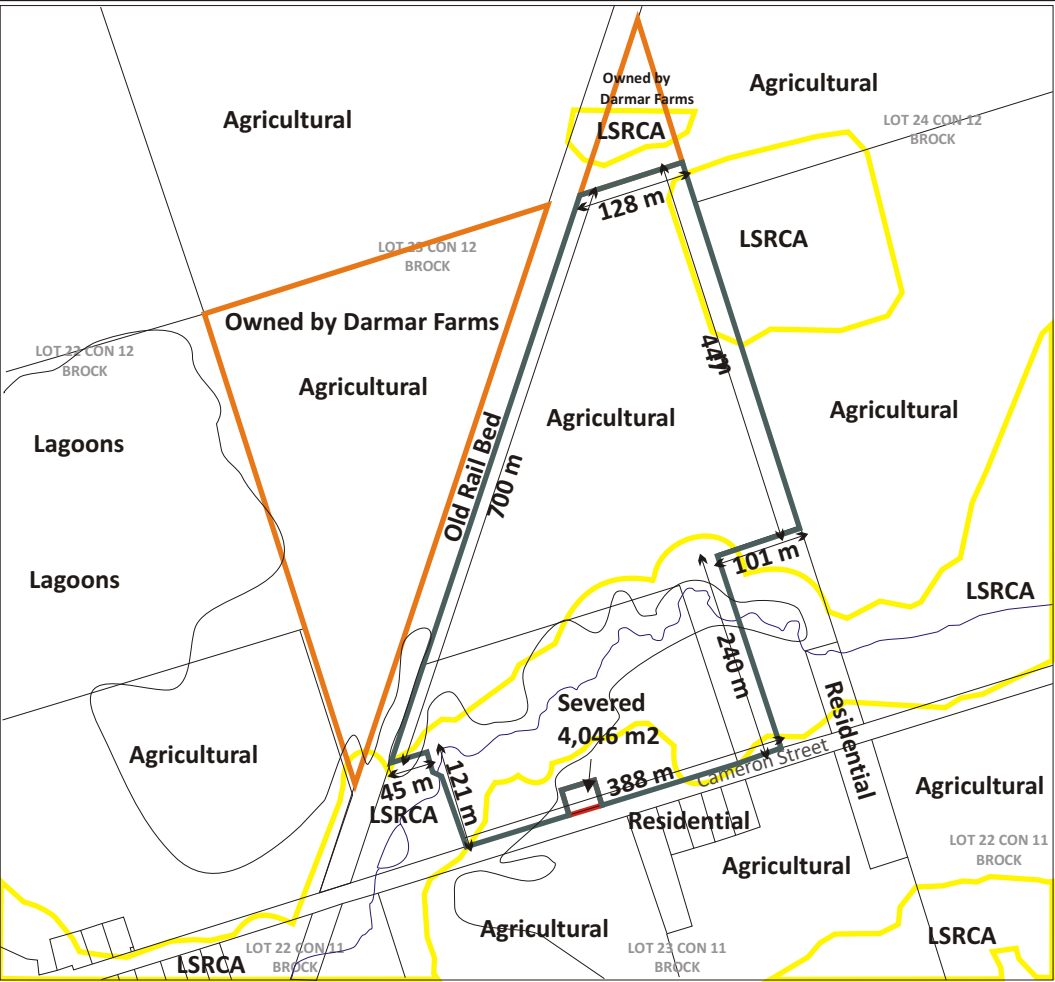
8.0 Conclusion

The applicant has demonstrated the necessary policy conformity to approve this application to rezone 396 Cameron Street as a surplus farm dwelling severance. By-law 2962-2021 will prevent any further residential development on the retained farmlands and the severed portion will be rezoned with an exception number to capture the front yard set-back deficiency.

9.0 Recommendation

That the Planning and Community Affairs Committee accept this report and recommend that the associated Zoning By-law 2962-2021 be approved at the March 22, 2021 session of Council.

Title	Name	Signature	Date
Planner	Debbie Vandenakker		03.01.2021
Chief Building Official	Richard A. Ferguson, CBCO		
Chief Administrative Officer	Dean A. Hustwick		



Clark Consulting Services
52 John Street
Port Hope
905.885.8023
bob@clarkcs.com



Severed Residential Lot
Area: 4,046 m2
Frontage: 80 m
House floor area: 350 m2
Lot coverage: 10.3%

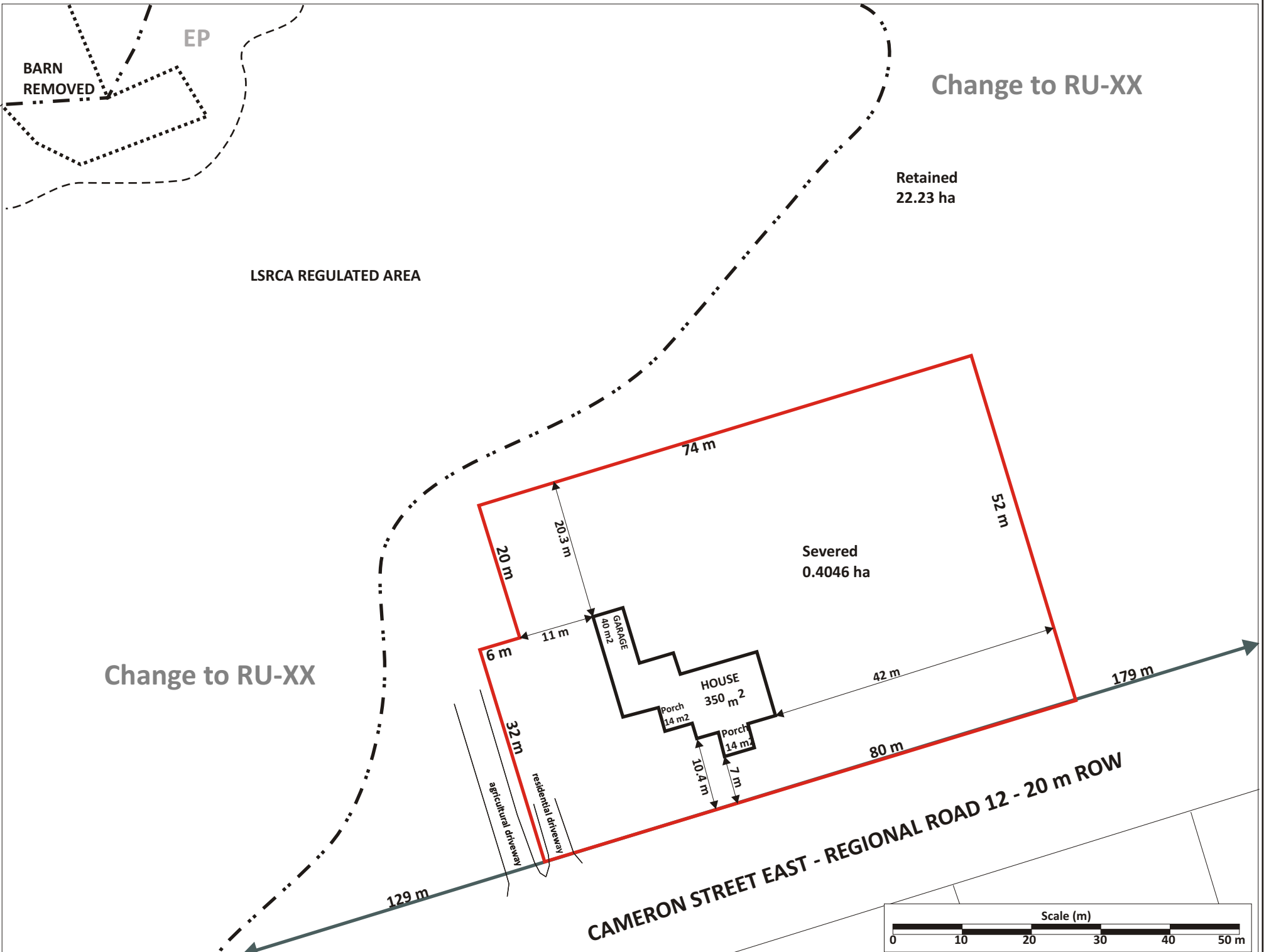
396 Cameron Street
1 single detached dwelling
septic system municipal water
attached garage

Retained Farm Lot, vacant
Area: 22.23 ha
Frontage: 308 m

396 Cameron Street

**ZONING BY-LAW
AMENDMENT SKETCH**
396 Cameron Street, Cannington
Part of Lot 23, Concession 12,
Brock, Township of Brock
1839 030 003 20800 &
1839 030 009 13600

Darmar Farms Inc.





Sent via e-mail: dvandenakker@townshipofbrock.ca

March 13, 2020

Municipal File No: OPA 2020—01; 2-2020-PL
LSRCA File No.: ZO-226060-020720

Debbie Vandenakker
Planner
The Corporation of the Township of Brock
1 Cameron Street East, P.O. Box 10
Cannington, Ontario, L0E 1E0

Dear Ms. Vandenakker:

Re: 396 Cameron St E
Lot 23, Concession 12
Township of Brock
Regional Municipality of Durham

LSRCA staff have reviewed the above-noted application for Regional Official Plan Amendment (ROPA) and Brock Zoning By-law Amendment (ZBA) to facilitate the severance of a non-abutting farm house from a farm property.

We understand an application for severance will follow approval of the proposed Regional OPA and Brock ZBA.

Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted with this application:

- Planning Justification Report dated January 10, 2020 prepared by Clark Consulting Services.
- Supporting drawings
- Proposed ROPA

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014) and as a regulatory authority under Ontario Regulation 179/06. LSRCA has also provided comments as per our MOU with The Township of Brock and Region of Durham representing the review and comment on Official Plan and Zoning By-law amendments from a watershed management perspective. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, LSRCA has provided advisory comments related to policy applicability and to assist with implementation of the South Georgian Bay Lake Simcoe Source Protection Plan under the Clean Water Act.

Recommendation

As the proposed farm severance does not bisect a key natural heritage or key hydrogeological feature, the Lake Simcoe Region Conservation Authority has no objections to the proposed Regional Official Plan Amendment and Brock Zoning By-Law Amendment.

Site Characteristics

Existing mapping indicates that the subject property is within the vicinity of a tributary of the Beaver River

- While the broader landholdings are regulated due to the floodplain associated with the Beaver River, we note the area proposed for the farm house severance is outside of the regulated area of the LSRCA
- The property is designated “Prime Agricultural Areas” on Schedule A, Map A1 of the Region of Durham Official Plan and zoned Rural and Environmental Protection on Plate A4 Zoning by-law 287-78.
- The subject lands area designated Protected Countryside under the Greenbelt plan (2017)
- The subject lands are within the Beaver River Subwatershed
- The subject lands are not located within an area that is subject to the policies contained in the Source Protection Plan

Delegated Responsibility and Statutory Comments:

1. LSRCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement.

- The larger land holdings contain Natural Hazards associated with Flooding Hazard of the Beaver River. The proposed severance is outside of the Natural Hazard lands.
- The applications for Regional Official Plan and Brock Zoning By-law Amendments appears to be consistent with Section 3.1 of the PPS.

2. LSRCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 179/06. This regulation, made under Section 28 of the *Conservation Authorities Act*, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. LSRCA also regulates the alteration to or interference in any way with a watercourse or wetland.

- The larger land holdings contain lands that are within the LSRCA regulated area however we note the lands proposed to be severed for the farm residence is not regulated.

Advisory Comments

3. LSRCA has reviewed the application through our responsibilities as a service provider to the Township of Brock and the Region of Durham in that we provide review of Official plan and Zoning By-law amendments through a MOU as well as through our role as a public body, pursuant to the *Planning Act*.

The proposal conforms to the Greenbelt plan as no Natural Heritage system or Water Resources system are being impacted and the proposed severance is outside of any feature on the subject lands. The proposal appears to conform with Section 4.6 of the Greenbelt Plan as the severance is limited to minimum size necessary and these Official Plan and zoning restrictions will be in place to ensure no new dwelling will be permitted on the future retained lot.

We acknowledge that no natural heritage features are being impacted as a result of the proposed Official Plan amendment and Zoning By-law amendment.

5. LSRCA has reviewed the application in terms of the South Georgian Bay Lake Simcoe Source Protection Plan, prepared under the Clean Water Act, 2006. The Source Protection Plan came into effect on July 1, 2015 and contains policies to protect sources of municipal drinking water from existing and future land use activities.

- The subject property is not located within an area subject to the local Source Protection Plan, based on map screening.
- Link to the Source Protection Plan: <https://ourwatershed.ca/assets/uploads/2019/11/08-20-2019-AmendedSourceProtectionPlan.pdf>

Summary

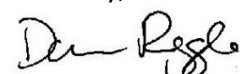
Given the above comments, it is the opinion of the LSRCA that:

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 179/06 does apply to the subject site however, the area proposed to be severed is outside of the regulatory area. A permit from the Conservation Authority will not be required prior to any development (lot creation) taking place; A permit from the LSRCA would be required prior to issuance of any municipal building permits for site alteration or development within the regulated area.
3. Conformity with the Greenbelt plan is demonstrated; and
4. The subject site is not located within an area that is subject to the policies contained in the Source Protection Plan.

Please inform this office of any decision made by the municipality with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned.

Sincerely,



Dave Ruggle, BAA, MCIP, RPP
Planner II

c.c. Ashley Yearwood, Region of Durham
Bob Clark, Clark Consulting Services



The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

605 ROSSLAND RD. E.
4TH FLOOR
PO BOX 623
WHITBY ON L1N 6A3
CANADA
905-668-7711
1-800-372-1102
Fax: 905-666-6208
Email: planning@durham.ca

www.durham.ca

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

July 6, 2020

Ms. Debbie Vandenakker
Planner
Township of Brock
1 Cameron Street
Cannington, ON L0E 1E0

Dear Ms. Vandenakker:

Re: **Zoning Amendment Application 2-20-RA**
Applicant: McFeeters (Darmar Farms)
Location: 396 Cameron Street East
Municipality: Township of Brock
Cross-Ref: OPA 2020-001

We have reviewed the above noted application and offer the following comments with respect to the Durham Regional Official Plan, Provincial Policy and Servicing.

Purpose

The purpose of the application is to rezone the proposed retained lands from Rural (RU) and Environmental Protection (EP) Zones to Rural Exception Zone and Environmental Protection which will prohibit future residential uses and any further severances.

This proposal was submitted concurrently with application OPA 2020-001 which seeks to permit the severance of a surplus farm dwelling as a result of the consolidation of non-abutting agricultural lands.

Regional Official Plan

The subject land is designated "Prime Agricultural Areas" in the Regional Official Plan (ROP).

Policy 9A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:

- a) The dwelling is not needed for a farm employee;
- b) The farm parcel is a size which is viable for farm operations;

"Service Excellence
for our Communities"

If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2551.

- c) For sites within the Protected Countryside of the Greenbelt Plan, the dwelling was in existence as of December 16, 2004;
- d) The farm parcel is zoned to prohibit any further severances or the establishment of any residential dwelling.

Furthermore, the policy states that no further severances from the retained farm parcel shall be granted.

The applicant has submitted a Regional Official Plan Amendment concurrently with the rezoning application. If the proposed Regional Official Plan amendment is approved, this rezoning application will be in conformity with the Regional Official Plan. A subsequent severance application will also need to be approved by the Land Division Committee to create the proposed surplus farm dwelling lot.

Provincial Policies

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides a comprehensive vision for growth and development. Policy 2.3.4 of the PPS discourages lot creation on lands designated in prime agricultural areas. However, lot creation may be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided that:

- the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
- new residential dwellings are prohibited on any remnant parcel of farmland created by the severance.

The proposal will facilitate the severance of a dwelling that is surplus to an existing farming operation. The proposed severed lot will be limited to a minimum size required to accommodate appropriate private water and sewage services and will prohibit a new residential dwelling on the proposed retained parcel. As such, the proposed development is consistent with the PPS.

The Greenbelt Plan

Policies 4.6.1(f) of the Greenbelt Plan permits lot creation within Prime Agricultural Areas for the severance of a residence surplus to a farming operation as a result of a farm consolidation, where the residence was an existing use prior to the passing of the Greenbelt Plan subject to various performance standards as previously noted. The subject dwelling has existed for approximately 100 years, and the proposed development is consistent with the Greenbelt Plan.

Delegated Provincial Plan Review Responsibilities

All matters of Provincial interest will be addressed through the related Regional Official Plan amendment.

Regional Servicing and Transportation

Regional water services and sanitary sewer are not available.

Cameron Street East (Regional Road No. 12) is a Type 'B' Arterial Road. The right-of-way width should be 30 metres, as per the policies of the ROP. As such, a road widening will be required along the proposed severed portion of the property measured from 15 metres from the centre of the original road (approximately 5 metres) at the land severance application stage.

There is an existing access onto Regional Road 12 serving the proposed severed property. It is noted in the application that no access is proposed from the Regional Road for the future retained property, however this would leave the retained portion with no access. The applicant will need to confirm if access will be required to this parcel of land from the Regional Road. Once severed, the Region would permit a single farm access from Regional Road 12 and the applicant would be required to apply for an Entranceway Permit.

Health Department

The Health Department does not have any concerns with the further processing of this application.

Conclusion

The Region will provide further comments once a decision on the related Regional Official Plan Amendment has been made.

Please don't hesitate to contact me at (905) 668-4113, ext. 2572 should you have any questions regarding our comments.

Sincerely,

Lori A. Riviere-Doersam

Lori Riviere-Doersam, MCIP, RPP
Principal Planner

DARMAR FARMS / DALE MCFEETERS

ZONING BY-LAW AMENDMENT

**PART LOT 23, CONCESSION 12, PT 2, 40R-13288
(396 CAMERON STREET, CANNINGTON)
TOWNSHIP OF BROCK**

**March 2021
File No. 02-2020-RA
By-law No: 2962 – 2021**

NOTICE OF THE PASSING
OF A ZONING BY-LAW BY THE
CORPORATION OF THE TOWNSHIP OF BROCK

TAKE NOTICE that the Council of the Corporation of the Township of Brock passed By-law No. **2962-2021** on the 25th day of March, 2021, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, as amended. All written/oral submissions made in respect of this application were considered by Council as contained within the staff report/resolution.

AND TAKE NOTICE that any person or agency who, **before the by-law was enacted, made oral submissions at a public meeting or written submissions to Council**, may appeal to the Local Planning Appeal Tribunal (LPAT) in respect of the By-law by filing with the Clerk of the Corporation of the Township of Brock not later than **4:30 p.m. on the 15th day of April, 2021** a notice of appeal on the prescribed form available in the office of the Clerk or from the LPAT website at www.elto.gov.on.ca together with a certified cheque in the amount of \$300.00 payable to the Minister of Finance.

The grounds for an appeal are restricted to: a) inconsistency with a Provincial Policy Statement; b) fails to conform with or conflicts with a Provincial Plan; or c) fails to conform with an applicable Official Plan. A notice of appeal must explain how the by-law is inconsistent with a Provincial Policy Statement, fails to conform with or conflicts with a Provincial Plan, or fails to conform with an applicable Official Plan.

PLEASE NOTE that only individuals, corporations and public bodies may appeal a zoning by-law to the LPAT. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

NO PERSON or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the LPAT, there are reasonable grounds to add the person or public body as a party. Additional information regarding public participation at LPAT, is available through the LPAT Support Centre at 1-866-448-2248.

An explanation of the purpose and effect of the By-law, describing the lands to which the By-law applies, and a Key Map showing the location of the lands to which the By-law applies, are attached.

The complete By-law is available in the office of the Clerk during regular office hours (8:30 a.m. – 4:30 p.m.) and on the Township website: www.townshipofbrock.ca.

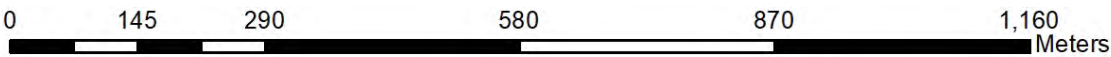
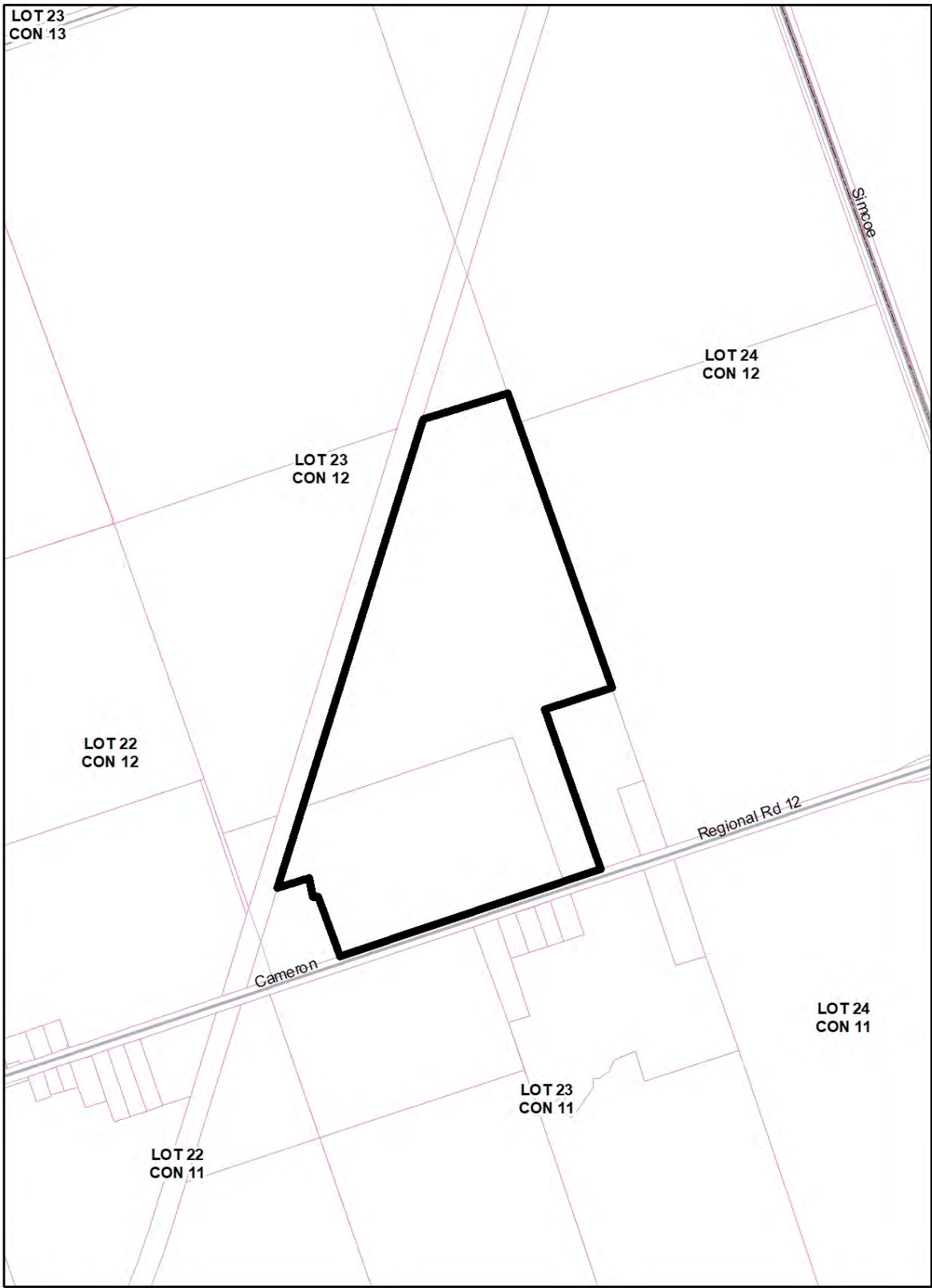
Dated at the Corporation of the Township of Brock this 25th day of March, 2021.

Ms. Becky Jamieson
Municipal Clerk
brock@townshipofbrock.ca
P.O. Box 10, Cannington, Ontario, L0E 1E0
705-432-2355 (Telephone), 705-432-3487 (Fax)

EXPLANATORY NOTE
TO ZONING BY-LAW NO. 2962-2021 PASSED
BY THE COUNCIL OF THE CORPORATION
OF THE TOWNSHIP OF BROCK

- LANDS AFFECTED:** This By-law applies only to certain land located on the north side of Regional Road 12 (Cameron Street), west of Simcoe Street in Cannington. The property is described as Part Lot 23, Concession 12, Pt 2, 40R-13288, Brock Township (municipally known as 396 Cameron Street, Cannington). The general location of the subject land is shown on the Key Map attached hereto.
- PRESENT ZONING:** Zoning By-law No. 287-78-PL, as otherwise amended, places the subject land in the Rural (RU) and Environmental Protection (EP) Zone categories.
- PROPOSED ZONING:** The amendment, upon approval, will rezone the land within the Rural (RU) and Environmental Protection (EP) Zone categories to Rural Exception 59 (RU-59), Rural Exception 60 (RU-60) and Environmental Protection (EP).
- PURPOSE & EFFECT:** The purpose and effect of By-law Number 2962-2021 is:
1. To prohibit the development of additional residential uses on those lands identified as Part 1 (retained lands) on the appended Key Map.
 2. To recognize the front-yard and centreline setback deficiency of the single-family dwelling on the severed parcel identified as Part 2 (severed lands) on the appended Key Map.

Subject Lands Map
To Zoning By-law No. 2962-2021



Subject Land

**The following is a copy of
Zoning By-law No. 2962-2021 of the
Corporation of the Township of Brock**

ZONING BY-LAW NUMBER 2962-2021
OF THE
CORPORATION OF THE TOWNSHIP OF BROCK

BEING A BY-LAW UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, R.S.O., 1990, AS AMENDED, TO AMEND ZONING BY-LAW NUMBER 287-78-PL, AS OTHERWISE AMENDED, OF THE CORPORATION OF THE TOWNSHIP OF BROCK, WITH RESPECT TO CERTAIN LAND LOCATED PART LOT 23, CONCESSION 12, PT 2, 40R-13288, BROCK TOWNSHIP (MUNICIPALLY KNOWN AS 396 CAMERON STREET, CANNINGTON), REGION OF DURHAM.

WHEREAS the Council of the Corporation of the Township of Brock has received a formal application to amend By-law Number 287-78-PL, as otherwise amended, with respect to the above-noted lands;

AND WHEREAS the By-law hereinafter set out is in conformity with the approved Official Plans for the Regional Municipality of Durham and the Township of Brock;

AND WHEREAS the Council of the Corporation of the Township of Brock conducted a public meeting on the 13th day of July, 2020, pursuant to Section 34 (12) of the *Planning Act*, R.S.O. 1990, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Brock **ENACTS** as follows:

1. **THAT** Plate “A1” of By-law Number 287-78-PL, as otherwise amended to the contrary, is hereby further amended by changing the Zone classification on those lands located within Part Lot 23, Concession 12, Pt 2, 40R-13288, Brock Township, from the Rural (RU) and Environmental Protection (EP) Zone categories to Rural Exception 59, Rural Exception 60 and Environmental Protection (EP) Zone categories in accordance with Schedule “A” attached hereto and forming part hereof.
2. **THAT** Section 9.4, entitled “Rural (RU) Zone Category Exceptions” is hereby amended by inserting the following clause which shall read as follows:

“9.4.59 **RURAL EXCEPTION 59 (RU-59) ZONE**

Notwithstanding the uses permitted within the Rural (RU) Zone, as set forth on Plate “B” of By-law Number 287-78-PL, as otherwise amended to the contrary, within the Rural Exception 59 (RU-59) Zone, located within Part Lot 23, Concession 12, Pt 2, 40R-13288, Brock Township, all residential uses as set forth on Plate “B”, Column 5, Lines 1 – 11, inclusive, shall be prohibited. In all other

respects the provisions of the Rural (RU) Zone and By-law Number 287-78-PL shall be complied with.”

3. **THAT** Section 9.4, entitled “Rural (RU) Zone Category Exceptions” is hereby amended by inserting the following clause which shall read as follows:

“9.4.60 RURAL EXCEPTION 60 (RU-60) ZONE

Notwithstanding the uses permitted within the Rural (RU) Zone, as set forth on Plate “B” of By-law Number 287-78-PL, as otherwise amended to the contrary, within the Rural Exception 60 (RU-60) Zone, located within Part Lot 23, Concession 12, Pt 2, 40R-13288, Brock Township, the front-yard setback provision to the edge of the front porch shall be 2m and the centerline setback shall be no closer than 12m. In all other respects the provisions of the Rural (RU) Zone and By-law Number 287-78-PL shall be complied with.”

4. **THAT** Zoning By-law No. 287-78-PL, as otherwise amended, is hereby amended to give effect to the foregoing, but Zoning By-law No. 287-78-PL, as otherwise amended, shall in all other respects remain in full force and effect.
5. **THAT** Zoning By-law No. 2962-2021 shall come into force on the date it is passed by the Council of the Corporation of the Township of Brock subject to the applicable provisions of the *Planning Act*, R.S.O., 1990, as amended.

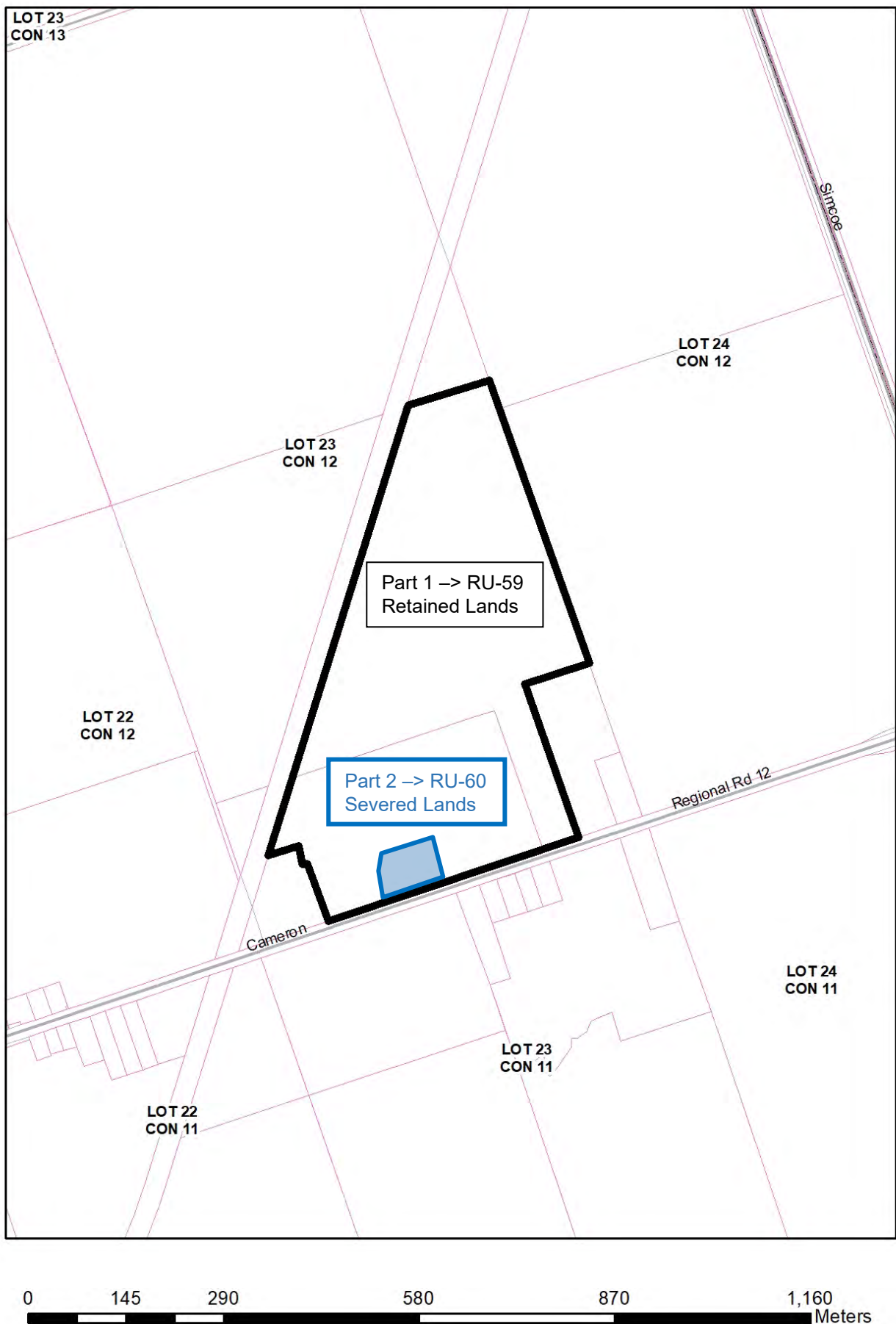
THIS BY-LAW READ A FIRST, SECOND AND THIRD TIME THIS 25TH DAY OF MARCH, A.D., 2021.

Deputy Mayor
W.E. Ted Smith

Clerk
Becky Jamieson

SCHEDULE A

To Zoning By-law No. 2962-2021



This is Schedule "A" to By-law No. 2962-2021
Passed this 25th day of March 2021

Deputy Mayor – W.E. Ted Smith

Clerk – Becky Jamieson



The Corporation of the Township of Brock

Planning Department

Planner to Council

Report: 2020-CO-25

Date: Monday, July 13, 2020

Subject

Request for response for a Regional Official Plan Amendment as a result of the severance of a non-abutting surplus farm dwelling.

Brock Project No: 02-2020-PL

Brock File No: 02-2020-ROPA

Region File No: OPA 2020-001

Applicant: Clark Consulting on behalf of **Darmar Farms / Dale McFeeters**

Location: Part Lot 23, Concession 12, Pt 2, 40R-13288 Township of Brock /
396 Cameron Street, Cannington

Recommendation

That the following response, along with a copy of this report, be provided to the Region of Durham regarding application OPA 2020-001.

"This is to acknowledge receipt of your correspondence dated March 4, 2020 regarding Regional File Number OPA 2020-001 and your request for comment within 60 days. Due to the COVID-19 pandemic and resulting delays in the public planning processes, the 60-day commenting period was extended.

Please be advised that the Township of Brock has no objection to the above referenced Regional Official Plan Amendment, subject to the following:

- That the requirements of the Township of Brock, financial and otherwise, be satisfied;
 - That the severed portion of the application be rezoned with an RU-X zoning to provide for the front-yard and centerline set-back deficiencies; and
 - That the rezoning process will prohibit further severance and residential uses on the retained 22.23 ha of agricultural lands."
-

Attachments

No 1: Minutes of the Pre-Consultation Meeting

No 2: Subject Lands Sketch

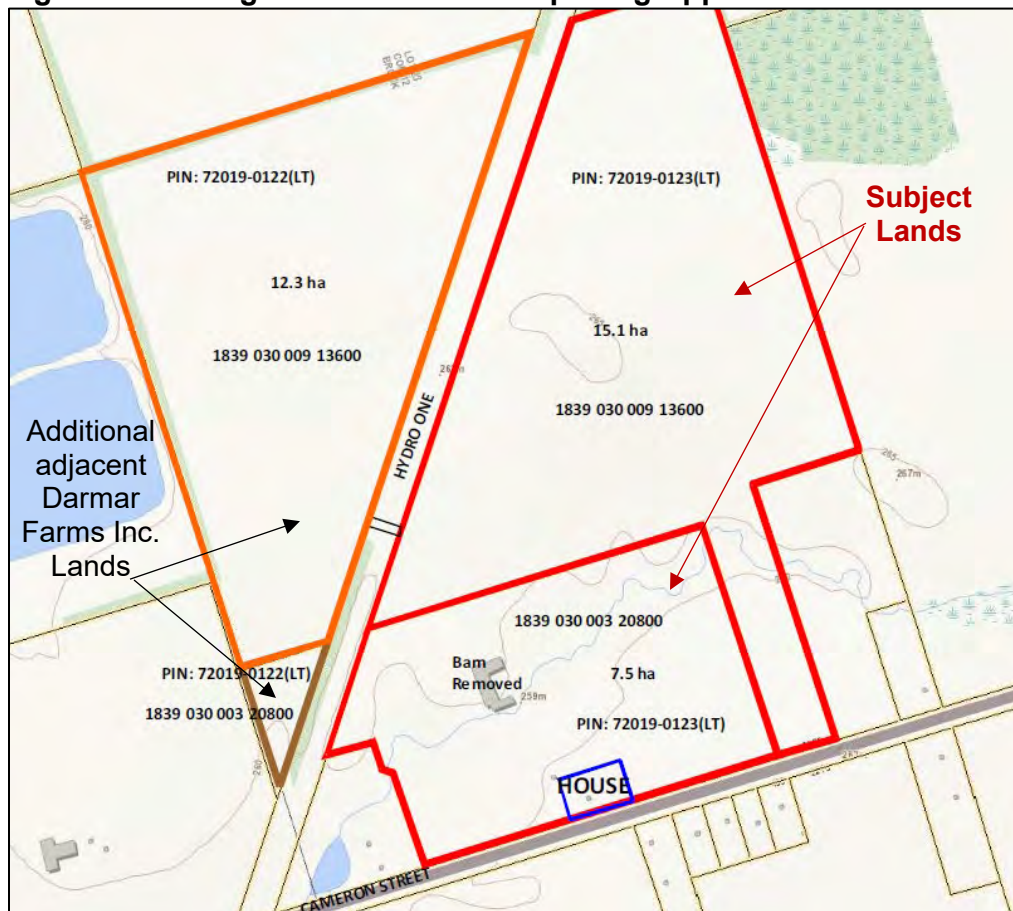
No 3: Lake Simcoe Region Conservation Authority ROPA and RA Comments

Report

Please note that this report is only commenting on the Regional Official Plan Amendment portion of the application. The Public Meeting for the Rezoning portion of this application is also being held on July 13, 2020 at 6:30pm. Comments from that Public Meeting will be included in the report regarding the rezoning process on August 9, 2020. Normally, a joint report is prepared, but due to the COVID-19 pandemic, separate reports is the most efficient way to move this application forward.

Darmar Farms Inc. is a bona fide farming operation that operates farms in The Region of Durham and The City of Kawartha Lakes. The farm at 396 Cameron St. E, Cannington, includes a residence that is not required for a family member or employee of Darmar Farms Inc. The farmland western boundary is the former railway line which is now owned by Hydro One. The subject parcel is 22.63 ha. It is notable that Darmar Farms also owns the adjacent lands that were naturally severed by the railway line. **Figure 1** below shows the various parcels all under the same ownership that effectively create a farmed area of 34.9 ha (86.4 ac). Discussions with Regional Planning have determined that the unorthodox configuration of lands in this application are acceptable to represent “viable farmland” as the standard for consideration in this type of severance application.

Figure 1: Configuration of Lots Comprising Application Farmed Area



Policy Conformity

Provincial Policy Statement (PPS) 2020

The PPS was approved by the Lieutenant Governor in Council, Order in Council No. 229/2020 and was issued under section 3 of the Planning Act and came into effect May 1, 2020. It replaces the Provincial Policy Statement issued April 30, 2014.

Section 2.3.4 details the policies around Lot Creation and Lot Adjustments as describes the creation of a lot as part of a surplus farm severance as follows:

- 2.3.4.1 c) a residence surplus to a farming operation as a result of farm consolidation, provided that:
1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.

The proposed severance is less than one hectare and includes the house, well and septic. A concurrent rezoning application has been received to prevent a future residential dwelling on the remnant parcel. Given the above, the application conforms to the PPS.

Greenbelt Plan

The *Greenbelt Plan* shows that the property is in the "Protected Countryside" and "Natural Heritage" designations.

Section 4.6.1 outlines the policies pertaining to surplus farm consolidation:

- f) The severance of a *residence surplus to a farming operation* as a result of a farm consolidation, on which a habitable residence was an *existing use*, provided that:
- i. The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and
 - ii. The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance.

The application limits the size of the severed parcel to accommodate the appropriate water and sewage services and the rezoning process will prohibit a residential dwelling on the retained farmland in perpetuity. Given the above, the application conforms with the Greenbelt Plan.

Lake Simcoe Protection Plan and Lake Simcoe Region Conservation Authority (LSRCA)

The following are the summary comments received from the Lake Simcoe Region Conservation Authority regarding the Regional Official Plan Amendment. **Attachment No. 3** contains the full comment.

It is the opinion of the LSRCA that:

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 179/06 does apply to the subject site however, the area proposed to be severed is outside of the regulatory area. A permit from the Conservation Authority will not be required prior to any development (lot creation) taking place; A permit from the LSRCA would be required prior to issuance of any municipal building permits for site alteration or development within the regulated area.
3. Conformity with the Greenbelt plan is demonstrated; and
4. The subject site is not located within an area that is subject to the policies contained in the Source Protection Plan.

Given the above and attached, there are no objections to this application from the LSRCA.

Durham Regional Official Plan

The subject lands are designated as Prime Agriculture on Schedule A of the Durham Regional Official Plan. Section 9A.2.9 outlines policies pertaining to surplus farm consolidation:

Notwithstanding Policy 9A.2.9, the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm may be allowed, by amendment to this Plan, provided that:

- a) the dwelling is not needed for a farm employee;
- b) the farm parcel to be acquired is of a size which is viable for farming operations;
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling.

The applicant has confirmed that the residence is not needed for an employee of the farming operation; the retained farmland is viable for farming operations; the residence was built prior to December 16, 2004; and a concurrent rezoning application will ensure no further severances or the establishment of any residential dwelling will be permitted in future. Given the above, the application appears to conform with the Durham Region Official Plan. The Region of Durham will make the formal determination for their Official Plan.

Brock Township Official Plan

The Township of Brock Official Plan was adopted by Council on June 26, 2006, and approved by the Region of Durham on May 9, 2007. The focus of the Official Plan is to

provide policy direction and designations for the Settlement Areas in Brock Township. Section 3.2.1.2 says that the Durham Region Official Plan provides policies and designations for the rural portion of the Township.

Given that the property is outside of the Settlement Areas in Brock, the Regional Official Plan policies provide the appropriate direction for this application.

Brock Township Zoning By-law

Land use in the Township of Brock is regulated by Zoning By-law 287-78-PL. The subject lands are identified as being in the Rural (RU) Zone and Environmental Protection (EP) Zone.

Conformity with the zoning by-law requires the consideration of the provisions of Plate C of the zoning by-law, noted in **Table 1: Zoning Considerations** below. The considerations apply only to the severed portion of the application that contains the single detached dwelling and zoned RU. Through the rezoning process, the severed lands will be rezoned with a Rural exception number to correctly identify the front yard set-back deficiency.

Table 1: Zoning Considerations

Zoning By-Law Consideration	RU Zoning Provision	Existing Condition for Severed Parcel	Conformity Status
Min Lot Area (sq. metres)	c) 0.4 ha	0.4 ha	Conforms
Min Lot Frontage (m)	c) 46 m	80 m	Conforms
Min Front Yard Set-Back (m)	15 m	10.4 m (7m from porch)	Will conform with RU-X zoning
Min Exterior Side (width) (m)	15 m	42 m	Conforms
Min Interior Side (width) (m)	8 m	11 m	Conforms
Min Rear (depth) (m)	15 m	18 m	Conforms
Min Gross Floor Area per Dwelling Unit (sq. m)	100 sq. m	350 sq. m	Conforms
Max Lot Coverage of All Buildings (%)	30%	10.3%	Conforms
Min Centreline Setback (metres)	30.24 m	Approx. 21 m	Will conform with RU-X zoning
Min Landscaped Open Space (%)	30%	Approx. 80%	Conforms
Max Number of Dwelling Houses per Lot	1	1	Conforms
Max # of Dwelling Units per Lot	2	1	Conforms
Max Height of Buildings (m)	9 m	Standard 2 storey house	Assumed to conform
Other Zone Provisions	(r, s, u) N/A	N/A	N/A

MDS Guidelines

Based on the applicant consultant review of Guideline 9, the proposal meets the requirements of MDS and that no MDS setback is to be calculated or applied to the proposal lands.

Conclusion

Based on the planning analysis conducted, the Township of Brock has no objections to the Regional Official Plan amendment allowing the severance of the surplus farm dwelling from the consolidated farming operation, subject to the appropriate rezoning process being undertaken to prevent any future residential uses on the retained farm parcel and to identify the front yard set-back and centerline set-back deficiencies on the severed residential parcel.

Consultation

N/A

Financial

N/A

Respectfully submitted,



Debbie Vandenakker
Planner

Reviewed by,

Richard Ferguson
Chief Building Official



The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

605 ROSSLAND RD. E.
4TH FLOOR
PO BOX 623
WHITBY ON L1N 6A3
CANADA
905-668-7711
1-800-372-1102
Fax: 905-666-6208
Email: planning@durham.ca

www.durham.ca

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

July 2, 2019

Mr. Hugh Stewart
Senior Planner
Clark Consulting Services
52 John Street Port Hope, ON L1A 2Z2

Dear Mr. Stewart,

**Re: Record of Pre-consultation for Proposed Regional Official Plan
and Zoning By-Law Amendments, and a Future
Land Division Application**

Owners: Darmar Farms Ltd.

Property Location: 396 Cameron Street, Cannington
Part of Lot 23, Concession 12
Township of Brock (Former Thorah)

In accordance with By-law 2-2008 of the Regional Municipality of Durham, this letter is to confirm that a pre-consultation meeting was conducted in accordance with the provisions of this By-law. Comments from the Township of Brock may be provided later.

Pre-consultation Date: Monday, June 24, 2019 – 10:15am-11:00am

Parties in Attendance:

Mr. Hugh Stewart – Clark Consulting Services, Planner (Proponent)
Mr. J. Kent Randall – EcoVue Consulting Services Inc.
Mr. Ian Walker – Kawartha Lakes, Planning Officer
Ms. Lesley Kennedy - Region of Durham, Senior Public Health Inspector
Mr. Ashley Yearwood - Region of Durham, Project Planner
Ms. Carla Acosta – Region of Durham, Planning Analyst

Regrets:

Ms. Becky Jamieson – Township of Brock, Township Clerk

"Service Excellence
for our Communities"

If this information is required in an accessible format, please contact
Planning Reception at 1-800-372-1102, extension 2551.

Site Location/Description:

The subject site is located on the north side of Cameron Street, west of Simcoe Street, and abuts a hydro corridor to its west. The subject site is irregular in shape and is approximately 22.62 ha. The subject site consists of a dwelling which is serviced by municipal water and private septic system. Separate frontages servicing the proposed retained and severed parcels are proposed to be maintained.

The proponent also owns a vacant 12.34 ha of land on the opposite side of the hydro corridor, which was naturally severed from the subject site by the corridor.

Purpose of the Amendment Application:

The proponent purposes to amend the Durham Regional Official Plan (ROP) to facilitate a future severance of approximately 0.4 ha containing a dwelling (396 Cameron Street) considered surplus to a non-abutting farm operation. The retained lot would be approximately 22.2 ha. If approved, the proponent will also require a zoning by-law amendment through the Township of Brock to satisfy specific ROP policy criteria as noted below.

Durham Regional Official Plan (ROP) Designation: Prime Agricultural Areas.

Is the proposal in Conformity with the ROP: No

Conformity Details:

The subject site is located within the "Prime Agricultural Areas" designation in the Regional Official Plan (ROP). Lands within Prime Agricultural Areas are intended for a full range of agricultural, agricultural-related and secondary uses.

Policy 9A.2.10 of the ROP may allow only by amendment to this Plan, the severance of a dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm provided that the applicant demonstrates the following:

- a) the dwelling is not needed for a farm employee;
- b) the farm parcel to be acquired is of a size which is viable for farming operations;
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling and
- e) no further severance from the retained farm parcel shall be granted.

Information/Studies Required:

The Regional Planning and Economic Development Department will require the following information to be submitted to support the proposed ROPA, ZBA and related severance application for the farm property:

A Planning Rationale/Justification Report and an Agricultural Assessment Report – which incorporates the following:

- consistency and conformity with the relevant Provincial Plans and Policies, including the ROP policies;
- appropriateness of the proposed size of the retained farm parcel;
- proof that the proposal will not result in fragmentation of farm land or impact any natural features within and abutting the subject lands;
- information on the age of the dwellings;
- a Statement of Conformity with Minimum Distance Separation Formulae (we note that prior to the meeting, the proponent provided a Preliminary Planning Review document which outlined the proposed development and its conformity with the above-noted policies).

A Total Land Holding Report/Land Inventory Report – to identify and map out all farm properties owned by the farming operation. This should also include the description of current use, including the primary home.

A Record of Site Condition Compliant Phase One Environmental Site Assessment (ESA) Report or a Site-Screening Questionnaire (SSQ) – this should be completed and signed by a Qualified Person (QP). If a Phase One ESA is submitted, the Region's Reliance Letter and Certificate of Insurance forms are required. These documents must be prepared in accordance with the Region's Site Contamination Protocol, which depending on their findings may result in additional environmental work.

A Survey Sketch or Draft 40-R Plan – to illustrate the location of the well, septic system, and sewage system reserve area

Regional Official Plan Amendment Fees

Agency Fees	Durham Region Official Plan Amendment (ROPA)	Brock Zoning By-law Amendment	Land Division Application
Durham Planning	\$7,000 (minor fee) + \$1,000 publication fee	\$1,500 (Fee Waived If Filed Concurrently with a ROPA)	\$1,500*
Durham Health	\$265 (If Filed Concurrently with a ROPA)		\$531
Township of Brock	N/A	\$1,630	\$285
Lake Simcoe Region Conservation Authority	\$2,000**		

* Application Fee is \$1,000 and Regional Planning Review Fee is \$500

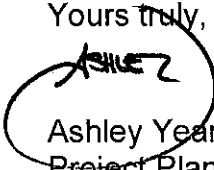
** Zoning Review Fee is \$1000, and \$500 for Consent Application

We recommended the fee amounts be confirmed at the time of submission of the applications. Payments should be by Certified Cheque, Money Order, or Bank Draft.

In accordance with our procedures, please advise whether you concur with the above-noted information and study requirements within seven (7) days of receiving this Record of Pre-Consultation. Should you not agree with the above-noted requirements, another pre-consultation meeting may be requested.

Please contact Ashley Yearwood at (905) 668-7711, ext. 2547, if you have any questions.

Yours truly,


Ashley Yearwood, MCIP, RPP
Project Planner

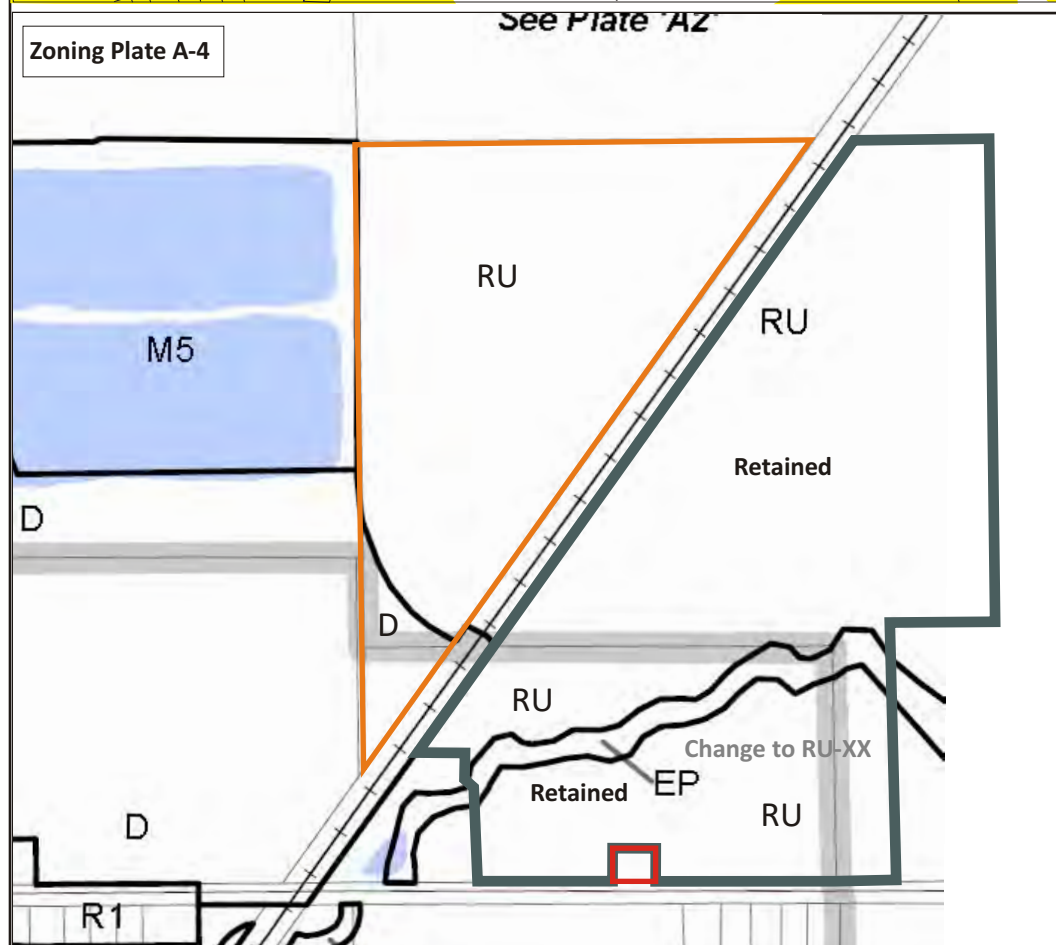
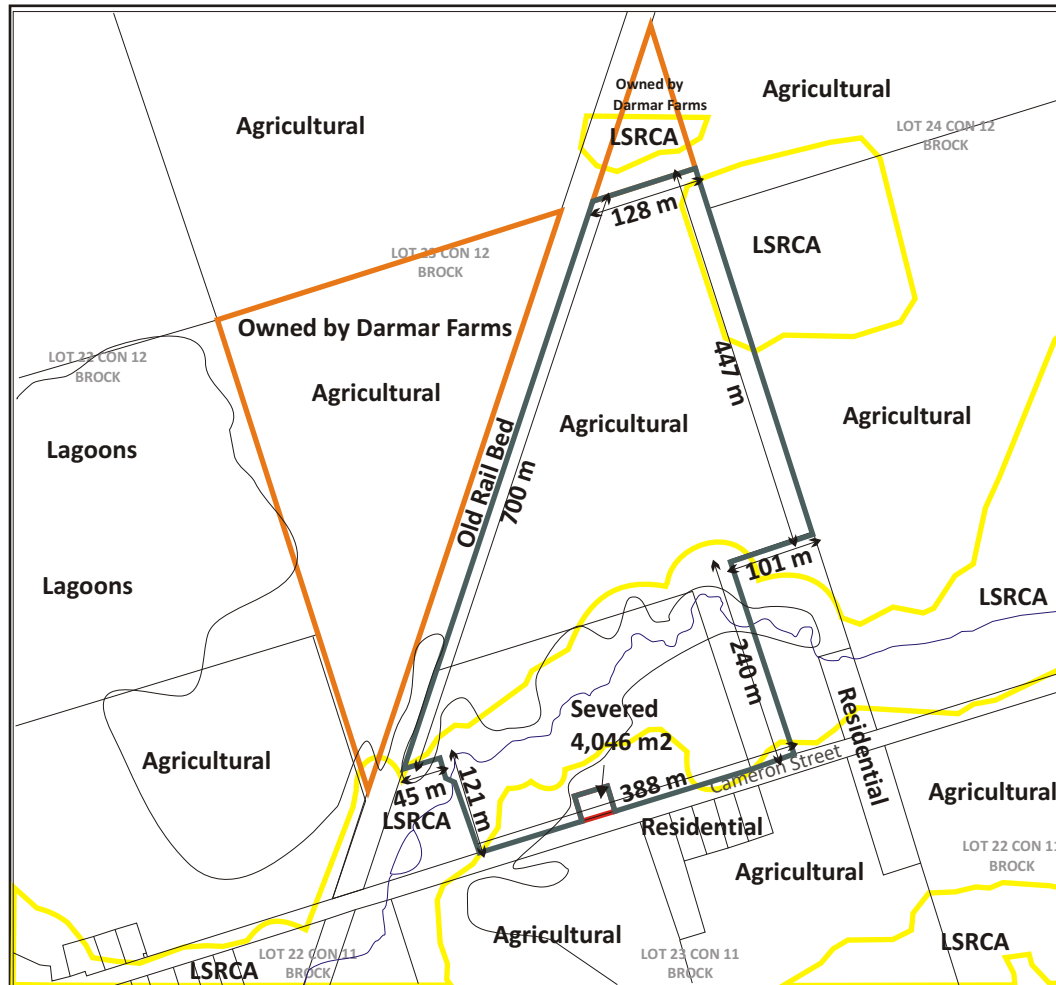

Carla Acosta, MPL
Planning Analyst

cc: J. Kent Randall, Eco Vue Consulting
Ian Walker, City of Kawartha Lakes

Lesley Kennedy, Durham Region Health Department

Attachments: 1) Site Screening Questionnaire
2) Reliance Letter and Certificate of Insurance

Attachment 2: Subject Lands Sketch



Clark Consulting Services
52 John Street
Port Hope
905.885.8023
bob@clarkcs.com



Severed Residential Lot
Area: 4,046 m²
Frontage: 80 m
House floor area: 350 m²
Lot coverage: 10.3%

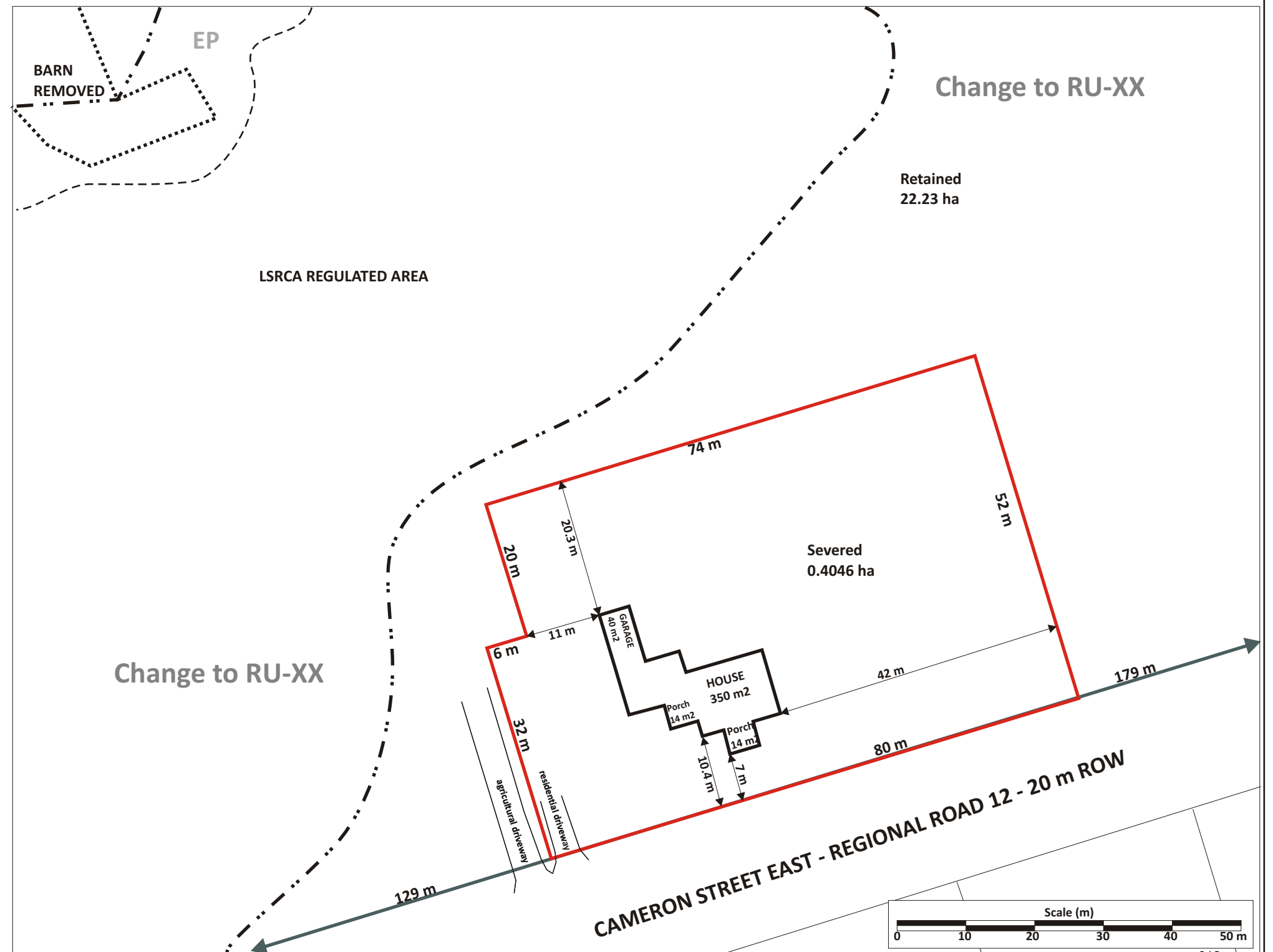
396 Cameron Street
1 single detached dwelling
septic system municipal water
attached garage

Retained Farm Lot, vacant
Area: 22.23 ha
Frontage: 308 m

396 Cameron Street

**ZONING BY-LAW
AMENDMENT SKETCH
396 Cameron Street, Cannington
Part of Lot 23, Concession 12,
Brock, Township of Brock
1839 030 003 20800 &
1839 030 009 13600**

Darmar Farms Inc.





Sent via e-mail: dvandenakker@townshipofbrock.ca

March 13, 2020

Municipal File No: OPA 2020—01; 2-2020-PL
LSRCA File No.: ZO-226060-020720

Debbie Vandenakker
Planner
The Corporation of the Township of Brock
1 Cameron Street East, P.O. Box 10
Cannington, Ontario, L0E 1E0

Dear Ms. Vandenakker:

Re: 396 Cameron St E
Lot 23, Concession 12
Township of Brock
Regional Municipality of Durham

LSRCA staff have reviewed the above-noted application for Regional Official Plan Amendment (ROPA) and Brock Zoning By-law Amendment (ZBA) to facilitate the severance of a non-abutting farm house from a farm property.

We understand an application for severance will follow approval of the proposed Regional OPA and Brock ZBA.

Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted with this application:

- Planning Justification Report dated January 10, 2020 prepared by Clark Consulting Services.
- Supporting drawings
- Proposed ROPA

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014) and as a regulatory authority under Ontario Regulation 179/06. LSRCA has also provided comments as per our MOU with The Township of Brock and Region of Durham representing the review and comment on Official Plan and Zoning By-law amendments from a watershed management perspective. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, LSRCA has provided advisory comments related to policy applicability and to assist with implementation of the South Georgian Bay Lake Simcoe Source Protection Plan under the Clean Water Act.

Recommendation

As the proposed farm severance does not bisect a key natural heritage or key hydrogeological feature, the Lake Simcoe Region Conservation Authority has no objections to the proposed Regional Official Plan Amendment and Brock Zoning By-Law Amendment.

Site Characteristics

Existing mapping indicates that the subject property is within the vicinity of a tributary of the Beaver River

- While the broader landholdings are regulated due to the floodplain associated with the Beaver River, we note the area proposed for the farm house severance is outside of the regulated area of the LSRCA
- The property is designated “Prime Agricultural Areas” on Schedule A, Map A1 of the Region of Durham Official Plan and zoned Rural and Environmental Protection on Plate A4 Zoning by-law 287-78.
- The subject lands area designated Protected Countryside under the Greenbelt plan (2017)
- The subject lands are within the Beaver River Subwatershed
- The subject lands are not located within an area that is subject to the policies contained in the Source Protection Plan

Delegated Responsibility and Statutory Comments:

1. LSRCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement.

- The larger land holdings contain Natural Hazards associated with Flooding Hazard of the Beaver River. The proposed severance is outside of the Natural Hazard lands.
- The applications for Regional Official Plan and Brock Zoning By-law Amendments appears to be consistent with Section 3.1 of the PPS.

2. LSRCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 179/06. This regulation, made under Section 28 of the *Conservation Authorities Act*, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. LSRCA also regulates the alteration to or interference in any way with a watercourse or wetland.

- The larger land holdings contain lands that are within the LSRCA regulated area however we note the lands proposed to be severed for the farm residence is not regulated.

Advisory Comments

3. LSRCA has reviewed the application through our responsibilities as a service provider to the Township of Brock and the Region of Durham in that we provide review of Official plan and Zoning By-law amendments through a MOU as well as through our role as a public body, pursuant to the *Planning Act*.

The proposal conforms to the Greenbelt plan as no Natural Heritage system or Water Resources system are being impacted and the proposed severance is outside of any feature on the subject lands. The proposal appears to conform with Section 4.6 of the Greenbelt Plan as the severance is limited to minimum size necessary and these Official Plan and zoning restrictions will be in place to ensure no new dwelling will be permitted on the future retained lot.

We acknowledge that no natural heritage features are being impacted as a result of the proposed Official Plan amendment and Zoning By-law amendment.

5. LSRCA has reviewed the application in terms of the South Georgian Bay Lake Simcoe Source Protection Plan, prepared under the Clean Water Act, 2006. The Source Protection Plan came into effect on July 1, 2015 and contains policies to protect sources of municipal drinking water from existing and future land use activities.

- The subject property is not located within an area subject to the local Source Protection Plan, based on map screening.
- Link to the Source Protection Plan: <https://ourwatershed.ca/assets/uploads/2019/11/08-20-2019-AmendedSourceProtectionPlan.pdf>

Summary

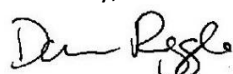
Given the above comments, it is the opinion of the LSRCA that:

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 179/06 does apply to the subject site however, the area proposed to be severed is outside of the regulatory area. A permit from the Conservation Authority will not be required prior to any development (lot creation) taking place; A permit from the LSRCA would be required prior to issuance of any municipal building permits for site alteration or development within the regulated area.
3. Conformity with the Greenbelt plan is demonstrated; and
4. The subject site is not located within an area that is subject to the policies contained in the Source Protection Plan.

Please inform this office of any decision made by the municipality with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

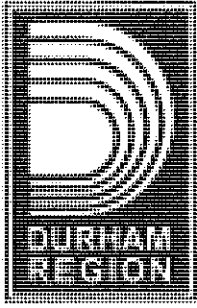
Should you have any questions, please contact the undersigned.

Sincerely,



Dave Ruggle, BAA, MCIP, RPP
Planner II

c.c. Ashley Yearwood, Region of Durham
Bob Clark, Clark Consulting Services



The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

605 Rossland Rd. E.
Level 4
PO Box 623
Whitby, ON L1N 6A3
Canada

905-668-7711
1-800-372-1102
Fax: 905-666-6208
planning@durham.ca

durham.ca

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

January 22, 2021

Ms. B. Jamieson
Municipal Clerk
Township of Brock
1 Cameron Street E.
Cannington, ON L0E 1E0

Date:	01/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

**Re: Bill 229, Protect, Support and Recover from COVID-19 Act
(Budget Measures) – Changes to the Conservation
Authorities Act and Planning Act, File: L14-45**

Ms. Jamieson, enclosed for your information is a copy of
Commissioner's Report #2021-INFO-1 that was provided to Regional
Councillors on January 8, 2021.

Should you have any questions or wish to discuss the report, please
contact Colleen Goodchild, Manager Policy Planning and Special
Studies, at 905-668-7711 ext. 2580.

Yours truly,

Gary Muller

Gary Muller, MCIP, RPP
Director of Planning

GM/mr

Encl.



The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2021-INFO-1
Date: January 8, 2021

Subject:

Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures) –
Changes to the Conservation Authorities Act and Planning Act, File: L14-45

Recommendation:

Receive for information.

Report:

1. Purpose

- 1.1 On December 8, 2020, Bill 229, Support and Recover from COVID-19 Act (Budget Measures) received Royal Assent. The purpose of this report is to provide an update on the final version of Bill 229, in particular Schedule 6 related to the Conservation Authorities Act and Planning Act.

2. Previous Reports and Decisions

- 2.1 The following Regional staff reports related to conservation authority matters have been provided to Council over the last three years:
- Bill 139, Building Better Communities and Conserving Watersheds Act, 2017, and associated supportive documents, Report #2017-INFO-79.
 - Proposed amendments to the Conservation Authorities Act and associated regulations, Report #2019-P-27.
 - Durham's Response to Bill 108, Ontario's Housing Supply Action Plan, 2019 and related Regulatory Proposal Changes, Report #2019-A-22.

- Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures) – Changes to the Conservation Authorities Act and Planning Act, Report #2020-P-26.
- In relation to the above report, Regional Council at its meeting on November 25, 2020 passed a resolution requesting that Schedule 6 to Bill 229 be removed.

3. Overview of Changes

- 3.1 Changes were made to Bill 229 during its review by the Standing Committee of Economic and Financial Affairs in early December, prior to the legislation passing third reading and Royal Assent. The following sections provide highlights of the changes made to Schedule 6 – Conservation Authorities Act (CA Act) and consequential amendments to the Planning Act.
- 3.2 Section 14 of the CA Act was amended to ensure that at least **70 per cent** of the members of a conservation authority (CA) board that are municipal councillors.
- 3.3 Section 14 was also amended to provide the Minister with authority to exempt CAs from the 70 per cent rule.
- 3.4 While the first version of Schedule 6 of Bill 229 included the ability for the Minister to appoint an additional member to a conservation authority Board from the agricultural sector, the final version of Bill 229 included restrictions of voting power for the agricultural representative. They will not be able to vote on matters related to:
 - enlarging an authority's area of jurisdiction;
 - a decision to amalgamate a CA with another CA;
 - a resolution to dissolve a CA; and
 - budgetary matters.
- 3.5 The final version of Bill 229 removed the proposed clause that directed municipal representatives on CA Boards to act on behalf of their municipalities, and not on behalf of the CA. Concerns had been raised regarding the implications of such a clause, that such a clause would severely limit a Board member's fiduciary responsibility to the authority.
- 3.6 Section 17 of the CA Act has seen further amendments related to the appointment of chairs and vice-chairs and rotating amongst municipalities. The amendment

ensures that a member appointed to the CA Board by a particular participating municipality cannot be appointed to succeed an outgoing chair or vice-chair appointed to the CA Board by the same participating municipality. The Minister now has the ability to grant permission to the CA/municipality to allow a Chair or Vice-Chair to hold office for more than two consecutive terms, and for the rotation to be augmented.

- 3.7 Section 28 (Permits) of the CA Act was further revised to add a provision related to permits issued where there is a Minister's Zoning Order (outside of the Greenbelt Plan Area). The change requires a CA to grant permission to an applicant to carry out a development project if a Minister's Zoning Order has authorized the development. As revised, the CA's permission may be granted subject to conditions specified by the CA, to mitigate effects on control of flooding, erosion, dynamic beaches or pollution or conservation of land, health and safety as a result of the damage or destruction of property. The conditions may be subject to a review by the Minister, or they may be appealed to the Local Planning Appeal Tribunal. Where CA permission is granted, the permit holder must enter into an agreement with the CA, where circumstances warrant, in order to compensate for ecological and other impacts that may result from the development project.
- 3.8 The "Entry Without Warrant" sections of the CA Act were revised to clarify wording related to notices and conditions; however, the changes further restrict when CA officials can enter a property without a warrant to check for compliance. The restriction requires reasonable grounds that the contravention is causing, or is likely to cause, significant damage in addition to the other conditions that were being imposed.
- 3.9 The permissions in the CA Act related to issuance of Stop Work Orders and enforcement tools were re-introduced through Bill 229, including penalties for offences under Section 28 of the Act. These changes still require supporting regulations that have yet to be released.
- 3.10 Additional regulations to be developed under the CA Act were added, including but not limited to:
- prescribing budgetary matters;
 - respecting the process CAs must follow when preparing a budget and the consultations that are required;

- providing for rules and procedures governing meetings at which budgetary matters are discussed, including the quorum for such meetings and the rules respecting voting on budgetary matters;
- governing transitional matters related to Bill 229 itself, particularly related to permits for development projects enacted by MZO's; and
- governing Minister's reviews and appeals to LPAT of Section 28 permits and specifying circumstances in which a review may not be requested, or an appeal may not be made.

3.11 Section 26 of the Planning Act was further amended to allow for CAs to continue to participate in LPAT proceedings when an appeal is related to a prescribed natural hazard risk, or if the CA is an applicant for land division (consent) in a matter under appeal. A transition policy was also introduced that permits CAs to continue as a party to an appeal until the appeal is disposed of.

4. Relationship to Strategic Plan

4.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Under the goal of Environmental Sustainability, Priority 1.3: to protect, preserve and restore the natural environment, including greenspaces, waterways, parks, trails, and farmlands;
- b. Under the goal of Environmental Sustainability, Priority 1.4: demonstrate leadership in sustainability and addressing climate change.

4.2 This report also aligns with/addresses the Durham Community Climate Adaptation Plan, which focuses on building resilience to climate change impacts.

5. Conclusion

5.1 On December 8, 2020 Schedule 6 to Bill 229 was approved by the province despite a request by Regional Council that it be removed from the Bill. Upon review, a number of the new changes to the Conservation Authorities Act are fair improvements. However, the changes that are of concern are related to those that allow the Minister of Natural Resources and Forestry to assume control over the CA's permit granting function and the ability to appeal permit decisions to the Local Planning Appeals Tribunal. It is too early to know how these changes will impact development in Durham Region. Staff will continue to monitor and report back as may be necessary.

- 5.2 Regional staff will also work with the Region's five conservation authorities to determine changes to current practice as a result of the changes to the CA Act under Bill 229.
- 5.3 A copy of this report will be provided to the Area Municipalities for their information.
- 5.4 This report has been prepared in consultation with Corporate Services – Legal Services.

Respectfully submitted,

Original signed by

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

From: [Becky Jamieson](#)
To: [Brock Clerks](#)
Subject: FW: Kawartha Conservation 2020 Year in Review and Strategic Plan Accomplishments
Date: January 28, 2021 9:38:47 AM
Attachments: [2020 Strategic Accomplishments - Municipal Partners Cvr Letter.pdf](#)
[#8.4a CAO's 2020 Year in Review.pdf](#)
[#8.4b 2020 Strategic Plan Accomplishments.pdf](#)
[Kawartha Conservation 2020 Annual Report.pdf](#)
[image001.png](#)

Date:	01/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	



[Becky Jamieson](#)

Clerk

The Corporation of the Township of Brock

1 Cameron Street East, P.O. Box 10

Cannington, Ontario, L0E 1E0

Tel: 705-432-2355, Ext. 240 | Toll-Free: 1-866-223-7668 | Fax: 705-432-3487

bjamieson@townshipofbrock.ca | townshipofbrock.ca | choosebrock.ca

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From: Melanie Dolamore <mdolamore@kawarthaconservation.com>

Sent: January 27, 2021 3:29 PM

To: earthurs@cavanmonaghan.net; Becky Jamieson <bJamieson@townshipofbrock.ca>; agreentree@clarington.net; jnewman@scugog.ca; [Jessie Clark \(JClark@trentlakes.ca\) <JClark@trentlakes.ca>](mailto:Jessie Clark (JClark@trentlakes.ca) <JClark@trentlakes.ca>); 'critchie@kawarthalakes.ca' <critchie@kawarthalakes.ca>; [Ralph Walton \(clerks@durham.ca\) <clerks@durham.ca>](mailto:Ralph Walton (clerks@durham.ca) <clerks@durham.ca>)

Cc: Mark Majchrowski <mmajchrowski@kawarthaconservation.com>

Subject: Kawartha Conservation 2020 Year in Review and Strategic Plan Accomplishments

Hello,

On behalf of Chief Administrative Officer Mark Majchrowski, please find attached correspondence from the January 21, 2021 Board of Directors meeting that approved by Resolution #11/21 the circulation of Report #8.4 2020 Year in Review for your information. We have also included our 2020 Annual Report for your interest. Thank you.

Kind regards,

Melanie Dolamore

Corporate Services Assistant
KAWARTHA CONSERVATION
277 Kenrei Road
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 216
Fax: 705.328.2286

KawarthaConservation.com

IMPORTANT COVID-19 NOTICE: In light of health concerns related to the COVID-19 virus and in response to the Province's state of emergency, the Kawartha Conservation Administrative office is closed to the public at this time. Staff are available remotely to assist with all business needs. Further information can be obtained by calling the office or visiting our website.

January 27, 2021

RE: 2020 Year in Review

Dear valued partners and stakeholders:

The Kawartha Conservation Board of Directors, at its meeting of January 21, 2021, adopted the following recommendations:

RESOLUTION #11/21

MOVED BY: Ron Hooper

SECONDED BY: Pat Dunn

RESOLVED, THAT, the 2020 Year in Review and Strategic Plan accomplishments report be received, AND

THAT, the staff report and attached Strategic Plan Accomplishments for 2020 be forwarded to the Ministry of the Environment, Conservation and Parks, Ministry of Natural Resources and Forestry, Conservation Ontario, Ontario Conservation Authorities, and member Municipalities.

CARRIED

2020 was a year of successes and challenges. Please find enclosed a copy of our annual strategic accomplishments to our Board of Directors touching on some of our programs, accomplishments and successes that have contributed to protecting our community and which aim to strengthening our watershed communities and relationships with our partners who we work to support.

Our annual report is also provided for your interest.

KAWARTHA CONSERVATION
277 Kenrei Road, Lindsay, ON K9V 4R1
705.328.2271 Fax 705.328.2286
KawarthaConservation.com

Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan

Sincerely,



Mark, Majchrowski
CAO

Enclosures.

C: R. Walton, Regional Clerk, Region of Durham
C. Ritchie, Clerk, City of Kawartha Lakes
E. Arthurs, Clerk, Township of Cavan Monaghan
B. Jamieson, Clerk, Township of Brock
A. Greentree, Clerk, Municipality of Clarington
J.P. Newman, Clerk, Township of Scugog
J. Clark, Clerk/Director of Corporate Services, Municipality of Trent Lakes

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, Chief Administrative Officer

Re: 2020 Year in Review

KEY ISSUE:

A review of 2020 accomplishments with a focus on strategic plan implementation.

RECOMMENDED RESOLUTION:

RESOLVED, THAT, the 2020 Year in Review and Strategic Plan accomplishments report be received, AND

THAT, the staff report and attached Strategic Plan Accomplishments for 2020 be forwarded to the Ministry of the Environment, Conservation and Parks, Ministry of Natural Resources and Forestry, Conservation Ontario, Ontario Conservation Authorities, and member Municipalities.

BACKGROUND

2020 was a year of successes and challenges, and the following is a highlight of the previous year, touching on just some of our many programs, accomplishments and successes that have contributed to strengthening our watershed communities and our relationships with the municipal partners we work to support.

Across our program areas from planning and permitting to Integrated Watershed Management, education, conservation areas and more, our focus is on the protection of people, property, and the environment. Our Vision, Mission and Focus guide our actions while our strategic goals and strategic enablers ensure our work aligns with our municipal partners and with the best interests of our watershed residents, businesses, and visitors in mind.

Our 2020 Year in Review and Strategic Plan accomplishments highlight the ways we have continued to develop strong partnerships, engage our community, focus on science, education and outreach, and the tremendous work undertaken and completed by our team of dedicated, motivated, and focused staff.

A summary of some of the key accomplishment for each of the department areas during the year is provided below. This is complemented by the attachment identifying specific accomplishments towards the strategic plan for 2020.

CORPORATE SERVICES

2020 continued a focus on the changes to the conservation authorities act, improving communication internally, adopting technology and learning new skills, and evaluating and updating our information that we provide to our municipalities, partners, and community.

Notwithstanding the challenges that the COVID-19 pandemic thrust upon organizations and businesses, including Kawartha Conservation, the Corporate Services team focused on deploying remote-work solutions, connecting our internal teams, and transitioning to an online model for connecting with customers and audiences.

In April 2020, we launched our new website, a culmination of a year-long effort to provide a modern, accessible, and mobile friendly window to the work and services that we offer and provide. The website facilitated online planning and permit applications as well as online donations, which provided the tools necessary to allow our teams to continue to provide the valuable work they do in a remote capacity.

Corporate Services facilitated the rapid implementation of Office 365 software and the Teams collaboration platform, which allowed all our staff to remain connected, both as an entire office, as well as with individual departments. As Microsoft focusses their efforts on improving this platform, it is increasingly becoming important as a connector with our stakeholders and community as well. Daily and weekly virtual meetings became the new norm ensuring that Kawartha Conservation continued to meet the needs of our diverse watershed community.

We also implemented Zoom as our preferred method for hosting Board of Directors meetings, ensuring the public was able to watch the proceedings through streaming those meetings in real-time to YouTube.

As we continued to identify the current and future needs of both staff and our watershed community partners and audiences, Corporate Services implemented an organization wide VoIP (Voice over Internet Protocol) phone system. The new system allows staff to be available by phone, wherever their office is located – in our administrative building, working remotely, or in the field.

Communication was another important focus in 2020 delivering timely updates to our municipal partners and community about conservation area uses and requirements

when visiting due to restrictions and best management practices provided by the Province of Ontario and local Health Units. Supporting not only our staff internally, but our municipal partners and broader community was critical in 2020. Providing relevant information to facilitate a safe and appropriate use of our conservation areas, while providing a needed space for individuals and families to enjoy and embrace nature during uncertain times was paramount.

Maintaining strong internal communication was also key to ensuring our staff had the information they needed to make appropriate decisions for themselves and their families, while working to meet the needs of customers.

STEWARDSHIP AND CONSERVATION LANDS

Our Habitat Compensation program continued in 2020 with the ongoing monitoring of our existing projects. In addition, we negotiated (2) two agreements for services to take place in 2021. This program has created protected species at risk habitat within our conservation areas where our community can enjoy and connect with nature, supported by corporate partnerships.

Ken Reid Conservation Area continued to see investment in our infrastructure including upgrades to our gates at the off-leash dog park, and improved signage to address additional pressures due to Covid-19. In addition, seasonal maintenance of our main access road has been expanded to include the beach parking lot and road to allow for additional winter parking and safer walking conditions, allowing for physical distancing. To comply with pandemic related requirements, we have purchased electrostatic sprayers to facilitate washroom disinfection and cleaning. These developments make our conservation areas safer and more accessible to all community members, as well as provide improved opportunities for our community to connect with nature in a meaningful way.

The Ken Reid Management Plan was approved, and the implementation of those recommendations has begun. While the pandemic has impacted the implementation of these activities in 2020, we look forward to continuing into 2021 with projects. This plan will continue to influence several strategic actions, namely expanding local partnerships, connecting communities with nature, ensuring the safety of our Conservation Areas, and exploring opportunities to advance eco health.

Lake Management Plan Implementation has been very successful in 2020 even with the restricted activities this year. The implementation of our Tree Cell project on Kent Street in Lindsay has highlighted unique opportunities to implement low impact design features into the future. While our tree planting events had to be cancelled due to the pandemic, we were able to ensure that over 11,000 trees were planted through our

over-the counter tree seedling program. Our landowner grant program was also quite successful in enabling the implementation of a number of projects across the watershed. In total, 26 grants were approved to private landowners and community groups. Those grants invested \$62,890 in projects and leveraged an additional \$161,100 in investment from landowners and community groups. Our Implementation Action Plan achieves several strategic targets including expanding our funding model, engaging with community and municipal partners, implementation of the Lake Management Plans, instituting a forest regeneration program, and the creation of a new Stewardship Strategy.

Building on the success of the Implementation Action Plan, our team has worked hard to develop a watershed-wide Stewardship Strategy that will help to raise awareness, build momentum, and target our stewardship efforts in areas of greatest impact. The final document was brought forward for Board endorsement in early 2020. This Strategy was created in alignment with our Implementation Action Plan, our corporate Strategic Plan, and many other guidance documents. As such, this strategy is designed to address many of the strategic targets including the implementation of the Lake Management Plans, Stewardship Strategy, and our Climate Change Strategy. In addition, it will support the enhancement of a forest regeneration program, help build new partnerships with corporate, private, and municipal partners, and explore a diverse funding model that will support and leverage municipal investment.

While 2020 saw a slight pause in some of our project areas, it also provided us the opportunity to plan for the future. Some of those achievements include securing \$99,750 in OMAFRA funding to support agricultural implementation projects over 2 years. Securing \$75,000 in Environmental Damages Fund support to support fish habitat restoration projects over 2 years. We were successful in becoming a Program Delivery Agent for the 50 Million Tree Program which will provide some funding to support an increased focus on tree planting across the watershed. We have also worked with other Conservation Authorities in Durham Region to develop a proposal for increased funding support to further support reforestation efforts. These significant investments in our stewardship programs will ensure the ongoing success of our efforts to protect and improve water quality across our watershed.

Our education programming was significantly impacted by the pandemic. We halted all school-based programs and our very popular summer camp programs to ensure the safety of our community and our team. To support our community, however, we provided on-line resources through our website and encouraged families to access 'do it yourself' educational programs that would help to keep kids engaged and safe. In late 2020, we invested in the development of the Talking Forest App. This new program is set to launch in early 2021 and will also support remote learning opportunities for our

community. Our Forest Therapy program was very popular in 2020. Supported by a corporate sponsorship, this program saw 115 participants over 7 different walks. The program was featured in the Advocate Podcast, on local radio, and was heavily featured in a documentary called “Forest Bathing, Rooted in Science” in the fall of 2020.

INTEGRATED WATERSHED MANAGEMENT

We continued to drive forward with the implementation of our lake management actions. Early in 2020 we reported on the findings from our Omemee Beach monitoring project, recommendations being shared with our municipal partners to advise on future activities. Further work was progressed separately by the Health Unit during 2020.

Due to Covid-19 we had to put a hold on our citizen science programs, however we were successful in receiving \$17.5K of funding from Employment and Social Development Canada to support a Seniors Citizen Science Climate Action Project which we will now be delivering in 2021.

Under the implementation plan many of our projects were put on hold or deferred until 2021 however we were able to complete our Shoreline Planning and Policy project. This continues to expand our scientific knowledge of the watershed and achieve our strategic goals of ‘Discover.’

We were also able to complete our Durham Watershed Planning project which focused on Key Natural Heritage features. This information provides planning staff with base information necessary to advance land use planning approvals and projects within scope of managing for functioning natural heritage features. The intention is to continue with a second phase of this work during 2021.

A key project that we were able to continue supporting during 2020 is the Lake Scugog Enhancement Project, for which we are the technical advisors to the Township of Scugog. We have helped to progress numerous federal and provincial permits to enable the project to proceed. Staff have been involved in updating Species at Risk information and conducting Turtle pre-hibernation surveys. We have also enabled the production of a Human Health Impact Assessment and Marine Archaeology Assessment. This project hits multiple strategic goals for us including ‘Connect & Collaborate,’ ‘Discover’ and ‘Optimize Service.’

In January of 2020, we were able to provide a Flood Response and Recovery Lunch and Learn for our municipal partners and emergency response partners which was very well received. Guest speakers were able to share knowledge on accessing emergency help and the processes that are involved.

In March we continued the theme and provided a public event 'Flood Preparedness Public Forum' at Fenelon Falls community centre. This event provided access to suppliers of flood barrier technology and other technologies that can assist property owners in protecting their assets. Speakers were present from Kawartha Conservation, Parks Canada, Intact for Climate Change, the insurance sector and from commercial suppliers. The event was well attended with over 100 people registering and received coverage from CHEX news. Both items hit the strategic goal 'Protect - Keep people, property, and communities safe from natural hazards such as flooding and erosion.'

We continued to improve on our data format and availability, and spent time moving over information to our new website. This achieves our strategic goals of 'Discover – Identify and address science and data gaps,' 'Connect & Collaborate' with our Conservation Authority partners and 'Optimize Service – Invest in new technology to enhance business delivery service' and will enable further activities to ensure our information can be readily reported on and made accessible.

The Integrated Watershed Management team continued its focus on the use of social media to help the public that we serve better understand the work that we do. We have sought to use platforms such as LinkedIn to promote our work with professional partners and future employees. We have continued to use social media during flood events to illustrate the important work we do and to provide essential information to the public around safety and precautions to take around flood water. This hits many strategic goals that include 'Discover – remain the go-to organization in the watershed for science', 'Protect – Keep people, property and community safe from natural hazards such as flooding and erosion,' 'Connect & Collaborate' and 'Optimize Service.'

Despite the challenges of 2020, we were able to host professional development and training events as part of the Innovation Hub program. This included the following courses: Project Management for the Practitioner, Ontario Building Code Part 8- Onsite sewage Systems exam prep, and Introduction to River Ice Engineering. We also hosted 2 free webinars: Preparing your Project Management Institute application for Project Management Professional certification, and Onsite sewage system training, examination, and qualification registration process. We continue to develop this program and have a schedule of events for 2021 which strongly fulfills our strategic goals of 'Connect and Collaborate' with our watershed partners and 'Optimize service' through our focus on customer and business service excellence.

PLANNING, DEVELOPMENT AND ENGINEERING

Another busy year in 2020 saw activity centred on our planning and permitting activities and ensuring timely service to our clients. A large focus in 2020 was the issuance of 405

new Permits with the added challenge of more stringent timeframes for the CALC standards (identified by the Province, conservation authorities and development industry). This was accomplished by shifting staff resources whenever possible for greater emphasis on permits as well as greater use of technology (IMS, e-submissions and issuance of permits electronically and immediately upon completion). Staff also focused on reducing the time taken to respond to our clients once an application has been received to ensure their time was used to their best advantage. Our permitting performance, for the first time, was rolled into an annual report outlining permitting performance throughout 2019 relative to the timelines identified as part of an initiative by Ontario's conservation authorities to improve transparency regarding client service and streamlining our planning and permitting services.

We continue to participate in remote pre-consultations held throughout the municipalities and have doubled our permit pre-consultation due to client demand. These sessions are free and enable prospective developers the opportunity to review their plans prior to submitting a permit application, which also results in higher quality permit applications.

In terms of flood plain mapping, an eventful 2020 saw the successful completion and Board approval of the Mariposa Brook Flood Plain Mapping Studies, the preparation of a Draft McLaren Creek Flood Plain Mapping Study well as commencement of the Fenelon Falls South Tributary Flood Plain Mapping Studies. Additionally, staff have been working with Haliburton County on establishing Flood Plain Mapping for the Burnt River and Gull River Watersheds.

For more information, please contact Mark Majchrowski at extension 215.

Contributions to this report were made from all staff; specific contributions were appreciated from each of the Directors:

Wanda Stephen, Director, Corporate Services; Kristie Virgoe, Director, Stewardship and Conservation Areas; Emma Collyer, Director, Integrated Watershed Management; Ron Warne, Director, Planning, Development and Engineering.

Strategic Plan 2017-2021: Strategic Goals and Enabling Actions

Summary of Accomplishments (2020)

PROTECT

Goals & Enablers	Review of progress
1 Complete flood plain mapping projects for priority flood damage centers.	<ul style="list-style-type: none"> Completed and received Board endorsement on the Mariposa Brook Flood Plain Mapping Studies. Continued progress on flood plain mapping studies including McLarens Creek and Fenelon Falls South. Technical committee meetings hosted to discuss project progress and address questions from committee. Peer review package prepared and initiated for McLarens Creek Flood Plain study.
2 Explore opportunities to reduce flood risk by partnering with member municipalities and the development and insurance sectors.	<ul style="list-style-type: none"> Hosted a Flood Response and Recovery session (Jan 28) attended by municipalities, conservation authority staff and provincial staff. Hosted a Flood Preparedness Forum (March 7) at the Fenelon Falls Community Centre in partnership with the City of Kawartha Lakes (150 persons attended). Flood event in mid-January and high-water levels in April and late December; we worked closely with Trent Severn Waterway (TSW) and municipalities, and deployed flood patrols in January. Completed the flood emergency contact updates for the annual review of the Flood Contingency Plan; integration with municipal flood preparedness meetings.
3 Expand the flood warning and forecasting network and emergency management system with municipalities and flood management agencies.	<ul style="list-style-type: none"> As a member of the Provincial Flood Forecasting and Warning committee, assisted in organizing a virtual Provincial Flood Forecasting and Warning Workshop held through a series of half day virtual events. Assisted in organizing a regional Flood Forecasting and Warning Seminar for Municipal Partners with GTA Conservation Authority partnership. Participated in discussions between the Ministry of Natural Resources and Forestry (MNRF) and Parks Canada on the data sharing issues for monitoring stations on the large Kawartha Lakes. Created two videos on our flood forecasting and warning program.
4 Continue to ensure our permitting approvals and municipal planning decisions protect people, their property and investments and public infrastructure from natural hazards.	<ul style="list-style-type: none"> Issued 405 Permits in accordance with Ontario Regulation 182/06, and 12 permit renewals/revisions. Completed (4) four permit inspections. Participated in discussion with Township of Scugog, Durham Region and MECP regarding disposal of liquid soil from hydrovac trucks Pre-consultation meetings (32) and general correspondence held with prospective developers/home buyers to determine development/re-development potential of properties Attended regular pre-consultation meetings with municipal partners to advise potential applicants of natural hazards and natural heritage features Planning comments provided to municipal partners on <i>Planning Act</i> applications, including: Minor Variances (35), OP Amendments (9),

		<p>Zoning By-law Amendments (23), Plans of Subdivision (9), Consent (25) and Site Plan (17).</p> <ul style="list-style-type: none"> Received development concerns from the community; investigated 17 violations, issued 2 remediation agreements, and resolved 3 violations. Completed annual updates for our Ontario Regulation 182/06 mapping to ensure verified field changes, updated watercourses, waterbodies, and wetlands are incorporated into mapping resources.
5	Complete guidelines and communication tools that clarify the elements and standards for natural hazard assessments such as slope stabilization, large fill and sediment and erosion controls.	<ul style="list-style-type: none"> Drafted Stormwater Management Guidelines to assist the development community towards sustainable and safe development.
6	Lead the Low Water Response program for the watershed.	<ul style="list-style-type: none"> Level 1 Low Water conditions was declared (July 6). Level 2 Low Water conditions was declared (July 16-Sept16) after which it was downgraded to Level 1. The watershed condition status returned to normal on Oct 31 as conditions improved. The Water Response Team was initiated and met three times. A series of (5) five Infographics on Low Water were produced focused on agriculture, inside the home, outside the home, urban, and wells, and were shared through social media channels tagging our municipal partners, as well as sent to our member municipalities and three (3) medial releases issued.
7	Ensure our conservation areas meet a high standard of public safety.	<ul style="list-style-type: none"> Implemented Covid-19 safety measures and improved our standard for safety of our visitors, including enhanced cleaning/disinfecting for (2) two public vaulted privies, additional cameras installed within parking lots of CA's to monitor capacity and activity, and multiple hand sanitation stations at high touch points such as outside privies and dog park entrances, in addition to communications to our park users. Provided additional access to Ken Reid Conservation Area by maintaining the roadway in the winter to allow for physical distancing and additional parking to park users during Covid-19 Completed infrastructure improvements and general maintenance items, including inspections, road maintenance, tree removals, repairs, and snow maintenance at all CA's. Removed a beaver dam and installed a beaver baffle in Pigeon River Headwaters CA to help prevent pressure from floodwaters in adjacent properties. Hosted an environmental clean-up at Durham East Cross Forest, removing 20 cubic yards of garbage including removal of 2 illegal structures (Oct. 27). Launched Durham ECF trail strategy project to assess unsanctioned trail network and provide recommendations for decommissioning. Continue to improve overall security measures at Durham East Cross Forest working with Durham Regional Police Services to combat illegal

		activity, including partnering for police ATV training which resulted in multiple charges laid on individuals trespassing over a 3-day period and closed 70 feet of illegal entrance points.
8	Continue to implement the Drinking Water Source Protection Plan.	<ul style="list-style-type: none"> Completed S.34 amendment process for municipal groundwater drinking water system, which was approved by the Ministry of the Environment, Conservation and Parks on Aug 14. Provided comments on four (4) planning pre-consultations. Negotiated (1) one agricultural Risk Management Plan (RMP); drafted another agricultural RMP and initiated inspections on existing RMPs Issued 17 s.59 Notices for construction activities within the Intake Protection Zone and Wellhead Protection Areas and 6 letters related to source protection development inquiries. Assisted with and submitted annual reporting by February 1 deadline for the Kawartha-Haliburton Source Protection Area. Assisted municipalities with incorporating source water protection into their Official Plan Amendments and Zoning By-Law Amendments. Co-presented the proposed amendments at the City of Kawartha Lakes Planning Advisory Committee meeting. Assisted in the creation of internal and external guidance documents regarding transport pathways for municipal and source water protection staff. Attended various meetings to discuss program updates, annual reporting, emerging issues/science, policy challenges, coordination, and compliance, including provision of comments on proposed changes to the Director's Technical Rules Implemented a Source Water Drinking Water Campaign called Trust the Tap for the City of Kawartha Lakes. The five-week campaign resulted in more than 10,000 views targeting rural and urban landowners as well as the agricultural community. This was a multi-jurisdictional campaign to raise awareness about source water protection. Supported the City of Kawartha Lakes and Ontario Clean Water Association during a small diesel fuel spill within a municipal groundwater source protection area. Participated in the City of Kawartha Lakes Agricultural Development Advisory Committee meeting (Nov 26) and provided feedback to the municipal by-law officers regarding backyard chickens in urban residential areas relative to source protection.

CONSERVE & RESTORE

	Goals & Enablers	Review of progress
1	Implement the Climate Change Strategy.	<ul style="list-style-type: none"> Included considerable climate change parameters within the Stewardship Strategy to ensure programs address climate change considerations.

		<ul style="list-style-type: none"> • A section of the drafted SWM Guidelines is dedicated to climate change to create awareness among the development community and to act to manage future pressures related to stormwater management. • Provided comments and input to the draft menu of Key Climate Change Messages for Durham Region. The menu of key messages is a translated product, with messages geared towards practitioners who will use the data, and others geared towards the general public.
2	Implement the Kawartha's Naturally Connected natural heritage system and use it to inform the Land Securement Policy and Climate Change and Stewardship Strategies.	<ul style="list-style-type: none"> • Used the KNC system to inform the development of the Stewardship Strategy through inclusion as a parameter in the prioritization of areas for stewardship.
3	Implement the Stewardship Strategy, and seek new partners in conducting shoreline, urban, rural and agricultural stewardship restoration projects.	<ul style="list-style-type: none"> • Kawartha Conservation's 10-year Stewardship Strategy was approved at the January BOD meeting and shared with community partners. • Successfully negotiated a \$99,750 OMAFRA grant to support agricultural improvement projects over two years. 100 landowners were contacted, and 14 site visits completed to assess potential beneficial management projects. • Successful in our efforts to secure \$75,000 in Environmental Damages Fund support for projects related to fish habitat over two years. Program to begin in 2021. • Completed our Water Fund allocations for 2020 including 17 landowner grants and (3) three community grants in Kawartha Lakes, and (6) six landowner grants in Township of Scugog. Total grants of \$62,890 and total leveraged contributions of \$161,100 from landowners and community groups. • Continued development of a methodology for the Stewardship Prioritization Tool to focus stewardship activities in the future. • See section 6-Implement Lake Management Plans and section 7 – Forest Regeneration Program for more stewardship activities.
4	Focus land securement on priorities identified within the Land Securement Strategy.	<ul style="list-style-type: none"> • Land securement activity did not transpire in 2020.
5	Complete and help implement the Nogies Creek Waterway with partners.	<ul style="list-style-type: none"> • Worked with community partners to redefine this group as a community engagement and stewardship group, and continued participation as a panel member with local community leadership.
6	Complete and implement lake management plans with partners and residents.	<ul style="list-style-type: none"> • Updated Lake Planning website, including addition of a section that will facilitate better sharing of information, tracking of implementation projects undertaken. • Supported multiple Lake Associations through technical article submissions for newsletters and annual reports. • Received scientific research permit from Parks Canada to proceed with the Aquatic Plant Control project, which will include the installation and monitoring of 3 'thrusters' (also known as bubblers) in Balsam Lake, Sturgeon Lake, and Lake Scugog.

		<ul style="list-style-type: none"> Supported private landowners with virtual site visits to provide stewardship advice on shorelines, agricultural, and urban properties. Completed the Low Impact Development (Tree Cell) demonstration site at the corner of Kent and Lindsay St. in Lindsay. Completed 40 days of monitoring on (2) two local beaches in partnership with the local Health Unit to address beach quality concerns. Provided 10,500 L of rainwater storage through rain barrel sales. Finalized the 'Shoreline Planning and Policy Background' project and submitted to City of Kawartha Lakes planning staff, which included two key reports: (1) a summary of shoreline land use policies in 22 lake-based municipalities, and (2) trends in shoreline development and lake water quality. See Section 7 "Forest Regeneration program" for more activities.
7	Institute a forest regeneration program with landowners.	<ul style="list-style-type: none"> Planted more than 11,200 trees and shrubs through our over-the-counter tree seedling program. Established Kawartha Conservation as a Program Delivery Agent for the 50 Million Tree program which will result in private land plantings in 2021 and beyond. Submitted a successful application to Forests Ontario's subsidy program for \$6,000 to reduce the price of eligible tree species. Developed a proposal for Durham Regional Tree Planting program in partnership with Regional staff, (5) five Conservation Authorities, Highway of Heroes, and Forest Ontario. This project will increase the number of trees planted in Durham Region over (3) three years and work towards our Stewardship Strategy targets. Completed 17 site visits for our first year in the 50 Million Tree program with Forest Ontario and completed 4 survival assessment reports for the Forest Recovery plantings from 2019.

DISCOVER

	Goals & Enablers	Review of progress
1	Identify and address science and information gaps.	<ul style="list-style-type: none"> Promoted videos by Director, Integrated Watershed Management to highlight the work of the team to our watershed community. Publication of "Durham Watershed Planning: Water Resources System", a document that provides the most up-to-date technical information including mapping layers which is needed for quality and efficient planning and regulations functions. Updated our spatial dataset for landcover types along the shorelines of City of Kawartha Lakes as part of the CKL Lake Implementation Shoreline Policy and Background project.
2	Develop and Implement a Citizen Science program to increase knowledge.	<ul style="list-style-type: none"> Received \$17,500 for the Seniors Citizen Science Climate Change Action Group which is aimed to augment data gaps throughout our jurisdiction. Program put on hold due to COVID-19.

		<ul style="list-style-type: none"> Investigated and developed applications to support citizen science programs to engage our community and address scientific gaps in information.
3	Track key environmental trends impacting the watershed and report on results at least every 3 years.	<ul style="list-style-type: none"> Initiated analysis of the long-term groundwater level data, which has recently been released by the Ministry of the Environment, Conservation and Parks for some of the PGMN wells within the watershed. Completed extensive sampling and monitoring across the watershed to support local municipal projects and provincial programs across the spectrum of water temperature, water quality, water flow, ground water, and aquatic invertebrates.
4	Develop the means to understand and report on the ecological value of our watershed's goods and services.	<ul style="list-style-type: none"> Finalized the Lake Scugog Watershed Economic Valuation report with the Greenbelt Foundation, which was promoted as part of their ecological goods and services publication.
5	Remain the go-to organization in the watershed for science and research based information and data, mapping and GIS-generated resources and make that information easily accessible and understandable to the general public.	<ul style="list-style-type: none"> Completed report and recommendations to improve beach quality in partnership with the local health unit and City of Kawartha Lakes. Participated in interview by Ontario Nature to share expertise on management challenges of the Nonquon River. Completed flow analysis mapping for Durham Region's Water Resources Information Systems project. Updated Ecological Land Classification wetlands imagery for the entire Kawartha watershed excluding portion in Trent Lakes (no data available to us).
	Invest in our monitoring programs and networks to support our ability to track the impacts of climate change and changes in our environment and inform our adaptation strategies.	<ul style="list-style-type: none"> Invested in and transition to (3) Bluetooth water temperature data loggers, an easier-to-use and more reliable approach to tracking warming water temperatures on sensitive coldwater streams. Improved flood forecasting, warning and monitoring field activities through adopting technology in the field. Worked with Environment Canada on modernization of the Pigeon River streamflow monitoring gauge. Submitted a proposal to the Ministry of Natural Resources for the development of a lake water level monitoring network to compensate for the loss of the data from the Trent-Severn Waterway.
7	Lead and participate in collaborative research projects with our academic institutions, government agencies, private sector partners and environmental experts.	<ul style="list-style-type: none"> Participated, partnered with and/or led projects with the following institutions/organizations: Scugog Lake Stewards, Ministry of Environment, Conservation and Parks (MECP), Fleming College, Trent University, Ontario Technical University, Kawartha Lake Stewards Association. Hosted a virtual meeting with local professionals (MNRF, TSW, Trent University, Fleming College, First Nations) to address concerns from the 'Save the Walleye' group regarding the aquatic ecosystem health/function below the Bobcaygeon Dam.

CONNECT & COLLABORATE

Goals & Enablers	Review of progress
1 Enhance engagement, collaboration and knowledge sharing with our First Nation communities.	<ul style="list-style-type: none"> Resolution #110/20 was approved at the November Board of Directors Meeting #9/20 to extend the offer of an ex-officio position on the Board of Directors to the Mississaugas of Scugog Island First Nation. Working with the Mississaugas of Scugog Island First Nation on the Lake Scugog Enhancement Project; enabling consultation across all the Williams Treaty First Nation communities.
2 Expand partnerships with local school boards to deliver accessible, affordable, innovative outdoor education programs utilizing our conservation lands as a classroom.	<ul style="list-style-type: none"> Prepared content and delivered P.A. Day Nature Camp on January 31 with 14 children in attendance. To support students, parents and teachers during the Covid-19 pandemic and at-home learning, a Learn at Home page was added to the website with links to information on projects and activities for a variety of ages to keep the community engaged. Fleming College continues to use our areas as an outdoor classroom for college students.
3 Maintain relationships with municipal partners through regular and targeted communication and engagement with municipal councils and staff members.	<ul style="list-style-type: none"> Engaged Board Members and municipal staff in media releases where appropriate to ensure continual communication with partner organizations, including municipal-specific communications including Autumn Activities, Story walk, Winter Activities supporting their strategic objectives. Worked with our municipal partners in various aspects associated with the implementation of lake management plans including demonstration site identification and selection, shoreline policy project, beach monitoring, forestry related projects and the Lake Scugog Enhancement Project. Participated in monthly virtual CKL Development Review Team meetings, and Durham Region Planning staff on the Envision Durham Municipal Plan conformity review exercise. Engagement with Drainage Superintendent of City of Kawartha Lakes on Municipal Drain maintenance activities. Hosted and delivered various training courses that were open to our municipal partners as part of our Innovation hub. Actively participated in the development of the Kawartha Lakes Healthy Environment Plan (CKL) and in the Natural Environment Climate Change Collaborative with Durham Region. Completed 48 media releases.
4 Maintain and create relationships with community groups, government organizations, stakeholders and the agricultural and other industry sectors to better understand their interests, concerns and opportunities.	<ul style="list-style-type: none"> Attended (3) three local agricultural group AGMs to present on our agricultural program. Active members in the East Central Farm Stewardship Collaborative Active member of the Woodlot Conference planning group and attended the 2020 conference as a partner representative. Met with the CKL Economic Development department to plan the fall International Plowing Match (Feb 25).

		<ul style="list-style-type: none"> • Participation as a member of the GTA Flood Forecasting and Water Committee, representing the GTA Conservation Authority group. • Attended regular conference calls with partners (TSW, MNRF and Conservation Authorities) throughout spring freshet. • Developed a partnership with Forests Ontario to become a Program Delivery Agent for the program within our watershed. • Continued collaboration with (2) two private companies to implement compensation planting projects in 2021. • Partnered with Kawartha Land Trust and local landowners in Fleetwood Creek watershed on projects to improve water quality. • Launched a survey in partnership with OMAFRA and the City of Kawartha Lakes to better understand barriers the agricultural community experiences with implementing beneficial management projects. • Regular participation in the Scugog Environmental Advisory committee and the City of Kawartha Lakes Environmental Advisory Committee. • Attended the City of Kawartha Lakes and Durham Virtual Agricultural Tours.
5	Connect communities and residents with nature by encouraging use of our conservation areas.	<ul style="list-style-type: none"> • Conducted an extensive social media campaign, encouraging the use of Conservation Areas and spending time in nature. • Hosted multiple community events including Owl Prowls and Forest Therapy Walks reaching more than 170 participants. • Partnered with the Lindsay Public Library to provide a Story Walk on the Pond Loop trail. • Kept residents and the community apprised of any information pertaining to accessing our conservation areas, and off-leash dog park. Continued to share user generated content through our Instagram account to connect with visitors and would-be visitors. • Maintained trail networks in parks with additional trail signage and arrows to facilitate recreational usage during COVID –19. • Partnered with Destination Ontario to produce a series of short videos, graphics, and two media releases promoting our Conservation Areas and the Kawartha watershed. • Utilized our social media channels and user generated content to show people using our Conservation Areas. Promoted the responsible use of our CA's as both a draw for residents and tourism from nearby municipalities. • Produced downloadable family friendly education materials for the website. Activities included two different scavenger hunt activities and step by step instructions on how to make a variety of nature ornaments.
6	Collaborate and share services, expertise and resources with neighbouring conservation authorities and Conservation Ontario.	<ul style="list-style-type: none"> • Worked with, and shared information, specific to Writing for the Web and social media with communications staff at Otonabee Conservation, Quinte Conservation and Mississippi Valley Conservation Authorities. • Attended CANN Forecast Climate change vulnerability modelling webinar- Conservation Ontario- (March 13).

- Hosted a meeting with Toronto and Region Conservation, Credit Valley Conservation, and Ontario Ministry of the Environment, Conservation and Parks (March 3) to determine a study design for using aquatic life as indicators of key hydrological features (e.g., permanent, and intermittent streams) as per provincial policy.
- Partner in the ESRI ELA contract for Conservation Authorities. This new contract provides Conservation Authorities access to GIS mapping software and maintenance at a subsidy including a \$50,000 reduction in overall cost from previous years.
- Attended meetings of conservation authority collaboratives in Planning, Conservation Areas, Communications, Human Resources and CAOs to advance initiatives and share knowledge.
- Collaboration with other Conservation Authorities in the development of best practices for Conservation Areas as we reopened during Covid-19 including cleaning protocols, signage, cleaning product suppliers, etc.
- Collaboration within GTA and overarching conservation authority network related to management approaches during the pandemic, human resources and emerging legislation and relevance to our business.
- Participated in survey of pandemic impacts to Conservation Authorities.
- Provided support to land trusts and nature conservancies in their activities.
- Partnered with Central Lake Ontario Conservation on a project in the headwaters of the Nonquon River (Rogers Tract) that will improve water quality through by-passing a watercourse around 2 online ponds.
- Active member of the GTA Flood Forecasting and Warning group.
- Participated in 'Water Information Systems by Kisters' (WISKI) as part of the eastern conservation authorities 'hub'.
- Attended 2 Conservation Areas Working Group webinars hosted by Credit Valley Conservation; Adjusting Operations During a Pandemic (Nov 18) and Fundraising, Parks and Conservation Areas: It's your Job too (Nov 25).
- Initiated a Conservation Authority Integrated Watershed Management group for Directors and Managers to share knowledge and expertise.
- Sharing of resources and analysis of amendments related to the Provincial update of the Conservation Authorities Act.

7 Support activities of the Kawartha Conservation Foundation.

- Hosted (1) in person and (2) two virtual meetings of the Kawartha Conservation Foundation to explore opportunities to expand membership and supporting activities.
- Continued to provide financial administration that includes activities such as charitable receipts, T3010 tax returns, accounts payables, receivables, general bookkeeping activities and insurance renewal.
- Shared information from Kawartha Conservation's 2019 Golf Tournament to assist the Foundation with their golf tournament initiative for 2020. Initiative put on hold due to COVID-19.

8	Expand partnerships with our universities and colleges.	<ul style="list-style-type: none"> Secured aquatic health sampling of Pigeon River Headwaters Conservation Area by Fleming College Fish and Wildlife program students for fall 2020. Provided project support and permits for Ecosystem Monitoring and Assessment course at Fleming College. Delivered a Low Impact Development lecture to Environmental Technology students at Fleming College (Feb 19). Partnered with Trent University to lead a research project that is testing genetics of Brook Trout in coldwater stream within Pigeon River Headwaters Conservation Area to help with managing sustainable native fish populations in our most sensitive watercourses. Secured a co-op student from Trent University's School of Environment to assist with data management activities.
9	Explore opportunities and advance eco health across the watershed with public health partners.	<ul style="list-style-type: none"> Continued our relationship with Haliburton, Kawartha Pine Ridge Health Unit with the design of a stormwater study at the Bond St Beach (on hold COVID-19). Re-opening of trails to support physical and mental health during COVID –19 pandemic. Participated in interviews with Bob FM and Advocate Podcast on the health benefits of forest therapy. Featured in a Forest Therapy Documentary to highlight the health benefits of green space and forest therapy. Hosted (7) seven Forest Therapy walks with 115 participants. Conservation areas recognized by the community as a key pandemic measure supporting personal health.

OPTIMIZE SERVICE

	Goals & Enablers	Review of progress
1	Attract and retain a skilled workforce, promote information and knowledge transfer and utilize our talent management program to facilitate staff training, mentoring, succession planning and professional and leadership skill development.	<ul style="list-style-type: none"> Review of our internal training and development material and new guidance drafted for internal use. Staff participated in several training opportunities during 2020 including: website related training sessions, Operation of a Small Drinking Water System, Office 365, Introduction to River Ice Engineering, Provincial Offences training, Project Management for the Practitioner, with several staff completing 1 to 3 modules of the Talent Development Training program. Weekly updates provided to all staff on the status of our business during the pandemic. High level review of internal policy documents conducted. Improved payroll system to adopt best business practices.
2	Complete a professional and Value for Service Review of all programs and services to generate sustainable	<ul style="list-style-type: none"> Enhanced vendor payment process to upload a single file of all payments, eliminating duplication of entries into Sage and RBC Express, increasing efficiency and eliminating possible errors.

	revenues, create efficiencies and to enhance benefits.	<ul style="list-style-type: none"> Reviewed and standardized the pricing arrangements for tree seedling sales. Creation of our own webpage and online donation form to create more trust and transparency in donations and eliminate the referral of donors to a 3rd party. Utilized our new website to streamline permitting inquiries and payments on-line Continued the implementation of IMS, and the implementation and adoption of Office 365, which provides our remote capabilities.
3	Develop performance metrics standards and measures focused on corporate organizational performance and accountability; report key service targets monthly to our Board.	<ul style="list-style-type: none"> Facilitated a Key Performance Indicators (KPI's) Lunch & Learn for staff and follow-on session. Actively report on CALC Standards for permitting applications at every scheduled Board meeting. First annual report highlighting permitting performance provided to our Board.
4	Implement an Asset Management Plan.	<ul style="list-style-type: none"> Research conducted into potential funding to assist in the development of an asset management plan.
5	Continue to pursue new funding relationships and opportunities, particularly relating to climate change, stewardship and education, source water protection implementation, conservation areas infrastructure and special project funding.	<ul style="list-style-type: none"> \$75,000 from Environmental Damages fund for implementation of fish habitat projects in the City of Kawartha Lakes. \$1,000 from Walmart Community Grant for 2020 Christmas at Ken Reid event (grant deferred to 2021 due to Covid) \$99,750 from OMAFRA grant to support agricultural improvement projects over (2) two years. \$6,000 from Forest Ontario to support the Over-the-counter tree seedling sale program \$150,000 to support land securement in Scugog Township. Launched a highly successful partnership with the Fenelon Falls Brewing Company to produce a beer, the Kawartha Summer Ale. A portion of proceeds from the sale of the beer goes to support stewardship and watershed management activities that directly impact the health of lakes and rivers. \$1,500 donation to implement a memorial bench at Ken Reid Conservation Area. \$15,000 generated through the Innovation Hub
6	Invest in technology to enhance business service delivery.	<ul style="list-style-type: none"> New website launch which featured enhanced e-commerce capability, (eliminating the use of external websites for payments), bids and tenders platform, online permit applications, forms, feedback options, multilingual abilities in a modern, accessible, and current public facing format. A new mapping feature was also implemented alongside the website, to support the planning/permitting online application process. Investment in accounting software add-on expedited our audit file completion for auditors which was published two weeks earlier than prior year.

	<ul style="list-style-type: none"> • Updated the Mackay Pay mobile parking payment application for a modern user experience. 50% increase in on-line passes in 2020. • Awarded the contract to develop the Talking Forest app which will launch in 2021. • Procurement of new technology including (2) two new laptops for critical offsite work and invested in (5) five additional cameras for security within Conservation Areas. • Conducted (8) eight 'virtual' Board of Directors meetings using Zoom and live streaming through YouTube to bring together our board members remotely and provide an online platform for the public to follow the Board of Directors meetings. • Implemented and deployed the use of two visual analytics tools across Corporate Services and Integrated Watershed Management: Tableau and PowerBI. These tools transform the way we use data to solve problems, empower people, and organizations to make the most of their data. • Procured and launched a VOIP (Voice-over-internet-protocol) system to increase connectivity with our community and stakeholders. (Dec 20). Improved analytics from call record and increased efficiency and automation exists for users, in addition to filling a critical gap in remote working. • Acquired cheque scanner to automatically deposit cheques received into our bank account, which also streamlines the accounting audit trail. • Transitioned RBC credit cards to RBC NextLogic to increase efficiencies, procedures, and access to financial information for cardholder users. This program brings about several benefits and will assist in our operations and efficiency immensely.
7	<p>Take an outside-in approach, continue to look for opportunities to streamline and simplify the plan review and permitting processes to ensure quality, timely, responsive customer service.</p> <ul style="list-style-type: none"> • The new Kawartha Conservation website includes online permit applications and forms, and property information requests. In addition, permitting and planning fees, property mapping and permit application requirements are clearly laid-out to help landowners determine permitting requirements. • Our bookings webpage offers virtual permitting pre-consultation meetings. • Commenting provided on the Planning and Permitting Client Services initiative – Pre-Consultation guidelines.
8	<p>Utilize our compliance activities as an education and outreach opportunity.</p> <ul style="list-style-type: none"> • This approach is utilized in day-to-day interactions with our watershed community in enforcement matters.

OTHER ACTIVITIES

1 Lake Scugog Enhancement Project	<ul style="list-style-type: none"> • Ongoing project management to advance the project with continued progress on addressing permitting requirements. • Secured funding from the Greenbelt Foundation of \$100k over 2 years to support the project. • Completed a comprehensive draft of a Fish Habitat Offsetting Plan as a requirement from Fisheries and Oceans Canada for project authorization and submitted to MNRF staff for review. • Completed a Species at Risk Survey and Turtle pre-hibernation survey to support the permitting and authorization processes.
2 Utilized Social Media across multiple channels to engage with our growing and diverse audiences, including:	<ul style="list-style-type: none"> • Social media continues to be a great way to engage a diverse audience across a wide range of geographic areas, backgrounds and interests. All modes of social media received positive growth. • LinkedIn had the largest increase in engagement and growth, likely attributed to using specific and targeted hashtags. • Continue to focus on two-way communications and engagement with online visitors using Facebook, Twitter, LinkedIn, Instagram, YouTube, and Google Places. <div> <div> <p>FACEBOOK</p> <ul style="list-style-type: none"> • Facebook – 5,816 Likes • Total Reach – 92,900 • Post Impressions – 130,600 </div> <div> <p>LINKEDIN</p> <ul style="list-style-type: none"> • LinkedIn – 1,941 Followers • Impressions – 35,533 • Clicks – 1,328 </div> </div> <div> <div> <p>TWITTER</p> <ul style="list-style-type: none"> • Twitter – 2,287 Followers • Tweets – 295 • Impressions – 58,901 </div> <div> <p>INSTAGRAM</p> <ul style="list-style-type: none"> • Instagram – 2,534 Followers • Media Impressions – 104,758 • Media Reach – 92,468 </div> </div> <ul style="list-style-type: none"> • YouTube – 4 New Subscribers (79 total)
3 COVID-19 - Pandemic	<ul style="list-style-type: none"> • Development and implementation of pandemic plan, financial tracking and forecasts, projected and realized deficits prompted layoffs, business continuity analyzed and implemented. • Emerging legislation review and implementation of applicable measures pertaining to COVID-19. • Communications, social media and media releases to our watershed community related to service impacts and service availability. • Standard Operating Procedures developed to provide additional guidance to our team during the pandemic. • Safety measures for staff and community investigated and implemented as applicable, including PPE, signage, and equipment. • Remote working set up for team, including VPN connection set up for staff to ensure work continuity during COVID-19 pandemic. • Researched and implemented enhancements for electronic vendor payments (e.g. Corporate Creditors in RBC Express) and electronic

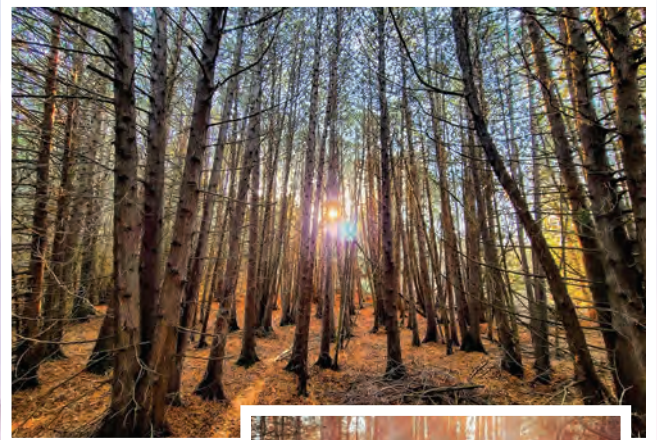
vendor invoice approval (DocuSign) to increase efficiencies and ensure payment continuity during Covid-19.

- Daily review of pandemic information (case counts and federal, provincial, and local direction with respect to response as well as Health and Safety Updates) and updates provided as relevant to our team to keep up-to-date on developments.
- Team session on importance of mental health (Canadian Mental Health Association speaker); team sessions promoting mental health activities provided as a follow-up to this session and internal focus on health and wellness achieved through a team working group.
- Electronic screening form developed for legislative compliance and contact tracing. The form can be accessed through via computer, tablet, or phone.



KAWARTHA CONSERVATION

Discover • Protect • Restore



2020 ANNUAL REPORT
LEADERS IN
INTEGRATED
WATERSHED
MANAGEMENT

Our Corporate Values

OUR VALUES GUIDE OUR ACTIONS,
AS THEY SHAPE THE KIND OF
ORGANIZATION THAT WE ARE PART OF.
IN ALL OF OUR DECISION-MAKING
WE WILL:

- Act with Integrity
- Value Knowledge
- Promote Teamwork
- Achieve Performance Excellence
- Foster Innovation

Our VISION

A sustainable watershed
with clean and abundant water
and natural resources assured
for future generations.

Our MISSION

To be leaders in integrated
watershed management
and conservation.

Our FOCUS

Outstanding water quality and
quantity management, support
by healthy landscapes
through planning, stewardship,
science and education.

2020 Board of Directors

- CHAIR – Ted Smith Region of Durham (Township of Brock)
- VICE-CHAIR – Andy Letham City of Kawartha Lakes
- Pat Dunn - City of Kawartha Lakes
- Kathleen Seymour-Fagan - City of Kawartha Lakes
- Ron Hooper – Region of Durham (Municipality of Clarington)

- Deborah Kiezebrink – Region of Durham (Township of Scugog)
- Angus Ross – Region of Durham (Township of Scugog)
- Cathy Moore – Township of Cavan Monaghan
- Ron Windover – Municipality of Trent Lakes

Message from the Chair and CAO



To say 2020 was a challenging year would be an understatement. Kawartha Conservation, like all our Conservation Authority colleagues, municipal partners, businesses, agencies, and organizations locally and around the world, felt first-hand the unprecedented impacts, uncertainty, and strain of Covid-19.

We continue to feel the long-term implications of the global pandemic locally as we adapt to new ways of operating as an organization.

Public health and safety took on a new urgency while terms like social distancing and remote work became the new norm.

And through a year that was anything but normal or easy, Kawartha Conservation staff, with the support of our Board of Directors was able to adapt, overcome and grow as an organization.

In April, one month after the start of the global pandemic and amidst federal, provincial, and municipal states of emergency, we launched our new award-winning website. The launch provided staff and our

customers with access to a host of online services and information that positioned Kawartha Conservation well for adapting to change.

The vision for a technology driven, innovative organization spearheaded by the Kawartha Conservation leadership team, prior to the start of the Covid-19 pandemic, helped accelerate the adoption of new processes that allowed staff to be available, responsive and customer-driven in a time of great uncertainty.

Planning and permitting functions progressed without pause, aided by the new online permitting application and e-commerce abilities.

Ever-important work to measure and analyze our water resources by the Integrated Watershed Managed team continued as the Kawartha Watershed experienced several months of low water conditions, as well as increasingly more frequent intense extreme weather events.

Conservation Areas staff rose to the challenge of families and individuals flocking to all our conservation areas. The dramatic increase in visitors required organization, signage, garbage collection and sanitization

to ensure a safe, clean, and positive visitor experience.

Corporate services continued to drive innovative change across the organization, with the implementation of virtual meetings as the new norm, the further expansion of our remote engagement and collaboration capabilities, to launching a new VoIP phone system in December which has transformed our organization and allowed us to continue to focus on being a customer-focused, customer-driven organization.

The last year was not easy, for anyone. Businesses, individuals, families, and organizations continue to adapt to a constantly changing environment. And through it all, Kawartha Conservation has focused on the opportunities; choosing to embrace how we can adapt to work better and smarter, while providing the programs, services and supports that matter to our water community.

The last year has shown that you cannot predict or prepare for everything. We don't know what the future holds, but together, as a team and a community, with our colleagues, our municipal partners and the support of our Board of Directors, Kawartha Conservation and its staff will be ready to adapt to any challenge. 🍁

Ted Smith — Chair

Mark Majchrowski — CAO

Planning and Regulation



Continuing to meet the needs of our municipal partners and building community, Kawartha Conservation issued 407 Permits in 2020, with another 47 Permit Extensions, Revisions and Renewals.

PLANNING APPLICATIONS PROCESSED IN 2020:

Official Plan Amendment - 11
Zoning By-law Amendment - 27
Minor Variance - 35
Site plan - 15
Plan of Subdivision - 7
Plan of Condominium - 1
Consent - 32
Total – 128

ENFORCEMENT

Permit Inspections Completed: 10
Violations Reported and Confirmed: 17
Remediation Agreements Issued: 5

Permits and planning help protect property owners and their investment from natural hazards such as flooding, unstable soils, and steep slopes, while contributing to a healthy, sustainable environment in the Kawarthas.

Permitting Annual Report

Beginning in 2020, Conservation Ontario recommended that high growth Conservation Authorities should report least annually to their

Board of Directors on the timeliness of their approvals under Section 28 of the Conservation Authorities Act, relative to Conservation Ontario prescribed CALC timeframes.

Although Kawartha Conservation is not considered a high-growth Conservation Authority, and there is no requirement at this time to provide annual reporting statistics, we are leaders in our ability to track our performance on permitting activities.

Kawartha Conservation produced its first Permit – Annual Report in July 2020. 🍁

Monitoring Our Water Resources



Lake Management Plan Implementation Coldwater Streams Monitoring

■ This program regularly tracks the quality of coldwater streams, which are unique and sensitive aquatic ecosystems that comprise approximately 15% of all streams in our watershed. These streams are under stress from climate change and development related impacts.

■ Water temperatures are tracked through the deployment of portable data loggers that are fixed in the water column all year. 30 sites are monitored and evaluated against science-based temperature thresholds.

■ This year we've invested in new technology, Bluetooth loggers, that enables us to save time and money when transferring data from each logging device to our databases.

Partnerships

We partnered with Fleming College to facilitate two student-run soil studies that look at the types of soil in various areas on the Windy Ridge and Durham East Cross Forest properties. This helps the students gather needed field experience and provides Kawartha Conservation with information that supports our habitat restoration planning for species at risk, including butternut planting and grassland restoration.

This project is of interest for those trying to manage deer populations on their properties. While this is not currently an issue on any of Kawartha Conservation-managed properties, the information gathered as part of this project will allow us to better understand deer movement at Durham East Cross Forest as preferred feeding areas are located across the property.

Durham Watershed Planning – Water Resources Mapping Project

■ This project defined and mapped Key Hydrologic Features (permanent and intermittent streams, lakes and their littoral areas, seepage areas and springs, and wetlands), and Key Hydrologic Areas (significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas), for the overlapping jurisdictions of Durham Region and Kawartha Conservation.

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Watershed Monitoring



LAKE MANAGEMENT PLAN IMPLEMENTATION

City of Kawartha Lakes Shoreline

PLANNING AND POLICY BACKGROUND

■ The recently completed Lake Management Plans identified that maintaining healthy shorelines within the City of Kawartha Lakes (CKL) is a priority objective for the community and recommended that enhanced shoreline planning and policy be considered to address existing and future development pressures around the lakes.

■ To assist with these efforts, we researched 22 Official Plans, and related approaches used by planning staff, of 18 single tier, upper tier, and lower tier lake-based municipalities in Ontario. In addition, we examined the relationship between shoreline development and water quality to identify any potential trends.

■ This project will provide CKL planning staff with background information to consider when updating land use policies that seek to improve the health of lake shorelines.

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■ Key Hydrologic Features and Areas are important components of water resource related land use policies as guided by various provincial policy directives including the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Greenbelt Plan, and Oak Ridges Moraine Conservation Plan.

■ This information provides planning staff with the most up-to-date planning information necessary to advance municipal land use planning approvals and projects and will streamline and expedite comments on planning applications. 🍁

Flood Forecasting



Flood forecasting is one of the most important services that Kawartha Conservation provides to our residents and member municipalities.

A timely warning of upcoming high-water conditions is critical to helping everybody to prepare and be better able to respond.

In 2020, 15 Flood Messages were issued as part of our Watershed Monitoring program. 🍁

**For more information
visit us at
kawarthaconservation.com**

Flood Messages Issued:

- 13 Watershed Conditions Statements
- 3 Watershed Conditions Statements specific to Kawartha Lakes
- 1 Flood Watch
- 1 Flood Warning.

ONTARIO LOW WATER RESPONSE

Kawartha Conservation in partnership with the Ministry of Natural Resources and Forestry helps in the coordination and support of local response in the event of a drought as part of the Ontario Low Water Response Program.

In 2020, a dry summer led to a four-month low water condition across the Kawartha watershed.

- Level I Declared on July 6th
- Level II Declared on July 16th
- Downgraded to Level I on September 16th
- Returned to Normal conditions on October 30th

Education



P.A. Day Camp

Kawartha Conservation staff held their first P.A. Day Camp of 2020 on January 31 with 14 eager participants. Activities included a Winter Snowshoe Hike, feeding chickadees and Scavenger Hunt. Participants also had fun with Animal Valentines Day Crafts, including Bee Mine and Owl Always Love you.



Innovation Hub

Kawartha Conservation continued to offer a number of high-quality professional development training opportunities for businesses and organizations across Ontario through our Innovation Hub.

The Innovation Hub provides both technical and soft skill training opportunities which are all delivered in a personal, classroom setting at our administrative offices in the beautiful Kawartha Lakes. 🍁

COURSES IN 2020 INCLUDED:

- Project Management for Practitioners
- Ontario Building Code Part 8, Onsite Sewage Systems Exam Prep – Weeklong course
- Preparing PMI Application Webinar
- Septic systems Webinar

The two-day, online, Introduction to Ice River Engineering, in collaboration with EPIC Training, facilitated by University of Saskatchewan Professor, Dr. Karl-Erich Lindenschmidt, proved to be very popular. Twenty participants took part, from a variety of federal and provincial governments, consultants and conservation authority staff.

Connecting People to Nature



We have been focussed on providing opportunities for people to enjoy nature, which has become more important as the pandemic took hold early in the year. Our activity focussed on physically distanced, responsible

sessions and programs that allowed our community members to enjoy nature at their own pace.

- Hosted two Owl Prowl workshops with over 55 participants in total
- Hosted seven Forest Therapy Walks with over 115 participants
- Participated in a Forest Therapy Documentary "Forest Bathing,

Rooted in Science"

- Partnered with the Public Library to provide the Story Walk on the Pond Loop for the month of December
- The "Talking Forest App" developed for January 2021 launch to facilitate Covid -19 remote learning and a low-risk community activity. 🍁

Flood Plain Mapping



A flood plain is an area around a stream, river, or body of water where water will travel during a flood event. Collecting information about ground elevation, land use, rain and snow melt, culverts and bridges, and stream profiles allows us to model what a major flood event might look

like and map where the flood plain exists.

We use flood plain mapping to support regulations that limit existing and new development inside the flood plain to protect your personal safety and property from flood hazards.

In 2020, staff completed the Mariposa Brook Flood Plain

Mapping Study, as well as finalizing the McLarens Creek Flood Plain Mapping Study. The McLarens Creek Floodplain Study will be peer reviewed and approved in 2021.

The Haliburton Flood Plain Mapping project for the Burnt and Gull River has been initiated and is currently in the preliminary stages. 🍁

Planning and Policy Background

One of the key highlights for 2020 was the completion and approval of the 10-year Kawartha Conservation Stewardship Strategy. The aim of the Stewardship Strategy is to foster a stewardship ethic where landowners, business owners, municipalities, and partners across the watershed are engaged and dedicated to having a positive impact on their own land. Positive impacts may include conserving healthy, resilient ecosystems; protecting water resources; and restoring natural features and function.

The approved Strategy is designed to accommodate flexibility throughout its implementation, enabling our team to react to the individual needs of our community and emerging issues on the landscape while meeting the strategic targets identified.



Additional Highlights from 2020 included:

KAWARTHA LAKES IMPLEMENTATION ACTION PLAN

- Beach Sampling program as part of the Shoreline Stewardship as part of our ongoing partnership with the Haliburton Kawartha Pine Ridge District Health Unit
- Omemee beach and Garnett Graham Park both sampled 40 times for e-coli to monitor and improve water quality in the beach area

17 LANDOWNER GRANTS \$38,525 TOTAL GRANTS LEVERAGING \$107,590 IN LANDOWNER INVESTMENT

- 2 tree planting
- 3 Livestock fencing
- 2 Manure Storage
- 1 cover crop

- 1 Urban rain garden
- 2 shoreline erosion
- 2 Well upgrade
- 4 septic upgrades

THREE COMMUNITY GRANTS \$8,865 TOTAL GRANTS LEVERAGING \$12,436 IN COMMUNITY INVESTMENT

- Waterfowl monitoring project
- School yard tree planting
- Community climate action engagement project

COMMUNITY DEMONSTRATION SITE

- Kent St. Tree Cell project implemented as part of the revitalization efforts.
- Underground structure supports 3 street trees along the north side of Kent Street
- Improved urban canopy, reduced runoff, reduce heat island effect

- \$15,000 in leveraged funding from RBC

DURHAM REGION LAKE MANAGEMENT IMPLEMENTATION

Six Landowner Grants \$15,500 total grants leveraging \$41,080 in landowner investment.

- 1 urban rain garden
- 3 well decommissions
- 1 Septic upgrade
- 1 livestock fencing

RAIN BARREL SALES

- 50 Rain barrels sold watershed wide
- 10,500 L of rainwater storage reducing peak flows after rain events and water demand in dry months

TREE SEEDLING SALE

- 11,275 planted in the watershed through the sale revenue from seedlings \$15,065

Conservation Lands



Connecting people to Nature:

- Maintained 35 km of trails throughout our Conservation Areas
- Created 1 km of new trails through Pigeon River Headwaters Conservation Area

Environmental Restoration / Rehabilitation:

- Durham East Cross Forest Clean up – 20 cubic yards of metal, lumber, burnt tires, household garbage, and assorted building supplies removed

Security / Safety

- Installed seven additional security cameras across our Conservation Areas as a response to Covid 19 closures

- Partnered with Kawartha Lakes Police Services to increase surveillance of Ken Reid Conservation Area during Covid-19 closure
- Hosted Durham Regional Police ATV training course at Durham East Cross Forest for six officers over three days
- Removal of a beaver dam at Pigeon River Conservation Area to reduce flooding of nearby road, trails, and properties
- Decommissioned 100 feet of illegal access points throughout Durham East Cross Forest
- Upgraded the public washroom facilities at Windy Ridge Conservation Area
- Enhanced sanitation and signage related to COVID 19 throughout all 5 CAs including:
 - Directional signage
 - Twice daily washroom sanitization
 - Park Closure signage

Technology

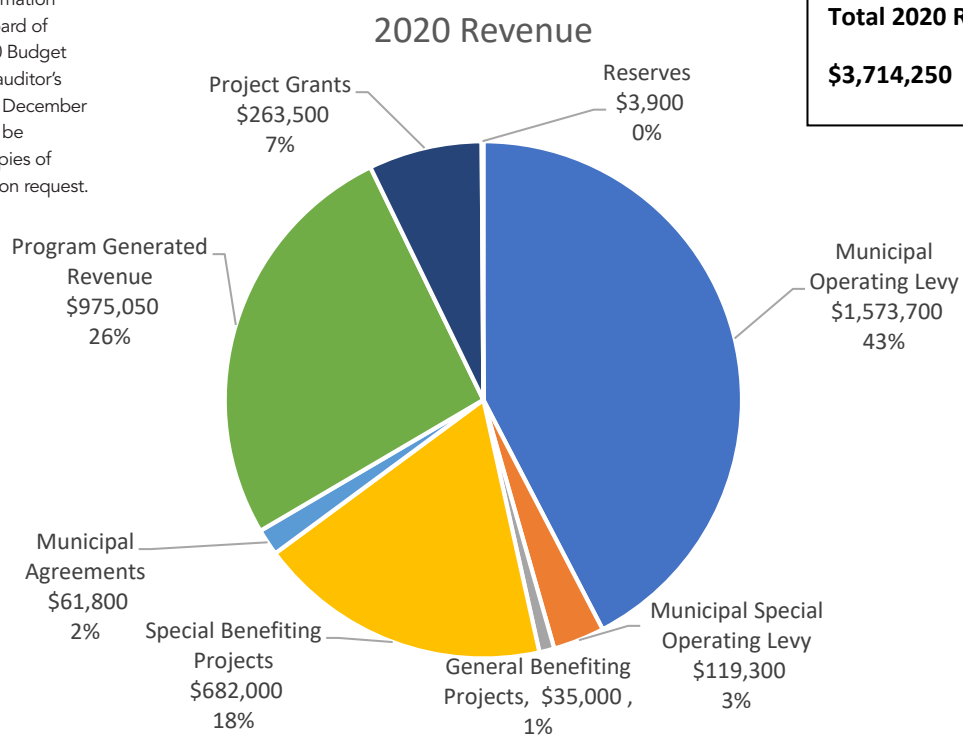
We successfully implemented a number of technological enhancements in 2020, to support our member municipalities, internal staff, watershed residents and visitors, as well as our building and development communities, ultimately providing a greater level of customer service.

Enhancements Include:

- Successful launch of the new award-winning Kawartha Conservation website in April 2020
- Created additional mapping functionality to the online planning/permitting applications in August 2020
- Launched an organization-wide VoIP telephone system in December 2020, to allow for more responsive remote work responsiveness
- Promoted the online parking app to reduce in-person parking pass purchases. Online parking pass purchases increased from 7% in 2019 to 50% in 2020.

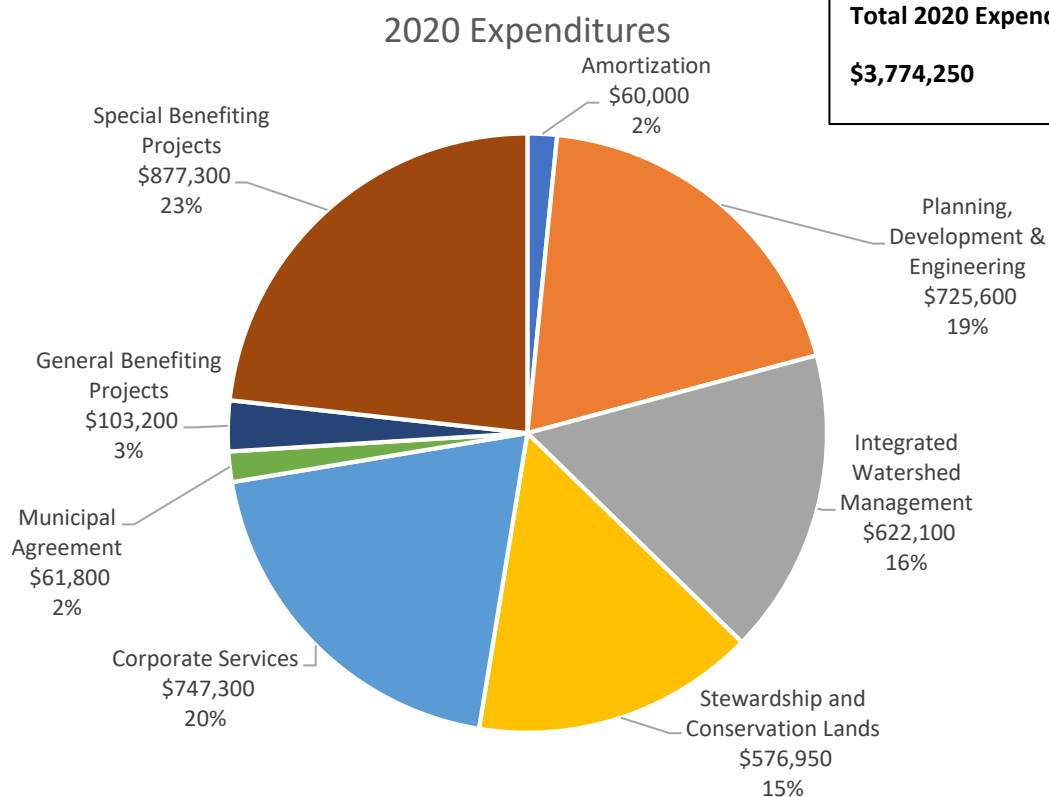
Sources of Revenue

NOTE: This financial information is condensed from the Board of Directors' Approved 2020 Budget Summary. The complete auditor's report for the year ended December 31, 2020 is anticipated to be available in May 2021, copies of which will be available upon request.



Total 2020 Revenue
\$3,714,250

Expenditures



Total 2020 Expenditure
\$3,774,250



January 27, 2021

The Honourable Laurie Scott
Minister of Infrastructure
777 Bay Street, 5th Floor
Toronto, ON M7A 2J3

Date:	01/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Dear Minister Scott:

RE: Regional Broadband Network, Applications for Provincial and Federal Funding (2021-COW-2), Our File: D02

Council of the Region of Durham, at its meeting held on January 27, 2021, adopted the following recommendations of the Committee of the Whole:

- “A) That staff be directed to take the necessary steps to finalize and submit the Region’s final application for broadband funding under the Province’s Improving Connectivity for Ontario (ICON) program;
- B) That staff be directed to take the necessary steps to submit an application for broadband funding under the Federal Government’s Universal Broadband Fund (UBF) program, and to the extent possible given eligibility criteria, seek stacked funding for a proposed project scope detailed in the ICON application;
- C) That the Director of Legal Services be directed to examine the implications of creating a Municipal Services Corporation for Durham Region with a mandate of addressing the digital divide in Durham Region through the delivery of a ubiquitous, affordable and inclusive broadband network, supported by the procurement of professional legal, debenture, tax and financial advisory services at a value not to exceed \$175,000; and that 2021 prebudget approval for the \$175,000 be granted, and report back prior to the 2021 summer Council recess;
- D) That the Chief Administrative Officer be authorized to enter into a Definitive Agreement between the Region and its broadband funding co-applicant Oshawa Power & Utilities Corporation (OPUC), to proceed with the proposed Regional Broadband Network projects identified in the ICON and UBF applications, subject to government funding being received and subject to Regional Council committing the necessary funds to proceed with the project(s);

The Regional
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of Durham

Corporate Services
Department
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Don Beaton, BCom, M.P.A.
Commissioner of Corporate
Services

- E) That the Regional Chair be authorized to share a summary of the submitted applications in a letter to the Federal and Provincial Governments highlighting the importance of broadband connectivity with Durham's unserved and underserved communities and advocating for program funding to ensure project advancement;
- F) That a copy of Report #2021-COW-2 be provided to the Area Municipalities and all of Durham Region's MPPs and MPs; and
- G) That staff be directed to report back to Council once the broadband funding applications have been approved together with recommendations to approve the project along with the financial contributions required of the Region and OPUC to advance the Regional Broadband Network."

Please find enclosed a copy of Report #2021-COW-2 for your information.

Ralph Walton

Ralph Walton,
Regional Clerk/Director of Legislative Services

RW/tf

- c: A. Harras, Acting Clerk, Town of Ajax
B. Jamieson, Clerk, Township of Brock
J. Gallagher, Clerk, Municipality of Clarington
M. Medeiros, Clerk, City of Oshawa
S. Cassel, Clerk, City of Pickering
L. Fleury, Acting Clerk, Township of Scugog
D. Leroux, Clerk, Township of Uxbridge
C. Harris, Clerk, Town of Whitby
Jennifer O'Connell, MP (Pickering/Uxbridge)
Mark Holland, MP (Ajax)
Ryan Turnbull, MP (Whitby)
Dr. Colin Carrie, MP (Oshawa)
Erin O'Toole, MP (Durham)
Jamie Schmale, MP (Haliburton/Kawartha Lakes/Brock)
Philip Lawrence, MP (Northumberland-Peterborough South)
Peter Bethlenfalvy, MPP (Pickering/Uxbridge)
Rod Phillips, MPP (Ajax)
Lorne Coe, MPP (Whitby)
Jennifer French, MPP (Oshawa)

Lindsey Park, MPP (Durham)

Laurie Scott, MPP (Haliburton/Kawartha Lakes/Brock)

David Piccini, MPP (Northumberland-Peterborough South)

B. Bridgeman, Commissioner of Planning and Economic Development

S. Siopis, Commissioner of Works



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development, and
Commissioner of Works
Report: #2021-COW-2
Date: January 13, 2021

Subject:

Regional Broadband Network, Applications for Provincial and Federal Funding

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That staff be directed to take the necessary steps to finalize and submit the Region's final application for broadband funding under the Province's Improving Connectivity for Ontario (ICON) program;
- B) That staff be directed to take the necessary steps to submit an application for broadband funding under the Federal Government's Universal Broadband Fund (UBF) program, and to the extent possible given eligibility criteria, seek stacked funding for a proposed project scope detailed in the ICON application;
- C) That the Director of Legal Services be directed to examine the implications of creating a Municipal Services Corporation for Durham Region with a mandate of addressing the digital divide in Durham Region through the delivery of a ubiquitous, affordable and inclusive broadband network, supported by the procurement of professional legal, debenture, tax and financial advisory services at a value not to exceed \$175,000; and that 2021 prebudget approval for the \$175,000 be granted, and report back prior to the 2021 summer Council recess;

- D) That the Chief Administrative Officer be authorized to enter into a Definitive Agreement between the Region and its broadband funding co-applicant Oshawa Power & Utilities Corporation (OPUC), to proceed with the proposed Regional Broadband Network projects identified in the ICON and UBF applications, subject to government funding being received and subject to Regional Council committing the necessary funds to proceed with the project(s);
 - E) That the Regional Chair be authorized to share a summary of the submitted applications in a letter to the Federal and Provincial Governments highlighting the importance of broadband connectivity within Durham's unserved and underserved communities and advocating for program funding to ensure project advancement;
 - F) That a copy of this report be provided to the Area Municipalities and all of Durham Region's MPPs and MPs; and
 - G) That staff be directed to report back to Council once the broadband funding applications have been approved together with recommendations to approve the project along with the financial contributions required of the Region and OPUC to advance the Regional Broadband Network.
-

Report:

1. Purpose

1.1 The purposes of this report are to:

- a. Provide details about the proposed network design developed for the Region's Improving Connectivity for Ontario (ICON) application;
- b. Seek Council endorsement to submit the final ICON application;
- c. Provide background information on the Federal Government's recently announced Universal Broadband Fund (UBF) program;
- d. Seek Council endorsement to develop and submit an application for broadband funding under the UBF program.
- e. Obtain Council endorsement to explore the establishment of a Municipal Services Corporation (MSC) for Durham Region.

1.2 The terms and acronyms noted below are used throughout this report. A staff presentation will be provided at the January 13th COW meeting to further explain broadband concepts and terminology.

- a. Backbone – A high-speed and high-capacity broadband network infrastructure that interconnects different networks enabling information exchange between them. It is analogous to a expressway that connects communities together and provides high-speed transport between them.
- b. Broadband- the high-speed data transmission capable of carrying multiple data streams simultaneously. Broadband access can be delivered over many types of technologies e.g. - Fibre optics, cable, DSL, wireless, and satellite.
- c. Definitive Agreement – The agreement that will be needed between the Region and OPUC to define the terms and conditions through which the project will be undertaken and completed.
- d. Digital divide – refers to the technology gap that results in more urbanized areas having better broadband service (e.g. more reliable, faster, less expensive) than the less densely populated rural areas. In Durham Region, the digital divide is also evident in some urban areas with ageing telecommunications infrastructure that is incapable of delivering highspeed access for residents. The goal is to eliminate the digital divide so that the quality of service meets a minimum modern standard throughout the Region.
- e. EORN – Eastern Ontario Regional Network.
- f. Fibre optic cable – commonly known as ‘fibre’ this is a broadband infrastructure consisting of many individual fibre optic strands that use light to transmit data at very high speeds.
- g. ICIP – Investing in Canada Infrastructure Program. A Federal funding program, administered by the Province, and the funding program through which the Pickering to Uxbridge Broadband Trunk Fibre project is proceeding.
- h. ICON – Improving Connectivity for Ontario Program, a Provincial funding program.
- i. ISED – Innovation Science and Economic Development Canada.
- j. ISP – Internet Service Provider, a company that provides subscribers with access to the Internet.
- k. Last mile – Analogous to local roads this part of the broadband network infrastructure provides access to properties.
- l. Mbps – Megabits per second. It is a unit that represents the rate of data transmission, or how quickly you can download from the internet.
- m. Middle-mile – Analogous to arterial roads this part of the broadband network infrastructure connects the backbone to communities and ultimately to the last-mile network.
- n. MOI – Provincial Ministry of Infrastructure, the Ministry that is administering the ICON funding program.

- o. MUSH Sector – refers to municipalities, universities, school boards and hospitals which are typically the main anchors of a broadband network.
- p. Municipal Services Corporation – A corporation whose shares are owned by a municipality or, a municipality and one or more other public sector entities. An MSC can only provide a system, service or thing that the municipality could provide.
- q. Open Access Network – A network architecture that separates the physical network from the delivery of services. It enables multiple service providers to deliver services over the same physical network infrastructure.
- r. POP – Point of Presence. A facility that houses network components and acts as a demarcation point that connects the last-mile network to the service provider's network.
- s. SWIFT – Southwestern Integrated Fibre Technology.
- t. UBF – Universal Broadband Fund, a Federal funding program.

2. Background

- 2.1 The Region's [Broadband Strategy](#) approved by Council in 2019 outlines several actions to support broadband deployment, particularly in rural and underserved areas. The Strategy outlines the need for a feasibility study and business case analysis for a corporate municipal broadband network. It also highlights the need to pursue broadband funding programs offered by other levels of government.
- 2.2 In 2020, the Province announced an investment of \$150 million over a four-year period through the ICON program. The funding envelope was subsequently increased to \$300 million.
- 2.3 On August 21, 2020 the Region submitted a joint application with two project partners to Stage 1 of the ICON funding program.
- 2.4 On September 25, 2020, the Region received notice that the Stage 1 application was deemed to be eligible based on the proposed design, and the Region was invited to submit a Stage 2 application.
- 2.5 Following the invitation to submit a Stage 2 application, information was provided by the Province indicating that:
 - a. A last-mile component in addition to the backbone would be required to be eligible for grant funding; and
 - b. The geographic areas eligible for funding are specific to those outlined in the Service Availability Map published by ISED.

- 2.6 Based on feedback from the Province on ICON project eligibility, IBI Group was engaged to undertake a business case analysis of last-mile broadband connectivity for the purposes of submitting a revised project design for the Stage 2 ICON application.

3. Previous Reports and Decisions

- 3.1 #2019-P-3 - Connecting Our Communities; A Broadband Strategy for the Region of Durham
- 3.2 #2020-INFO-5 - Durham Region Broadband Program Update
- 3.3 #2020-EDT-6 - Regional Broadband Network Business Case Development and Endorsement of Grant Funding Application
- 3.4 #2020-INFO-91 - Durham Region Broadband Program Update – Improving Connectivity for Ontario (ICON) Program, Stage 1 Application Status
- 3.5 #2020-COW-29 - Durham Broadband Stage Two Funding Application for the Provincial Improving Connectivity for Ontario (ICON) Program
- 3.6 #2020-EDT-11 – Pickering Uxbridge Broadband Trunk Fibre Project

4. Regional Broadband Network

Regional Broadband Network: Conceptual Design

- 4.1 The vision of the Regional Broadband Network is premised on a high-speed fibre optic backbone installed along Regional roads connecting hamlets and rural communities. In these communities, Point of Presence (POP) facilities will be established where the fibre optic cable will terminate.
- 4.2 Built as an Open Access Network, Internet Service Providers (ISPs) will be given the opportunity to lease access to the backbone and rent space in these POP facilities to install their equipment that would provide last-mile services to the residents and businesses in that community.
- 4.3 Serving as a municipal network, the Regional Broadband Network has been designed to connect anchor tenants in the MUSH sector across Durham.
- 4.4 Ultimately the Regional Broadband Network will span 700 kilometres of backbone and will enable all of Durham's hamlets to be connected.

5. Broadband Funding Sources

- 5.1 Building and maintaining broadband infrastructure requires significant and ongoing investment in order to eliminate the digital divide to bring reliable, high-speed and affordable internet service to unserved and underserved areas in our communities.
- 5.2 Several actions in the Durham Regional Broadband Strategy (Action 4 and Action 9) relate to supporting funding applications and advocating to senior levels of government for support to bring services to Durham's areas of need.
- 5.3 COVID-19 has created an increased urgency to address the Region's digital divide. Specific broadband funding programs such as the provincial ICON program and the federal UBF are two examples of funding options available to communities in need of broadband infrastructure. It is expected that these funding programs will be oversubscribed, meaning there will be more applications submitted than funding available; hence, some applications will be successful, and some won't.
- 5.4 To move forward in addressing the need for broadband in Durham Region, staff will continue to assess all available funding options including:
 - a. Special purpose broadband funding programs such as ICON and UBF;
 - b. General purpose infrastructure funding envelopes. Opportunities for broadband under general purpose infrastructure funding envelopes are becoming increasingly eligible and tailored and cooperative solutions have been effective in other jurisdictions (e.g. SWIFT and EORN).
 - c. Regionally financed;
 - d. Private sector co-investment with in-kind and/or capital.
- 5.5 Continuing to build upon the technical design and business case for broadband will enable the Region to assess other options as they become available.

6. ICON Application Stage 2 Submission

- 6.1 The ICON program is a discretionary, application-based program. For funding to be awarded, applications must meet a minimum scoring threshold to be considered as technically, economically and financially viable for ICON funding. The guidelines note that there is no guarantee that funding will be awarded even if the minimum thresholds are met.
- 6.2 The Stage 1 Program Submission for ICON required information regarding the proposed program's background, objectives, eligibility and mandatory requirements

for participation. The ICON Stage 2 Program Submission requires detailed information about the proposed programs design and cost.

- 6.3 The ICON program may contribute up to a maximum of 25 per cent of total eligible project costs. The Ministry may determine that a project should be approved but at a funding level lower than the amount requested in the application.
- 6.4 The goal of the ICON program is for projects to proceed in a timely manner and applicants are expected to reach project completion no later than March 31, 2024. The evaluation criteria are based on value-for-money and seek to achieve the objective of Ontario's Action Plan commitment of connecting 220,000 households and businesses.

ICON Program: Regional Broadband Network Project Eligible Costs

- 6.5 The ICON Program assesses a project's eligibility for funding in terms of direct costs which can include labour, materials and equipment, as examples. The Region's application includes these costs in its budget as these will directly impact the project's implementation.
- 6.6 The list of costs ineligible for ICON funding is extensive and can be categorized as costs associated with the operation of the network. For example, ineligible broadband network related costs associated with leases which house equipment, insurance, facility repairs or maintenance, office space rental and contingencies all fall into this category.

ICON Application: Project Description

- 6.7 Following the Stage 1 application, staff received feedback from the MOI outlining recommended changes to the conceptual design in order to increase the likelihood that the project will be eligible for funding under the ICON program. It was noted that the design should include a last-mile component to increase the likelihood for success.
- 6.8 Based on the feedback received from the Ministry of Infrastructure (MOI), Regional staff had to revise the conceptual design of the application to align to the recommendations.
- 6.9 The revised scope of the Stage 2 application includes approximately 210 kilometres of backbone infrastructure and 194 kilometres of middle and last mile network to connect customers in the communities identified. Based on our analysis of the

revised scope, the project will reach approximately 3,663 households, 624 businesses which includes 76 farms, and an additional 6 anchor tenants.

- 6.10 Working with OPUC the revised scope seeks to leverage existing backbone assets from both the Region's traffic network and OPUC's fibre network to reach end-customers through both the expansion of our broadband network and making last mile connections.
- 6.11 The Stage 2 proposal notes that the Region will seek further funding from the federal government representing 50 per cent of the project costs, through the recently announced UBF.

7. Federal Grant Application: Universal Broadband Fund (UBF)

- 7.1 On November 9, 2020 the federal government launched the UBF which will help bring high-speed internet to underserved rural and remote households. This fund is intended to help bridge the digital divide and achieve the objectives outlined in Canada's Connectivity Strategy.
- 7.2 The UBF is a \$1.75 billion fund and applicants can request up to 75 per cent of the total eligible costs of a project. The application guidelines note that funding should be requested based on the minimum level of program support required to ensure that a project proceeds within the proposed time and scope. It is also expected that the applicants contribute to the project cost.
- 7.3 The completion deadline for projects under the UBF is March 31, 2026. As with the ICON application, projects screened as eligible are not necessarily guaranteed funding.
- 7.4 Projects that are eligible for the UBF align closely to those included in the ICON program. To be eligible, projects must:
- a. Cover areas that do not already have 50/10 Mbps service according to the National Broadband Internet Service Availability Map
 - b. Deliver minimum speeds of 50/10Mbps; and
 - c. Provide open access to POPs that are components of the project.
- 7.5 Both the ICON and UBF funding opportunities allow for stacked funding meaning that a single broadband project can receive funds from multiple sources. Completed UBF applications are due February 15, 2021.

8. Municipal Service Corporation

- 8.1 The Regional Broadband Network represents a fundamentally new approach and service that the region has not previously undertaken. To effectively mitigate the risk of entering into broadband as a new service, there is a need to have the appropriate expertise from the private sector when it comes to building and operating the network.
- 8.2 An MSC is a corporation whose shares are owned by a municipality or, a municipality and one or more other public sector entities. An MSC can only provide a system, service or thing that the municipality could provide. An MSC provides:
- a. Professional governance and management through skills-based boards of directors whose terms extend beyond the four-year term of elected officials;
 - b. Potential reduced debt financing requirements by allowing the municipality to bear responsibility for only a portion of the MSC capital investment; and
 - c. A potential vehicle for shared-service arrangements with other municipalities, governments, or third-party entities.
- 8.3 The benefits of establishing an MSC include the protection of limited liability for the Region. It also enables the Regional Broadband Network and related projects to be governed by a board of directors including private sector industry experts. This is important given that the Region is new to broadband which is an industry with established and competitive organizations. An MSC would also allow private sector expertise to be introduced for management and operation of the Regional Broadband Network. The Municipal Act, 2001 allows for the Region of Durham to incorporate an MSC. The MSC is a separate legal entity from its owners (the shareholders in this case would be the Region). The board of directors of the MSC will be appointed by the Region. In order to provide effective leadership to develop and maintain the broadband network, the board would best be comprised mostly of industry experts, and would be complemented with a few Regional Councillors who can offer local insights.
- 8.4 The proposed mandate of the MSC would be informed by the guiding principles that have been developed for the Regional Broadband Network and will focus on delivering on the following key priorities:
- a. Addressing the digital divide in Durham Region through the delivery of a broadband network that is ubiquitous, affordable and inclusive for Durham Region residents;

- b. Providing open access to the network to drive economic and social benefits to residents, businesses and public sector customers;
 - c. Leveraging broadband as a regional asset to improve the delivery of Regional services through working in collaboration with municipalities, post-secondary institutions, schools, hospitals and the private sector.
- 8.5 The Municipal Act imposes a prescribed regime for establishing an MSC. Among other things, a business case for the MSC must be developed, public consultations must be held, an asset transfer policy must be adopted if applicable, and strict compliance with complex rules and regulations must be adhered to.
- 8.6 Establishing an MSC would require a significant amount of effort and expertise to create and comply, with and would have to be in place before any grant money was received through the ICON or UBF programs. As such, external legal counsel will need to be retained to guide the Region through this process. The recommended amount for retaining external legal counsel to give initial advice on various aspects of corporate structure, governance, debenture, tax and finance is \$175,000.
- 8.7 Once established, the MSC could then create a business relationship with its private sector partners through arrangements such as contractual co-ownership of project assets. A contractual co-ownership would treat each party as independent legal entities, while contractually obligating each other to proceed with the co-ownership and/or co-development of projects undertaken to enable the Regional Broadband Network. The revenue that becomes available from licencing fees paid by internet service providers and anchor tenants for access to the network will be shared by the Region and its private sector partners in a manner to be determined.
- 8.8 An MSC enables the flexibility to bring in the appropriate type of private sector expertise at the right time. Initially the Regional Broadband Network will require the expertise that is needed for early-stage work of overseeing project management, design, and construction transitioning to needed oversight of the technical operations of this new business line.
- 8.9 An MSC will need to be in place in order to operationalize the Pickering-Uxbridge Broadband Trunk Fibre project which must be completed before the end of 2021.

9. Financial Implications

- 9.1 At the time of writing this report (late December 2020), the current business case for the ICON application is still at the initial design stage and subject to change as detailed design is advanced. Based on an analysis of the up-front capital

requirements of the initial design stage (best case, base case, worst case), the total estimated project cost ranges from approximately \$35 million to \$50 million.

- 9.2 Based on the costs eligible for the ICON grant, the current business case analysis indicates that approximately 85 to 87 per cent of the project costs for the Regional Broadband Network will be eligible for grant funding. Ineligible costs include capital costs such as Customer Premise Equipment and leasing of land to establish POPs and would need to be borne by the Region and/or OPUC.
- 9.3 The ICON application requires a financial contribution from the Region and OPUC, if the application is successful.
- 9.4 The Region's application requests that 25 per cent of eligible costs will come from ICON and that 50 per cent of the eligible costs will come through stacking grant funding with the UBF. The remaining financial contributions towards project costs, which include all ineligible projects costs and the remaining 25 per cent of eligible costs, would need to be borne by the Region and OPUC.
- 9.5 Based on the total estimated upfront capital costs of the preliminary design at the time of this report, and assuming that the Region receives senior government funding under both the Provincial (ICON) program (25% of total eligible costs) and the Federal (UBF) program (50% of total eligible costs), the estimated financial contribution to be cost shared between the Region and OPUC will range between \$13 million and \$18 million. The sharing of the operating expenditures, including debt repayment obligations, and revenues of the MSC will be determined through ongoing negotiations.
- 9.6 The financial contribution of the Region and OPUC are subject to continued negotiation.
- 9.7 The levels of funding and proposed contributions from Region and OPUC remains subject to confidential negotiation, which is a permitted option under the Stage 2 ICON program guidelines. The Region may participate in cost-sharing of ongoing operating costs as well as cash flow requirements depending on the outcome of the negotiations and the timing of the anticipated revenue streams from subscribers. Staff will report to Council with the proposed Regional financing based on the proposed project contributions, once negotiations have been completed.
- 9.8 It is recommended that the Region of Durham send a letter to the Federal and Provincial Governments highlighting the importance of broadband connectivity

within Durham's unserved and underserved communities and requesting a significant funding contribution to ensure project advancement.

10. Risk and Mitigation

- 10.1 The risks to a project of this scale fall into three areas: funding risks related to both the Provincial and Federal levels and financial assumptions; construction risks related to the project schedule and costs; and business and market risks related to entering into services in the broadband industry.
- 10.2 Risk assessment is based on high level analysis and will be refined as detailed information on project size and scope, proposed method of service delivery, and analysis of partnerships and project corporate structure and ownership becomes available. There are also other business risks including assets having a reduced life span, and loss of revenue due to private sector competition and industry related risks.
- 10.3 Due to the extensive competition for broadband funding, there is a risk that the Region will not be successful in being awarded grant funding through the ICON Program. To mitigate this risk, necessary scope revisions and decisions on funding commitments will be revisited with Council once the grant outcomes are known. Staff also continue to advocate to senior levels of government about the importance of closing the digital divide for Durham communities.
- 10.4 The current financial model is based on an initial conceptual design. As is typical with infrastructure projects that have not been undertaken before, the confidence level increases as the project moves from conceptual design to detailed design. Accordingly, there is a risk that the project costs may increase as detailed designs are undertaken. To mitigate this risk, staff have engaged professional services providers to provide advice and market information to build a robust financial model. The expertise of these consultants will continue to enable staff to update the financial model as the detailed design is completed.
- 10.5 ICON's eligibility requirements note that projects eligible for funding must reach project completion by March 31, 2024. Through COVID 19 infrastructure responses, it is possible that there will be a high volume of broadband construction occurring around Ontario and in Canada over the next 3 years. This increase in demand may impact the availability of material and/or resources and have an adverse impact on the project schedule and/or impact the estimated project cost. To mitigate this risk, the Region is seeking external expertise and advisory services for professional

advice in terms of financing and design. This advice will combine with expertise from the proposed MSC structure.

- 10.6 The Regional Broadband Network build-out responds to a gap in internet service availability mainly in the region's rural areas and effectively places the Region in a new role as a service provider for households and businesses which do not have adequate internet speeds in today's environment. There is the risk that as the Region occupies a place in the broadband market, which is better suited to private ISPs, it may be viewed as competitive threat by private ISPs. To mitigate this risk, a Municipal Service Corporation should be set up to bring in the private sector expertise required to manage the commercial and operational risks posed by entering into Broadband. The creation of an MSC gives rise to governance issues, and complex arrangements with respect to how the board is empowered, and rights and obligations between the board and the shareholders. Although the MSC is owned by the municipality, which appoints the board of directors, the MSC is a separate entity from the municipality, with potentially separate interests. Elected municipal officials and staff cannot control the MSC directly. Recommendations will be brought forward to Council for its consideration regarding the governance of the MSC and the composition of the proposed board, balancing private sector expertise and local insights from Regional Councillors.

11. Relationship to Strategic Plan

- 11.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
- a. Equitable access to reliable and affordable internet connectivity, impacts many of the regional objectives and priorities that are laid out in the Durham Region Strategic Plan. Specifically:
 - Environmental Sustainability:
 - (a) Section 1.5 Expand sustainable and active transportation...through focusing on innovative, *connected*, sustainable and competitive mobility services.
 - Community Vitality:
 - (a) Section 2.1 Revitalize existing neighbourhoods and build complete communities that are walkable, *well-connected*, and have a mix of attainable housing.
 - (b) Section 2.3 Influence the social determinants of health to improve outcomes for vulnerable populations...providing a range of programs,

services and supports to address the specific needs of vulnerable populations.

- Economic Prosperity:
 - (a) Section 3.3 Enhance communication and transportation networks to better connect people and move goods more effectively...supporting a full-service broadband network across the region.
 - (b) Section 3.5 Provide a supportive environment for agriculture and agri-food business...that fosters continued growth in the sector and balances diversification, technological innovation, labour force development and environmental sustainability.
- Service Excellence:
 - (a) Section 5.2 Collaborate for a seamless service experience.... available through multiple channels.
 - (b) Section 5.4 Drive organizational success through innovation, a skilled workforce, and modernized services.

12. Conclusion

12.1 The ICON and UBF funding programs represent an opportunity to move forward with Regional Council's priority to improve broadband infrastructure in Durham Region, to connect unserved and underserved areas.

12.2 The proposed project for the ICON Program will enable connectivity to approximately 3,660 households, 624 businesses which includes 76 farms, and an additional 6 anchor tenants. By stacking funding programs, there is an opportunity to leverage funding from senior levels of government for up to 75 per cent of eligible projects costs.

12.3 There is a need to have appropriate expertise from the private sector when it comes to the project management required to build the Regional Broadband Network and for subsequent options. It is recommended that staff be directed to explore the formation of an MSC and report back to Council with more detail about the options and associated implications of an MSC.

12.4 Following the submission of the ICON and UBF applications, staff will develop and assess options of how to pursue the Regional Broadband Network in the event that grant funding is not awarded.

12.5 This report has been prepared in consultation with the Finance Department and Legal Services which concur with the recommendations.

Respectfully submitted,

Original signed by

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

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer



Date:	01/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	Debbie V.

January 29, 2021

Dear Brock Township Council and Planning Staff,

As you are likely aware, the Province has initiated the review of the Lake Simcoe Protection Plan with a public survey and offers for municipal presentations, a science forum and a town hall.

The Rescue Lake Simcoe Coalition spearheaded the campaign to get the Lake Simcoe Protection Act and Plan, and we are keen to see it live long, strong enough to improve the lake's health. So far, remediation has barely kept pace with the negative impacts of development, climate change and invasive species. The province has not offered a direction to consider on the policy review, so we hope you will consider ours.

The province has made it clear that development at all costs is a priority; that will be terrible for Lake Simcoe unless strong protections stay in place. Now that we have lost much of the critical role that Conservation Authorities play in the protection of the environment and public safety, municipalities must be key defenders of our Lake.

The majority of shoreline municipalities, including: Barrie, Brock, Georgina, Georgina Island First Nation Band Council, and Orillia Councils (plus Aurora to the south) passed Council resolutions calling for the maintenance of today's water quality and phosphorus reduction policies, and for increasing protections to achieve the natural heritage targets in the Lake Simcoe Protection Plan.

The Rescue Lake Simcoe Coalition is pleased with this result and hopes that municipalities will remember this as they make their comments on the Lake Simcoe Protection Plan for the province. Additionally, Newmarket, Oro-Medonte, and Whitchurch-Stouffville passed supportive resolutions. Municipal Council resolutions responding to our delegation can be viewed in detail [here](#). And read our blog on the topic here (future link).

What the LSPP does that is unique as compared to other watersheds, is that impacts of development are reduced, and remediated on the developers' dime. That's a win for

neighbourhoods, water quality, and reducing municipal costs of addressing negative impacts of development.

The watershed's population is projected to double by 2041 to about a million, and paved surfaces will increase by 14,000 – 17,000 hectares in the same timeframe. We need to set ourselves up for success, and we think the LSPP is a lot of steps in the right direction!

Protect Our Plan Priorities in brief:

1. Improve water quality by reducing Phosphorus loads to the lake, to 44 tonnes per year, as soon as possible, from urban and agricultural areas, and from aggregate and construction sites;
1. Support a healthy environment around the lake and reduce flooding impacts by protecting 40% of the watershed area's forests and wetlands.
1. Enable the Lake Simcoe Region Conservation Authority and First Nations to participate meaningfully in LSPP governance.
1. Respect the LSPP by stopping the use of Minister's Zoning Orders (MZOs) in the watershed.
1. Increase public engagement in restoration and invasive species control. Get the public and businesses involved in locally-driven stewardship activities.
2. Incorporate and implement the Lake Simcoe Climate Change Adaptation Strategy policies into the LSPP to reduce phosphorus loads, mitigate the impacts of climate change, and increase natural cover.

We will email Councils and planners our final policy recommendations by February 9th. We are consulting on a draft with advisors and our 26 member groups. The Coalition's priorities from 2019 are [here](#).

Our resources and research

We have suggested some answers to Ontario's public **survey** [here](#).

Despite the Minister's claim, **The Minister's 10 Year Report on Lake Simcoe** does not meet the reporting requirements of the Lake Simcoe Protection Act and Plan. See our blog [here](#).

Explainer Videos and webinars can also be viewed on our YouTube channel [here](#). Topics: "What is the Lake Simcoe Protection Plan?", "Lake Simcoe and Climate Change", "How does development affect Lake Simcoe?"

Our **reports, maps, and factsheets** are [here](#) and include an analysis of natural heritage protection by policy in the watershed.

The publicly appointed **Lake Simcoe Science Committee's advice** for the implementation of the LSPP is [here](#). The publicly appointed, multi-stakeholder, **Lake Simcoe Coordinating Committee's advice** from 2017 is at the end of the Minister's 2017 report, [here](#).

The [model delegation to Councils](#) includes referenced data and analysis you are welcome to use!

Webinars for replay

1. [Hot Topics: Development Impacts to the Lake, MZO's and CA Act reform](#), (very timely), with me, Claire Malcolmson, Tim Gray of Environmental Defence, and Margaret Prophet of Simcoe County Greenbelt Coalition;
 2. [In it to Win it: Protecting Nature from Development](#), with David Donnelly and Jack Gibbons;
 3. [Climate Change and Lake Simcoe](#), with Dianne Saxe, Kerry Ann Charles-Norris and Al Douglas.
- Each webinar starts with an **explainer video** on the topic to help everyone learn and take action.

I would be happy to talk with you, answer your questions, and work together towards many Councils' goal of protecting Lake Simcoe for recreation, nature itself, and future generations.

Best regards,

Claire Malcolmson

Executive Director, Rescue Lake Simcoe Coalition

About Us:

The Rescue Lake Simcoe Coalition is a lake-wide member-based organization, representing 26 groups in the Lake Simcoe watershed, that provides leadership and inspires people to take action to protect Lake Simcoe. www.rescuelakesimcoe.org

Executive Director, Claire Malcolmson, MES, has worked on Lake Simcoe issues since 2001. Her other roles have been: Ten year member and provincially appointed Chair of the Lake Simcoe Coordinating Committee, from which she recently stepped down, Manager of Campaign Fairness, Past President of the Rescue Lake Simcoe Coalition Board, Water Program Manager at Environmental Defence, and developer and Manager of Paddling Around Lake Simcoe in 2002. Claire has a Masters degree in Integrated Watershed Management, with a focus on the Lake Simcoe Protection Plan and the Growth Plan.

Model Municipal Resolution presented to Councils

WHEREAS a healthy environment provides the foundation for healthy communities, healthy people, and a healthy economy; and

WHEREAS the passage of the Lake Simcoe Protection Act received unanimous, all party support in the Ontario legislature in 2008;

THEREFORE BE IT RESOLVED, THAT the Town of X calls on the Ontario Government to demonstrate its commitment to clean water and protecting what matters most in the provincial

statutory review of the Lake Simcoe Protection Plan, **by ensuring that provisions in the Lake Simcoe Protection Plan that protect water quality are not weakened and that policies protecting natural heritage be strengthened, in order to meet the targets of the Lake Simcoe Protection Plan;** and

THAT the Ontario Government be requested **to work collaboratively** with affected Provincial Ministries and all levels of government, including First Nations and Métis, **to achieve the goals and targets of the Lake Simcoe Protection Plan and to resource the programs that improve Lake Simcoe's water quality** during the provincial statutory review of the Lake Simcoe Protection Plan; and

THAT copies of this resolution be provided to ...

END



January 29, 2021

The Honourable Jeff Yurek
Minister, Environment, Conservation and Parks
College Park 5th Flr
777 Bay St.
Toronto, ON M7A 2J3

Date:	01/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Dear Honourable Sir:

RE: Upper York Sewage Solution, Our File: 011

Council of the Region of Durham, at its meeting held on January 27, 2021, adopted the following recommendations, as amended:

“That the Confidential Memorandum from Elaine Baxter-Trahair, Chief Administrative Officer regarding pending Provincial decision on Upper York Servicing Solution Environmental Assessment (EA) be received for information;

And further;

Whereas York Region had spent \$100 million on an Environmental study to deal with growth in the northern part of the region and York Region staff has recommended a Lake Simcoe model for treatment;

And whereas there has been no public consultation process on this very recent change in direction;

And whereas the Province of Ontario is considering a Lake Ontario model through York Region to Durham Region;

And whereas staff and Durham Council would like an explanation as to why the Province is looking towards a Lake Ontario model;

Now therefore be it resolved that Regional Council request the Province, in the immediate future and prior to making a decision, provide the rationale regarding the potential decision to implement the Lake Ontario Option for the Upper York Sewage Solution immediately.”

Ralph Walton

Ralph Walton,
Regional Clerk/Director of Legislative Services

RW/ks

c: The Honourable Doug Ford, Premier of Ontario
Erin O'Toole, Conservative Party of Canada

The Regional
Municipality
of Durham

Corporate Services
Department
Legislative Services

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durham.ca

Don Beaton, BCom, M.P.A.
Commissioner of Corporate
Services

Rod Phillips, MPP (Ajax)
Lindsey Park, MPP (Durham)
Laurie Scott, MPP (Haliburton/Kawartha Lakes/Brock)
David Piccini, MPP (Northumberland/Peterborough South)
Jennifer French, MPP (Oshawa)
Peter Bethlenfalvy, MPP (Pickering/Uxbridge)
Lorne Coe, MPP (Whitby)
Nicole Cooper, Clerk, Town of Ajax
Becky Jamieson, Clerk, Township of Brock
June Gallagher, Clerk, Municipality of Clarington
Mary Medeiros, City Clerk, City of Oshawa
Susan Cassel, Clerk, City of Pickering
John Paul Newman, Clerk, Township of Scugog
Debbie Leroux, Clerk, Township of Uxbridge
Chris Harris, Clerk, Town of Whitby

Sent by Email

January 29, 2021

Ralph Walton
Regional Clerk/Director of Legislative Services
The Regional Municipality of Durham
clerks@durham.ca

Date:	01/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Subject: Response to November 25, 2020 Notice of Motion regarding Minister's Zoning Orders (2020-P-30)
Corr. 01-21
File: A-1400-001-21

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on January 25, 2021 and adopted the following resolution:

That Corr. 01-21, from Ralph Walton, Regional Clerk, the Regional Municipality of Durham, dated December 17, 2020, regarding the Response to November 25, 2020 Notice of Motion regarding Minister's Zoning Orders (2020-P-30), be endorsed.

A copy of the original correspondence is attached for your reference.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660, extension 2019.

Yours truly



Susan Cassel
City Clerk

SC:rp
Enclosure

Copy: The Hon. Steve Clark, Minister of Municipal Affairs and Housing
Nicole Cooper, Clerk, Town of Ajax
Becky Jamieson, Clerk, Township of Brock
June Gallagher, Municipal Clerk, Municipality of Clarington

Mary Medeiros, City Clerk, City of Oshawa
Leigh Fleury, Deputy Clerk, Township of Scugog
Debbie Leroux, Director of Legislative Services/Clerk, Township of Uxbridge
Chris Harris, Clerk, Town of Whitby

Interim Chief Administrative Officer



The Regional
Municipality
of Durham

Corporate Services
Department
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durham.ca

Don Beaton, BCom, M.P.A.
Commissioner of Corporate
Services

December 17, 2020

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

Dear Minister Clark:

**RE: Response to November 25, 2020 Notice of Motion regarding
Minister's Zoning Orders (2020-P-30), Our File: D00**

Council of the Region of Durham, at its meeting held on December 16, 2020, adopted the following recommendations, as amended:

"Whereas increasingly applicants are requesting Minister's Zoning Orders in order to bypass the public planning process and to expedite development projects; and

Whereas there is no defined MZO process to ensure that the appropriate technical issues are fully addressed before an MZO is enacted; and

Whereas Regional Council wishes to ensure that all planning-related decisions affecting lands in the Region of Durham are sound and in the public interest;

Now therefore be it resolved that:

1. Durham Region request that the Minister of Municipal Affairs and Housing define what are matters of Provincial priority for consideration of MZO's;
2. Durham Region request the Minister of Municipal Affairs and Housing to clarify when MZOs will (and will not) be used to expedite development, and to clarify what safeguards can and will be put in place to ensure that future land use decisions made by way of an MZO represent good planning and are in the public interest;
3. That the Minister consult with the upper tier municipalities during the consideration of any MZO that affects land in the Region. Since any new development affects Regional infrastructure, (i.e. sewer, water, roads), this consultation with the Region is imperative;
4. That the Minister consider whether the proposal conforms to provincial planning policy and consider whether the proposed

development would adversely affect any matter of provincial interest set out in Section 2 of the Planning Act;

5. That the Minister consider whether the proposal conforms to Regional planning policy and facilitates uses that advance Provincial and regional priorities;
6. That the Minister consider whether new development permitted by an MZO adversely affects uses in the vicinity of the area;
7. That the Minister assess whether the project is “shovel-ready” and will be constructed in a timely manner. In that regard, the MZO could include a lapsing provision so that if a building permit has not been issued for the proposal within a specified timeframe, the MZO could be repealed;
8. That prior to the issuance of an MZO, the required technical studies have been, or will be, completed to demonstrate there will not be any unacceptable impacts on the natural environment;
9. That prior to the issuance of an MZO, the required technical studies have been, or will be, completed to demonstrate that the Regional infrastructure is sufficient to accommodate the proposal, and where necessary that a development agreement has been executed prior to the enactment of the MZO to secure the necessary infrastructure works and ensure that any fiscal impacts on the Region have been addressed;
10. That the affected municipality/municipalities be reimbursed by the proponent for time spent by municipal staff on the basis that a significant amount of staff time is required to assist affected Councils when considering MZO requests, to compensate for the foregone planning application fee revenue that would otherwise have been collected; and
11. That a copy of this resolution be forwarded to all local area municipalities in Durham Region.”

Ralph Walton

Ralph Walton,
Regional Clerk/Director of Legislative Services

RW/tf

- c: A. Harras, Acting Clerk, Town of Ajax
- B. Jamieson, Clerk, Township of Brock
- J. Gallagher, Clerk, Municipality of Clarington
- M. Medeiros, Clerk, City of Oshawa
- S. Cassel, Clerk, City of Pickering
- J.P. Newman, Clerk, Township of Scugog
- D. Leroux, Clerk, Township of Uxbridge
- C. Harris, Clerk, Town of Whitby
- B. Bridgeman, Commissioner of Planning and Economic Development

Sent by Email

January 29, 2021

Ralph Walton
Regional Clerk/Director of Legislative Services
The Regional Municipality of Durham
clerks@durham.ca

Date: 01/02/2021

Refer to: Not Applicable

Meeting Date: March 15, 2021

Action: null

Notes: PCA

Copies to:

Subject: Request from the Region of Durham that the Region of York affirm by Resolution its support for the Lake Simcoe Solution as Documented in the Upper York Sewage Solutions (UYSS) Environmental Assessment
Corr. 04-21
File: A-1400-001-21

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on January 25, 2021 and adopted the following resolution:

That Corr. 04-21, from Ralph Walton, Regional Clerk, the Regional Municipality of Durham, dated January 6, 2021, regarding the Request from the Region of Durham that the Region of York affirm by Resolution its support for the Lake Simcoe Solution as Documented in the Upper York Sewage Solutions (UYSS) Environmental Assessment, be endorsed.

A copy of the original correspondence is attached for your reference.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660, extension 2019.

Yours truly



Susan Cassel
City Clerk

SC:rp

Enclosure

Copy: The Hon. Doug Ford, Premier of Ontario
The Hon. Peter Bethlenfalvy, Member of Provincial Parliament, Pickering-Uxbridge
The Hon. Laurie Scott, Member of Provincial Parliament, Haliburton—Kawartha Lakes—Brock
Lorne Coe, Member of Provincial Parliament, Whitby
Jennifer K. French, Member of Provincial Parliament, Oshawa,
Lindsey Park, Member of Provincial Parliament, Durham
Rod Phillips, Member of Provincial Parliament, Ajax
Billy Pang, Member of Provincial Parliament, Markham-Unionville
Faisal Hassan, Member of Provincial Parliament, York South-Weston
Michael Parsa, Member of Provincial Parliament, Aurora - Oak Ridges-Richmond Hill
The Hon. Christine Elliott, Member of Provincial Parliament, Newmarket-Aurora
Roman Baber, Member of Provincial Parliament, York Centre
The Hon. Caroline Mulroney, Member of Provincial Parliament, York-Simcoe
Rima Berns-McGown, Member of Provincial Parliament, Beaches-East York
Logan Kanapathi, Member of Provincial Parliament, Markham-Thornhill
The Hon. Michael A. Tibollo, Member of Provincial Parliament, Vaughan-Woodbridge
The Hon. Stephen Lecce, Member of Provincial Parliament, King-Vaughan
Andrea Horwath, Member of Provincial Parliament, Leader of the Official Opposition
John Fraser, Member of Provincial Parliament, Interim Leader of the Ontario Liberal Party
Mike Schreiner, Member of Provincial Parliament, Leader of the Green Party of Ontario
Nicole Cooper, Clerk, Town of Ajax
Becky Jamieson, Clerk, Township of Brock
June Gallagher, Municipal Clerk, Municipality of Clarington
Mary Medeiros, City Clerk, City of Oshawa
Leigh Fleury, Deputy Clerk, Township of Scugog
Debbie Leroux, Director of Legislative Services/Clerk, Township of Uxbridge
Chris Harris, Clerk, Town of Whitby

Interim Chief Administrative Officer



The Regional
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of Durham

Corporate Services
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Don Beaton, BCom, M.P.A.
Commissioner of Corporate
Services

January 6, 2021

S. Cassel
City Clerk
City of Pickering
One The Esplanade
Pickering ON L1V 6K7

Dear Susan Cassel:

**RE: Request from the Region of Durham that the Region of York
affirm by Resolution its support for the Lake Simcoe
Solution as Documented in the Upper York Sewage
Solutions (UYSS) Environmental Assessment, Our File: 011**

Council of the Region of Durham, at its meeting held on December 16,
2020, adopted the following resolution from the Works Committee:

“That the following resolution be endorsed:

Whereas the Council of the Region of Durham supports the Lake Simcoe
Solution for the proposed servicing solution for the Upper York Sewage
Solutions (UYSS) Environmental Assessment;

Now therefore be it resolved that the Region of Durham request that the
Council of the Region of York affirm by resolution its support for the Lake
Simcoe Solution as documented in the Upper York Sewage Solutions
(UYSS) Environmental Assessment, and that the resolutions from York
and Durham be circulated to the Premier, all MPPs in the Region of
Durham and York Region, to the leaders of the opposition, and to the
local municipalities in the Region of Durham”.

This item of correspondence has been sent to Chris Raynor, Regional
Clerk, Regional Municipality of York and we await their response.

Ralph Walton

Ralph Walton,
Regional Clerk/Director of Legislative Services

RW/sg

c: See attached list

N. Cooper, Clerk, Town of Ajax
B. Jamieson, Clerk, Township of Brock
J. Gallagher, Clerk, Municipality of Clarington
M. Medeiros, Clerk, City of Oshawa
L. Fleury, Acting Clerk, Township of Scugog
D. Leroux, Clerk, Township of Uxbridge
C. Harris, Clerk, Town of Whitby
E. Baxter-Trahair, Chief Administrative Officer
S. Siopis, Commissioner of Works

Sent by Email

January 29, 2021

Date:	01/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
Member of Provincial Parliament, Leeds—Grenville—Thousand Islands and Rideau Lakes
steve.clark@pc.ola.org

Subject: Report PLN 06-21
Environmental Registry Posting 019-2811 Comments on the Minister of Municipal Affairs and Housing's authority to address site plan matters and apply inclusionary zoning as part of a ministerial zoning order
File: A-1400-001-21

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on January 25, 2021 and adopted the following Resolution #508/21:

1. That the comments in Report PLN 06-21 on Environmental Registry Posting (ERO) 019-2811 regarding certain legislative provisions in the Planning Act that enable the Minister of Municipal Affairs and Housing to address site plan matters and apply inclusionary zoning as part of a ministerial zoning order, be endorsed;
2. That the Province repeal recent changes through Bill 197 which provide enhanced powers that enable the Province to address site plan matters as part of a ministerial zoning order on the basis that:
 - a. municipalities are better positioned to carry out this function;
 - b. the site plan control process administered by the local municipality provides the best and only mechanism for ensuring the public and community interest is maintained and upheld where the land use zoning for a development is approved through a ministerial zoning order;
 - c. the Province does not have the local or technical expertise (engineering, urban design, landscaping, transportation, and fire), processes, or the same established

working relationships to replace or fulfill these functions, which may result in delays or longer processes; and,

- d. exemption from or uploading of these functions may also result in many practical challenges in terms of how detailed conditions will be formulated, finalized, and implemented in co-ordination with local municipal planning staff and various service agencies;
3. That the Province repeal recent changes through Bill 197 which provide enhanced powers that enable the Province to apply inclusionary zoning as part of a ministerial zoning order on the basis that:
- a. municipalities are better positioned to administer inclusionary zoning;
 - b. inclusionary zoning should not be arbitrarily administered in the absence of a required analysis and where associated municipal planning policies and regulations are not in place; and,
 - c. requiring the provision of affordable housing without the necessary supportive tools, financing, policy, and regulatory framework, may result in projects not being viable or appropriately located or sized, among other issues;
4. That should these enhanced powers around site plans and inclusionary zoning be maintained:
- a. consideration be given to scoping these powers to certain areas of the province or jurisdictions that are not well equipped to handle these functions in an expeditious manner;
 - b. municipalities be consulted extensively when the Province is considering exempting a project from site plan approval and/or assuming oversight for the process and when implementing inclusionary zoning requirements;
 - c. stringent criteria be developed in consultation with municipalities as to which specific projects qualify to be exempt from local site plan control;
 - d. details be provided on how these procedural and logistical matters would be addressed; in particular, clarification should be provided around who will be responsible for handling ongoing implementation matters after the approvals are in place such as necessary changes and inspections;
 - e. the proponent be required to complete and/or satisfactorily address the necessary technical studies, agreements, and matters of interest that are ordinarily addressed through the City's site plan control process to ensure there will not be

any unacceptable impacts on or off the site or to the municipality as a result of the development; and,

- f. provision be made for financial compensation to municipalities and, where applicable, conservation authorities, by the proponent or the Province for time spent by staff on reviewing and commenting functions on these applications to offset the foregone planning application/review fee revenue that would otherwise have been collected by the municipality;
5. That the Province provide further clarification on how exactly the enhancements related to site plan matters and inclusionary zoning support:
- a. the delivery of transit station infrastructure;
 - b. optimization of surplus lands and what is meant by the term “surplus lands” in this context; and,
 - c. what constitutes a strategic project in this context;
6. That staff be directed to respond to ERO posting 019-2811 with a copy of Report PLN 06-21 and Council’s resolution thereon, and that a copy of Report PLN 06-21 be forwarded to the Minister of Municipal Affairs and Housing, MPP Peter Bethlenfalvy, the Regional Municipality of Durham, and other Durham Area Municipalities.

A copy of Report PLN 06-21 is attached for your reference.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660, extension 2019.

Yours truly



Susan Cassel
City Clerk

SC:rp
Enclosure

Copy: The Hon. Peter Bethlenfalvy, Member of Provincial Parliament, Pickering-Uxbridge
Ralph Walton, Regional Clerk/Director of Legislative Services, The Regional Municipality of Durham

Nicole Cooper, Clerk, Town of Ajax
Becky Jamieson, Clerk, Township of Brock
June Gallagher, Municipal Clerk, Municipality of Clarington
Mary Medeiros, City Clerk, City of Oshawa
Leigh Fleury, Deputy Clerk, Township of Scugog
Debbie Leroux, Director of Legislative Services/Clerk, Township of Uxbridge
Chris Harris, Clerk, Town of Whitby

Interim Chief Administrative Officer
Director, City Development & CBO

From: Kyle Bentley
Director, City Development & CBO

Subject: Environmental Registry Posting 019-2811
Comments on the Minister of Municipal Affairs and Housing's authority to address site plan matters and apply inclusionary zoning as part of a ministerial zoning order
- File: L-1100-054

Recommendation:

1. That the comments in Report PLN 06-21 on Environmental Registry Posting (ERO) 019-2811 regarding certain legislative provisions in the *Planning Act* that enable the Minister of Municipal Affairs and Housing to address site plan matters and apply inclusionary zoning as part of a ministerial zoning order, be endorsed;
2. That the Province repeal recent changes through Bill 197 which provide enhanced powers that enable the Province to address site plan matters as part of a ministerial zoning order on the basis that:
 - a. municipalities are better positioned to carry out this function;
 - b. the site plan control process administered by the local municipality provides the best and only mechanism for ensuring the public and community interest is maintained and upheld where the land use zoning for a development is approved through a ministerial zoning order;
 - c. the Province does not have the local or technical expertise (engineering, urban design, landscaping, transportation, and fire), processes, or the same established working relationships to replace or fulfill these functions, which may result in delays or longer processes; and
 - d. exemption from or uploading of these functions may also result in many practical challenges in terms of how detailed conditions will be formulated, finalized, and implemented in co-ordination with local municipal planning staff and various service agencies;
3. That the Province repeal recent changes through Bill 197 which provide enhanced powers that enable the Province to apply inclusionary zoning as part of a ministerial zoning order on the basis that:
 - a. municipalities are better positioned to administer inclusionary zoning;
 - b. inclusionary zoning should not be arbitrarily administered in the absence of a required analysis and where associated municipal planning policies and regulations are not in place; and

-
- c. requiring the provision of affordable housing without the necessary supportive tools, financing, policy, and regulatory framework, may result in projects not being viable or appropriately located or sized, among other issues;
4. That should these enhanced powers around site plans and inclusionary zoning be maintained:
- a. consideration be given to scoping these powers to certain areas of the province or jurisdictions that are not well equipped to handle these functions in an expeditious manner;
 - b. municipalities be consulted extensively when the Province is considering exempting a project from site plan approval and/or assuming oversight for the process and when implementing inclusionary zoning requirements;
 - c. stringent criteria be developed in consultation with municipalities as to which specific projects qualify to be exempt from local site plan control;
 - d. details be provided on how these procedural and logistical matters would be addressed; in particular, clarification should be provided around who will be responsible for handling ongoing implementation matters after the approvals are in place such as necessary changes and inspections;
 - e. the proponent be required to complete and/or satisfactorily address the necessary technical studies, agreements, and matters of interest that are ordinarily addressed through the City's site plan control process to ensure there will not be any unacceptable impacts on or off the site or to the municipality as a result of the development; and
 - f. provision be made for financial compensation to municipalities and, where applicable, conservation authorities, by the proponent or the Province for time spent by staff on reviewing and commenting functions on these applications to offset the foregone planning application/review fee revenue that would otherwise have been collected by the municipality;
5. That the Province provide further clarification on how exactly the enhancements related to site plan matters and inclusionary zoning support:
- a. the delivery of transit station infrastructure
 - b. optimization of surplus lands and what is meant by the term "surplus lands" in this context; and,
 - c. what constitutes a strategic project in this context;
6. That staff be directed to respond to ERO posting 019-2811 with a copy of Report PLN 06-21 and Council's resolution thereon, and that a copy of Report PLN 06-21 be forwarded to the Minister of Municipal Affairs and Housing, MPP Peter Bethlenfalvy, the Regional Municipality of Durham, and other Durham Area Municipalities.

Executive Summary: On December 16, 2020, the Ministry of Municipal Affairs and Housing posted a proposal on the Environmental Registry of Ontario (ERO) for a 45-day commenting period, to seek input on provisions that were recently added to the *Planning Act* through the passing of Bill 197, the *COVID-19 Economic Recovery Act*, 2020. Those provisions granted the Minister enhanced authority to address certain matters as part of a Minister's Zoning Order, in particular, site plans and inclusionary zoning. Comments are requested by January 30, 2021. City staff have prepared comments on behalf of the City and are seeking Council's endorsement of these comments.

Financial Implications: The effect of the legislation could have the potential of reducing revenue from development applications due to developers not having to submit applications for Site Plan Approval.

1. Purpose

The purpose of this report is to obtain Council's endorsement of staff's comments to the Province on Environmental Registry of Ontario (ERO) posting 019-2811, regarding changes to certain legislative provisions in the *Planning Act*, that enable the Minister of Municipal Affairs and Housing (MMAH) to address site plan matters and apply inclusionary zoning as part of a zoning order. This report contains an assessment of possible implications and comments on the ERO posting.

2. Background

Section 47 of the *Planning Act* gives the Minister of Municipal Affairs and Housing the authority to zone any property in Ontario by issuing a Ministerial Zoning Order (MZO). This tool allows the province to enact zoning regulations on lands without any public notice, public meetings, consultation, or right of appeal. MZOs override the underlying official plans and zoning by-laws. When an MZO is enacted, it quickly advances a development proposal to the site plan and building permit stage, or possibly straight to the building permit stage of development (if the project is exempt from site plan control). Currently, there is no established process or criteria that the Minister is required to follow to enact a MZO.

As part of the economic recovery from the effects of the current pandemic, the Province has been making frequent use of MZOs to enable certain development projects to proceed more quickly. With the increasing number of MZO requests, many municipalities, including the Region of Durham, have expressed concerns and suggested that further clarification or criteria around the use of MZOs and their implementation might be appropriate.

Within the City of Pickering, there are four MZOs, but only one has been issued as part of the recent actions to expedite development projects. Two of these orders were issued in the 1970s and are in the rural area near the federal airport lands. The purpose of these orders was to restrict land uses by preventing noise sensitive uses from being developed in the future flight paths to and from the future airport site. The third zoning order was passed in 2003 for the lands in the Duffins-Rouge Agricultural Preserve. The purpose of this zoning order was to restrict land uses to agricultural uses. Earlier this year, the Province issued an MZO to permit a variety of uses in association with the Durham Live development including apartment buildings, supermarkets, offices, film studios and warehousing.

2.1 Site Plan Control

Prior to the *Planning Act* being amended, when a zoning order has been issued by the Minister, and where a municipality has enacted a Site Plan Control By-law, local approval authorities would apply site plan control prior to a building permit being issued.

Site plan control is an optional tool under the *Planning Act* that allows the council of a local municipality to control certain matters on and around a site proposed for development. This control over detailed site-specific matters, such as access (for pedestrians and vehicles), walkways, lighting, waste facilities, landscaping, drainage, and exterior design, ensures that a development proposal is properly planned and designed, fits in with the surrounding uses, and minimizes any negative impacts.

Municipalities also have the ability to require applicants to enter into appropriate site plan and development agreements, and provide securities to ensure required works are completed in accordance with the approved plans.

The City of Pickering has enacted a Site Plan Control By-law and implemented an effective and efficient site plan control process, which includes a pre-consultation meeting informing developers of submission requirements and identifies high level issues and concerns at the outset and prior to submission of the application. The Delegation of Site Plan Approval to the Director, City Development & CBO also expedites the process. The City has well established relationships and circulation protocols with key stakeholders and public agencies and requires comments be delivered in a timely manner.

Pickering's Site Plan Committee, consisting of the three City Councillors, helps to ensure that local issues and matters within a particular neighbourhood or area are considered in the review process. Further, through the site plan approval process, the City encourages and enables concurrent reviews of other applications such as minor variances and building permits, lessening development review timelines for applicants. Timelines for site plan applications are largely dependent on the development proponent's capacity to address and respond to matters.

2.2 Inclusionary Zoning

Introduced in 2018, inclusionary zoning is a land-use planning tool that may be used by municipalities to require affordable housing units to be included in proposed developments. Bill 108 limited the use of inclusionary zoning by municipalities to Major Transit Station Areas.

In order for a municipality to utilize the inclusionary zoning provisions enabled through the *Planning Act*, they must undertake an "assessment report" to inform the development of appropriate official plan policies and zoning by-law provisions. In accordance with Ontario Regulation 232/18, this assessment report must include an analysis of municipal demographics and population, household incomes, housing supply by type (current and planned), housing types and sizes that might be needed to meet anticipated demand for affordable housing, and current average market price/rent by housing type across the municipality.

Currently, there are no policies in the Pickering Official Plan that enable the use of inclusionary zoning. The City's ongoing Housing Strategy Study will be examining the merits of utilizing inclusionary zoning. In addition, the Region of Durham has indicated that they are exploring the possibility of preparing an assessment report for their jurisdiction. This would enable the local municipalities, including the City of Pickering, to use this information in establishing inclusionary zoning, official plan policies, and zoning by-law provisions should they choose to do so. The Region is exploring this and other ways to enhance the affordable housing policies within its Official Plan through their municipal comprehensive review, Envision Durham.

3. **Bill 197, the *COVID-19 Economic Recovery Act*, 2020 (Bill 197)**

Bill 197 received Royal Assent on July 21, 2020. Changes to Section 47 of the *Planning Act* were set out in Schedule 17 of Bill 197, and came into force on the same date.

Prior to the enactment of Bill 197, the Minister's authority to zone land did not include the authority to address site plan matters, or to require affordable housing units through inclusionary zoning. These recent amendments to Section 47 of the *Planning Act* give the Minister enhanced powers to:

- require affordable housing (through inclusionary zoning);
- remove municipal use of site plan control and require agreements between the municipality and development proponent (or landowner) concerning site plan matters; and
- make amendments to Minister's Zoning Orders that use any of these enhanced authorities without giving public notice beforehand.

This enhanced authority does not apply within the Greenbelt Area (i.e., lands in the Oak Ridges Moraine Conservation Plan, Greenbelt Plan Protected Countryside and Urban River Valleys).

The Province has indicated that an enhanced MZO could help overcome potential barriers and development delays, and that this proposed new authority could be used to support the delivery of transit station infrastructure and the optimization of surplus lands (e.g., affordable housing and long-term care homes), provide increased certainty for strategic projects, remove potential approvals delays, increase the availability of affordable housing, and provide additional value capture to enable economic recovery.

This authority to address site plan matters, if utilized by the Minister, would supersede municipal site plan authority, where the Minister so provides in a zoning order. Through the MZO, the Minister could require a municipality and a development proponent (or landowner) to enter into an agreement dealing with matters related to site plan control (i.e., the same matters that may be addressed through a typical site plan control process). However, the Minister will be able to give binding direction concerning the agreement (outside the zoning order) to scope the matters that need to be addressed, or to specify how the matters are to be addressed.

4. ERO Proposal 019-2811

On December 16, 2020, the MMAH posted a proposal on the ERO for a 45-day commenting period, to seek input on the proposed implementation of provisions in the *Planning Act*, as a result of the passing of Bill 197. Comments are requested by January 30, 2021.

The MMAH is inviting public comment on the use of the enhanced powers regarding site plan control and inclusionary zoning in ministerial zoning orders. In particular, the Ministry is interested in hearing feedback with regard to:

- whether the legislative changes made in this regard by Bill 197, should be expanded, repealed or otherwise adjusted;
- how this enhanced authority, subject to any potential changes that might be made to it, ought to be used;
- circumstances where this enhanced authority could be particularly helpful; and
- circumstances where this enhanced authority may be better not used.

The feedback received will assist the Ministry in determining whether changes should be made to the provisions of Section 47 of the *Planning Act* enacted by Bill 197 and, if the provisions are maintained, at least in part, whether there are best practices that might be articulated to guide the implementation of this enhanced ministerial authority.

5. Staff Comments

City staff have undertaken a detailed review of the ERO proposal and provide the following comments. Key issues, comments, and concerns are outlined below and form the recommendations of this report.

The Province has indicated that an enhanced MZO could help to overcome potential barriers and development delays and that the proposed enhanced powers could be used to support the delivery of transit station infrastructure and the optimization of surplus lands (e.g., affordable housing and long term care homes), provide increased certainty for strategic projects, remove potential approvals delays, increase the availability of affordable housing, and provide additional value capture to enable economic recovery. **It is unclear how the enhancements could be used to support the delivery of transit station infrastructure, what is meant by “surplus lands”, and what constitutes a “strategic project”. Staff are requesting that the Province provide clarification.**

Staff are recommending repeal of recent changes through Bill 197 which provide enhanced powers that enable the Province to override site plan control from the local municipality, and apply inclusionary zoning as part of an MZO. These additional powers may be appropriate or desirable to be applied for development proposals in smaller and/or rural municipalities in Ontario that do not have the resources, technical expertise or formalized processes that the City of Pickering has in place to support expeditious processing of these kinds of applications. Currently, the City acts as an intermediary between the proponent and key stakeholders, and as a coordinating body. **Should these powers around site plans and inclusionary zoning be maintained, consideration**

should be given to scoping these powers significantly. Further, MMAH should consult extensively with the relevant municipalities when considering exempting a project from site plan approval and/or assuming oversight for the process and when implementing inclusionary zoning requirements.

5.1 Site Plan Control Exemption

Exempting development from site plan control, or directing a scoped site plan control process be undertaken, poses a serious risk that various design and detailed site specific matters that are integral to the City's vision for the community and for public safety are overlooked. Guidance for site development is detailed through official plan policies, zoning by-laws and urban design guidelines, master drainage plans, watershed specific controls for stormwater quantity and quality management, fire safety route requirements, and municipal and regional development standards.

Documents regarding land use and design are prepared with public engagement and stakeholder input, and represent the community vision for new development. Technical requirements, such as stormwater management, fire safety, and municipal design standards are prepared to mitigate risk to persons and property and municipal liability. There is a strong concern that if the Minister has the ability to exempt developments from site plan control, or to only apply certain elements of site plan control, that the resulting development could fail to mitigate negative impacts to existing neighbourhoods, may not achieve desired patterns of development, and may result in risks to persons and property.

The site plan control process administered by the local municipality provides the best and only mechanism for ensuring the public and community interest is maintained and upheld. Staff at local municipalities have an intimate knowledge of local issues and are more familiar with the technical issues that are typically identified by key stakeholders and with the site-specific context. Removal of municipal site plan approval has the potential of resulting in decisions that may not serve the public interest and which could diminish transparency and accountability.

The Province does not have the local or technical expertise (engineering, urban design, landscaping, transportation, and fire), processes, or the same established working relationships to replace or fulfill these functions, which may result in delays or longer processes. If the role of a local municipality is relegated to a commenting agency in instances where the Province utilizes this enhanced authority through Bill 197 related to site plan control, it would add an additional layer of bureaucracy.

Through a Provincially directed scoped site plan control process, it appears that there would still be some form of ministerial approval and conditions of approval to secure the agreements between the owner and the municipality in relation to the critical matters that are typically addressed through site plan control. However, in the absence of regulations, there is a lot of uncertainty as to how this would be implemented.

Uploading of these detailed local functions may not only undermine the local planning process, but may also result in many practical challenges in terms of how detailed site plan conditions will be formulated, finalized and implemented in co-ordination with local

municipal planning staff and various service agencies. It is unclear how changes and implementation would be handled after the agreement is in place. If the Province decides to maintain these powers, **details should be provided on how these procedural and logistical matters would be addressed. In particular, clarification should be provided around who will be responsible for handling ongoing implementation matters after the approvals are in place, such as for necessary changes and inspections.**

Should the Province exercise these enhanced powers to exempt development from site plan control or to restrict the scope of a Provincially directed site plan review, **stringent criteria needs to be developed in consultation with municipalities to determine which specific projects may be exempt from site plan control, or to which matters would be addressed through a scoped site plan review**, to ensure arbitrary proposals/projects that have no provincial interest are not exempt from site plan control. Prior to the issuance of any approval by the Province, **the proponent should be required to complete and/or satisfactorily address the necessary technical studies, agreements, and matters of interest that are ordinarily addressed through the City's site plan control process to ensure there will not be any unacceptable impacts on or off the site or to the municipality as a result of the development.**

Further, **provision should be made for financial compensation to municipalities and, where applicable, conservation authorities, by the proponent or the Province, for time spent by staff to undertake reviewing and commenting functions on these applications.** A significant amount of staff time may still be required to assist the Province in considering these requests and in these cases, compensation should be provided to offset the foregone planning application/review fee revenue that would otherwise have been collected by the municipality.

5.2 Application of Inclusionary Zoning

With regard to enhanced authority to apply inclusionary zoning through MZOs, while staff strongly support the provision of affordable housing, **staff do not support arbitrary application of inclusionary zoning by the Province through the issuance of MZOs, particularly where the necessary assessment has not yet been undertaken and associated planning policies and regulations are not in place.** It is unclear how the Province would determine an appropriate amount and/or requirement for affordable housing in the absence of this requisite information.

Further, Bill 108 limited the use of inclusionary zoning by municipalities to only Major Transit Station Areas (MTSAs). It appears through this enhanced authority, that the Province can choose to apply inclusionary zoning anywhere with the exception of lands within the Greenbelt. It is not clear why, if Bill 108 limited the use of inclusionary zoning to MTSAs, the Province would deem it to be appropriate or how they would consider when to apply inclusionary zoning outside of MTSAs.

Government funding programs, incentives, and stronger regulations that are equitably administered across the province are needed to support affordable housing. **Requiring the provision of affordable housing without the necessary supportive tools, financing, policy, and regulatory framework, may result in projects not being viable or not being appropriately located or sized, and could cause other related issues.**

Prepared By:**Approved/Endorsed By:**

Original Signed By

Original Signed By

Kristy Kilbourne, MCIP, RPP
Principal Planner, Policy

Catherine Rose, MCIP, RPP
Chief Planner

Original Signed By

Original Signed By

Déan Jacobs, MCIP, RPP
Manager, Policy & Geomatics

Kyle Bentley, P. Eng.
Director, City Development & CBO

KK:DJ:ld

Recommended for the consideration
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.
Interim Chief Administrative Officer

From: [Melanie Dolamore](#)
To: [Ted Smith](#); [Michael Jubb](#); [Claire Doble](#); [Walter Schummer](#); [Cria Pettingill](#); [Lynn Campbell](#)
Cc: [Dean Hustwick](#); [Becky Jamieson](#); [Laura Barta](#); [Mark Majchrowski](#); [Wanda Stephen](#)
Subject: Kawartha Conservation 2021 Budget - Township of Brock
Date: January 29, 2021 3:21:19 PM
Attachments: [2021 Budget cvr ltr Brock.pdf](#)
[KRCA DRAFT 2021 Budget-Jan 26.pdf](#)

Date:	01/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Good Afternoon Deputy Mayor Smith and Members of Council,

On behalf of Chief Administrative Officer Mark Majchrowski, please find attached to this email correspondence regarding the Kawartha Conservation 2021 Budget. Thank you.

Kind regards,

Melanie Dolamore
 Corporate Services Assistant
 KAWARTHA CONSERVATION
 277 Kenrei Road
 Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 216

Fax: 705.328.2286

KawarthaConservation.com

IMPORTANT COVID-19 NOTICE: In light of health concerns related to the COVID-19 virus and in response to the Province's state of emergency, the Kawartha Conservation Administrative office is closed to the public at this time. Staff are available remotely to assist with all business needs. Further information can be obtained by calling the office or visiting our website.

January 29, 2021

The Deputy Mayor and Members of Council
Township of Brock
1 Cameron Street East, P.O. Box 10
Cannington, ON L0E 1E0

RE: Kawartha Conservation 2021 Preliminary Budget

Dear Deputy Mayor Smith and Members of Council:

We are pleased to provide our 2021 Preliminary Budget, supported in principle by our Board of Directors, and approved for a 30-day review period by Resolution #15/21:

Resolution #15/21

Moved by: Kathleen Seymour-Fagan
Seconded by: Ron Hooper

Resolved That, the 2021 Draft Budget with a programs and projects overview be circulated to the member municipalities.

Carried

The 2021 Draft Budget document outlines the conservation programs and projects proposed for delivery in 2021 in accordance with our Strategic Plan, and associated funding requirements.

The scope of operating programs along with municipal levy has been maintained at the previous year's level. The Operating Levy and General Benefiting Levy are shared by the municipal partners based on apportionment percentages supplied to us by the Ministry of Environment, Conservation and Parks. The apportionment percentage is based on current value assessment (CVA) information generated by MPAC. Individual municipal increases or decreases vary due to changes in the CVA apportionment year over year. Information on apportionment can be found on page 7 of the Budget document.

Our request for Operating Levy is \$676,887 which meets the Region's guideline of 2.5% and includes a CVA adjustment to levy of \$3,959, and land management expenditures of \$15,000.

We have proposed Special Projects for the Region of Durham totalling \$147,322 for consideration. This request also meets the Region's guidelines.

We have submitted one-time Special Request for funding for Watershed Planning as the final year of a two-year project at a cost of \$27,500 in 2021. The initial phase of this project was successfully completed, culminating in a

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Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Kawartha Lakes • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan

report entitled *“Durham Watershed Planning Project, Provincial Conformity of Watershed Plans and Water Resources System”*. The report provided information to assist with Municipal Conformity Review exercises and land use planning activities. As per the Planning Services Partnership Memorandum of Understanding (MOU) with Durham Region, this report will assist in the review and approval of development applications under the Planning Act. As a result, this will help to process Planning Act applications faster while ensuring conformity with provincial policy. The report also highlighted further areas for investigation related to Key Hydrologic Features to aid in furthering these goals, which this next phase looks to address.

Additionally, we have submitted Special Requests for support for the Website Enhancement project of \$7,131 and Information Management project of \$5,347, for a total of \$12,478. These projects implement important strategic goals to improve our customer service, embrace technology and invest in efficiencies in workflow and response times for Planning and Permitting comments. As such, our website has been improved for on-line application submissions, on-line payments, and improved information dissemination. In 2021, and supported by our board of directors, we are implementing an on-line permit and planning application tracking system as an additional important service to allow our customers to track the status of their planning application.

The digitization of Planning records into the Information Management System is integral in expediting applications and improving customer service along with meeting our requirements under the Information & Privacy Act.

Our Board of Directors will hold a weighted vote on the 2021 Operating Budget, General Benefiting Projects and associated municipal levies on March 25, 2021. Special Benefiting Projects proceed based on municipal funding approvals. Information on the weighted vote can be found on page 9.

If you have any questions, or if we can provide further information, please do not hesitate to contact me at extension 215 or Wanda Stephen, Director, Corporate Services, extension 226.

Yours truly,



Mark Majchrowski
Chief Administrative Officer

Encls.

cc: D. Hustwick, Chief Administrative Officer
L. Barta, Treasurer
B. Jamieson, Clerk

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Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Kawartha Lakes • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan

2021 Draft Budget

Information for Member Municipalities



**KAWARTHA
CONSERVATION**

Table of Contents

Vision and Governance	3
Our Strategic Goals	4
2020 Draft Budget	5
Municipal Levy – Summary	6
Municipal Operating Levy	7
Municipal Projects Levy	8
Municipal General Benefiting Projects Levy	8
Municipal Special Benefiting Projects Levy	8
Budget Process & Budget Vote	9
Sources of Revenue & Expenditures	10
Statement of Revenue and Expenditures	11
Planning, Development and Engineering	12
City of Kawartha Lakes, Municipal Agreement, Risk Management Official, Clean Water Act, Part IV, Enforcement	14
Integrated Watershed Management	16
Stewardship and Conservation Lands	18
Corporate Services	22
Schedule of Overhead	24
Summary of General Benefiting Summary	25
Drinking Water Source Protection	26
Website Enhancement	28
Digitization of Corporate Records	28
Special Project Summary	30
Watershed Planning	31
Region of Durham - Special Benefiting Projects Summary	33
City of Kawartha Lakes, Lake Management Plan Implementation	38
Region of Durham & City of Kawartha Lakes Joint Special Benefiting Project	44

Vision

A sustainable watershed with clean and abundant water and natural resources assured for future generations.

Governance

The municipalities within the boundaries of the watershed govern Kawartha Conservation through a Board of Directors comprised of nine representatives. Directors are responsible for making decisions as a collective working for the benefit of the whole watershed. They act as liaisons between their municipalities and Kawartha Conservation.

2021 Board of Directors

CHAIR

Andy Letham
City of Kawartha Lakes

VICE CHAIR - Vacant

DIRECTORS

Kathleen Seymour-Fagan
City of Kawartha Lakes

Pat Dunn
City of Kawartha Lakes

Ted Smith
Township of Brock, Region of Durham

Ron Hooper
Municipality of Clarington, Region of Durham

Angus Ross
Township of Scugog, Region of Durham

Cathy Moore
Township of Cavan Monaghan

Ron Windover
Municipality of Trent Lakes

Deborah Kiezebrink
Township of Scugog, Region of Durham



Member Municipalities

City of Kawartha Lakes
Region of Durham

- Township of Scugog
- Municipality of Clarington
- Township of Brock

Municipality of Trent Lakes
Township of Cavan Monaghan



Protect

Keep people, property, and communities safe from natural hazards such as flooding and erosion.

Conserve & Restore

Conserve and restore a healthy resilient environment.

Discover

Develop greater scientific knowledge of the watershed that advances decision making.

Connect & Collaborate

Engage our watershed partners to foster relationships.

Optimize Service

Focus on customer and business service excellence and optimize performance.

KAWARTHA CONSERVATION

2021 Draft Budget

January 21, 2021



2021 Draft Budget

The 2021 Operating and Special Projects Budget is developed and reviewed in detail by our Board of Directors, and it was approved for circulation to our municipal partners for comments.

The 2021 operating expenditure budget is organized into business units and each department is intended to reflect all associated costs.

The operating levy is shared by the municipal partners based on an apportionment percentage supplied to us by the Ministry of Natural Resources and Forestry.

The projects budget is organized by General Benefiting Projects and Special Benefiting Projects.

The municipal levy for General Benefiting Projects is shared by the municipal partners based on the same apportionment percentage as the operating levy.

Special Benefiting Projects are funded by the benefiting municipality/municipalities.

Durham East Cross Forest Conservation Area is an operating program funded solely by the Region of Durham Special Operating Levy.

2021 Draft Budget

Municipal Levy – Summary

	Proposed 2021 Levy					Approved 2020	Levy Increase (Decrease)
	Operating	Special Operating	General Projects	Special Projects	Total Municipal Levy	Total Municipal Levy	
City of Kawartha Lakes	\$ 963,171	\$ -	\$ 20,900	\$ 307,700	\$ 1,291,771	\$ 1,465,438	\$ (173,667)
Region of Durham	575,055	104,200	12,478	167,600	859,333	839,555	19,778
Municipality of Trent Lakes	68,749	-	1,492	-	70,241	69,578	663
Township of Cavan Monaghan	6,025	-	130	-	6,155	5,709	446
Total	\$ 1,613,000	\$ 104,200	\$ 35,000	\$ 475,300	\$ 2,227,500	\$ 2,380,280	\$ (152,780)

Municipal Operating Levy

The Operating Levy is shared by the municipal partners based on apportionment percentages supplied to us by the Ministry of Natural Resources and Forestry. The apportionment percentage is based on current value assessment (CVA) information generated by MPAC. Individual municipal increases vary due to changes in the CVA apportionment year over year.

	2020 Apportionment Percentage	2021 Apportionment Percentage	2020 Operating Levy	2021 Operating Levy	Increase (Decrease)	% Increase (Decrease)
City of Kawartha Lakes	59.9204%	59.7131%	\$ 942,966	\$ 963,171	\$ 20,205	2.14%
Region of Durham	35.3997	35.6513	557,085	575,055	17,970	3.23%
Municipality of Trent Lakes	4.3251	4.2622	68,064	68,749	685	1.01%
Township of Cavan Monaghan	0.3549	0.3735	5,585	6,025	440	7.87%
Total	100%	100%	\$ 1,573,700	\$ 1,613,000	\$ 39,300	

Municipal Projects Levy

Projects are developed to implement priorities within our Strategic Plan and in response to municipal priorities. The projects address strategic plan directions and issues identified by our board of directors, municipal leaders, senior municipal staff, and community stakeholders. We use municipal funds to leverage grant opportunities whenever possible.

General Benefiting Projects

General Benefiting projects have a watershed wide benefit and the levy is shared by the municipal partners on the same apportionment percentage as the operating levy. Projects for 2021 include Drinking Water Source Protection (fully funded), website redesign and digitization of corporate records.

Summary of General Benefiting Projects:	2020 Approved General Benefiting Levy	2021 Proposed General Benefiting Levy
City of Kawartha Lakes	\$ 20,972	\$ 20,900
Region of Durham	12,390	12,478
Municipality of Trent Lakes	1,514	1,492
Township of Cavan Monaghan	124	130
	\$ 35,000	\$ 35,000

Special Benefiting

Special Benefiting projects are designed to meet the needs or concerns of a specific municipality and thus directly benefit the individual municipality. The benefiting municipality funds the projects. Projects for 2021 continue our work to implement the Lake Management Plans, Watershed Plans and initiate updates to our watershed plans in the Region of Durham.

Summary of Special Benefiting Projects:	2020 Approved Special Benefiting Levy	2021 Proposed Special Benefiting Levy
City of Kawartha Lakes	\$ 501,200	\$ 307,700
Region of Durham	168,000	167,600
Municipality of Trent Lakes	-	-
Township of Cavan Monaghan	-	-
	\$ 669,200	\$ 475,300

Budget Process

On January 21, 2021 the Board of Directors approved that the 2021 Draft Budget be circulated to our member municipalities for a 30 day commenting period. The Board of Directors weighted vote on the budget and associated municipal Operating and General Projects levy is scheduled for March 25, 2021.

Budget Vote

Directors of the Board will vote on the budget and levy using a weighted vote based on the Current Value Assessment levy apportionment formula.

The provincial regulation governing the weighted vote does not permit an individual municipality to have a weighted vote in excess of 50% of the weighting unless that municipality has more than 50% of the members on the Board of Directors. A weighted majority of 51% carries the vote.

The weighted vote is distributed amongst Directors as follows:

City of Kawartha Lakes

1st of 3 representatives	16.6667%
2nd of 3 representatives	16.6667%
3rd of 3 representatives	16.6666%

Region of Durham

1st of 4 representatives	11.0617%
2nd of 4 representatives	11.0617%
3rd of 4 representatives	11.0617%
4th of 4 representatives	11.0617%

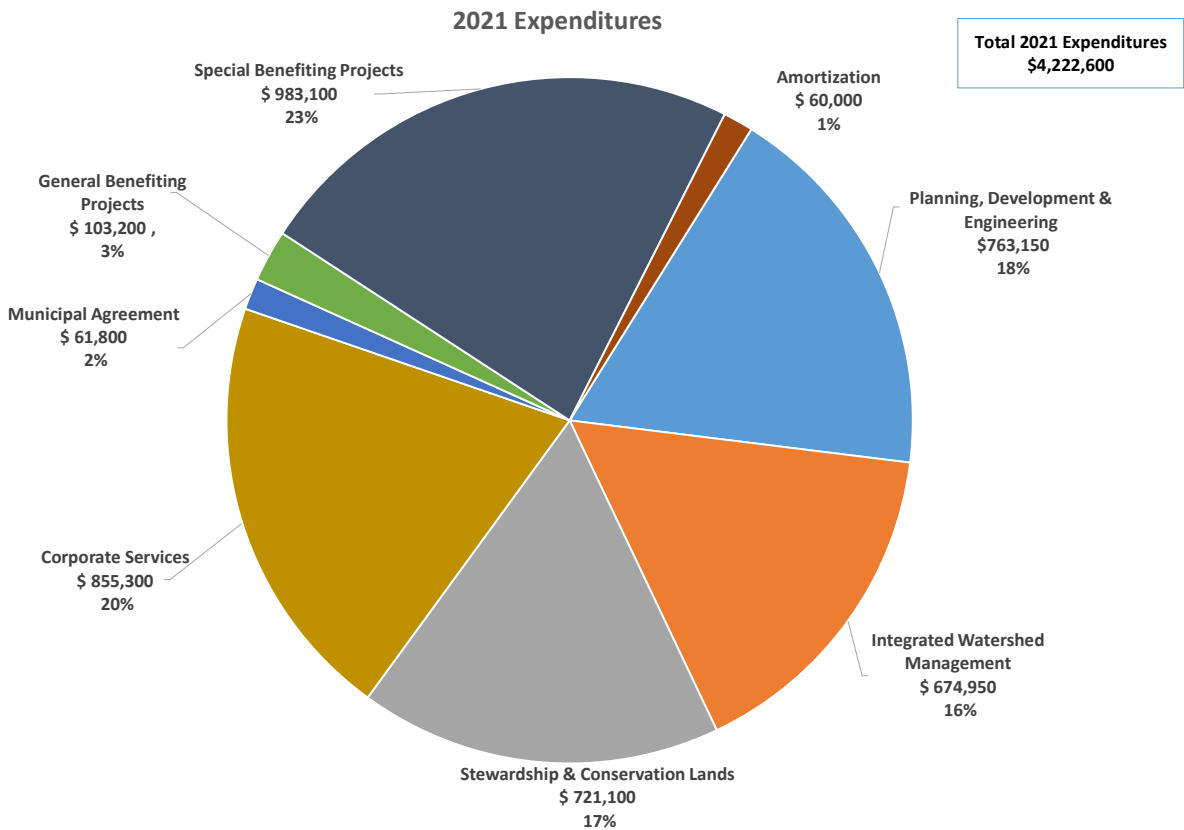
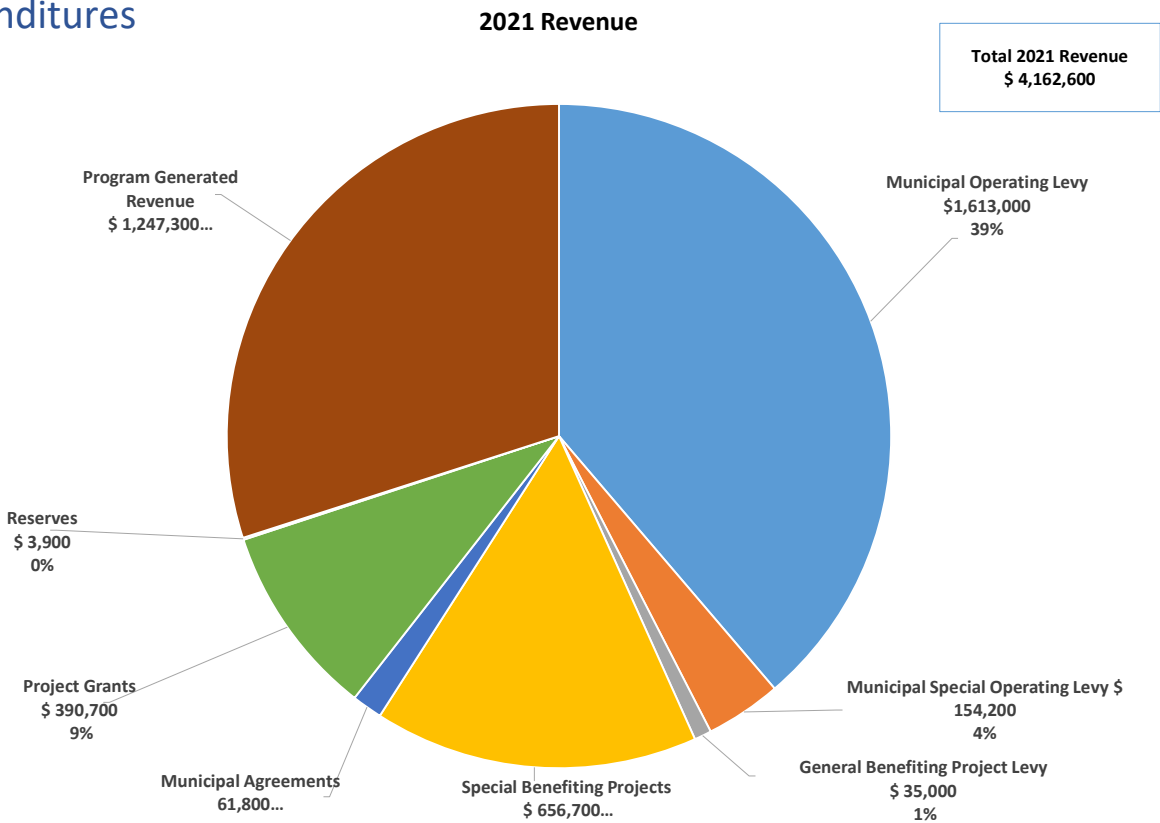
Municipality of Trent Lakes

1 representative	5.2898%
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Township of Cavan Monaghan

1 representative	0.4635%
------------------	---------

Sources of Revenue and Expenditures



KAWARTHA CONSERVATION
2021 Preliminary Budget

Draft

STATEMENT OF REVENUE AND EXPENDITURES

	Audited Actual 2019	Budget 2020	Budget 2021	Variance to 2020 Budget
REVENUE				
Municipal levy				
Operating	\$ 1,573,700	\$ 1,573,700	\$ 1,613,000	\$ 39,300
Region of Durham-Durham East Cross Forest CA	96,635	119,300	154,200	34,900
General benefiting projects	26,391	35,000	35,000	-
Special benefiting projects	656,018	682,000	656,700	(25,300)
	2,352,744	2,410,000	2,458,900	48,900
Municipal Agreements				
CKL, Risk Management Official, Clean Water Act	43,895	61,800	61,800	-
CKL, Agricultural Drain Classification	15,191	-	-	-
	59,086	61,800	61,800	-
Program Generated Revenue				
Planning and Permitting fees	391,812	429,800	505,000	75,200
Intergrated Watershed Management	56,210	36,900	75,400	38,500
Stewardship and Conservation Lands	316,612	172,200	325,200	153,000
Corporate Services	37,443	23,000	15,000	(8,000)
Special Projects management	367,583	317,050	326,700	9,650
	1,169,660	978,950	1,247,300	268,350
Special Projects				
Drinking Water Source Protection	61,035	68,200	68,200	-
Grants, Durham special projects	59,697	55,000	145,750	90,750
Grants, CKL special projects	72,476	140,300	180,650	40,350
	193,208	263,500	394,600	131,100
Other				
Amortization of deferred captial contribution	28,324	-	-	-
TOTAL REVENUE	\$ 3,803,022	\$ 3,714,250	\$ 4,162,600	\$ 448,350
EXPENDITURES				
Operations				
Planning, Development & Engineering	\$ 541,509	\$ 725,600	\$ 763,150	37,550
Intergrated Watershed Management	633,451	622,100	674,950	52,850
Stewardship and Conservation Lands	719,995	576,950	721,100	144,150
Corporate Services	760,805	747,300	855,300	108,000
Amortization of tangible capital assets	70,840	60,000	60,000	-
Vehicle pool	(25,524)	(25,000)	(25,000)	-
	2,701,076	2,706,950	3,049,500	342,550
Projects				
General Benefiting, Drinking Water Source Protection	49,999	68,200	68,200	-
General Benefiting	26,391	35,000	35,000	-
Special Benefiting	781,870	877,300	983,100	105,800
	858,260	980,500	1,086,300	105,800
Municipal Agreements				
CKL Risk Management Official	44,243	61,800	61,800	-
CKL Agricultural Drain Classification	20,307	-	-	-
	64,550	61,800	61,800	-
TOTAL EXPENDITURES	\$ 3,623,886	\$ 3,749,250	\$ 4,197,600	\$ 448,350
Net Surplus (Deficit) from operations	\$ 179,136	\$ (35,000)	\$ (35,000)	\$ 0

Planning, Development and Engineering

Planning

Planning helps to protect properties against the loss of life, property damage and social disruption, and encourages the responsible management and protection of environmentally sensitive areas for future generations, while ensuring compliance with provincial legislation at the local level.

Conservation Authorities have been delegated the responsibility of commenting on behalf of the Province of Ontario on planning matters related to natural hazards (Section 3.1 of the Provincial Policy Statement, 2020). In addition, Conservation Authorities provide plan review advice with respect to the health of watersheds including the management of water and natural heritage resources.

Permitting

Permitting through the Conservation Authority ensures public safety and protection of property from damage caused by natural hazards, protects watershed health by preventing pollution and damage to sensitive environmental areas such as wetland, shorelines, and watercourses, and promotes long term sustainability of the watershed.

Kawartha Conservation administers the Section 28 Regulation of the Conservation Authorities Act.

Ontario Regulation 182/06, the regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulates development in relation to river and stream valleys, steep slopes, watercourses, floodplains, and wetlands, plus the respective allowances that are associated with each feature.

Enforcement

Conservation staff are responsible for regular monitoring of development activities impacting on natural regulated features, following up on public and municipal complaints regarding any potential violations and obtaining regulatory compliance through compliance agreements or judicial methods as pertains to Section 28 of the Conservation Authorities Act and associated specific Ontario Regulation 182/06.

**KAWARTHA CONSERVATION
2021 Operating Budget**

Draft

PLANNING, DEVELOPMENT AND ENGINEERING

	Audited			
	Actual	Budget	Budget	Variance to
	2019	2020	2021	2020 Budget
Sources of Revenue				
Municipal operating levy	\$ 234,481	\$ 295,800	\$ 258,150	\$ (37,650)
Planning and permitting fees	353,263	315,000	340,000	25,000
Large scale fill permits	28,455	100,000	100,000	-
Municipal agreement, RMO	6,403	14,800	15,000	200
MOU, flood plain mapping	-	-	50,000	50,000
Employment grant	3,691	-	-	-
	\$ 626,293	\$ 725,600	\$ 763,150	\$ 37,550

PLANNING/PERMITTING

Expenditures				
Direct labour	\$ 378,934	\$ 565,900	\$ 599,800	\$ 33,900
Overhead	42,968	42,300	50,900	8,600
Legal	(7,725)	15,000	5,000	(10,000)
Consulting	88,795	22,000	7,000	(15,000)
Fill permit compliance costs	11,443	60,000	60,000	-
IMS Records management	-	-	10,000	10,000
Flood plain mapping services			10,950	10,950
Supplies & equipment	12,220	12,100	11,500	(600)
Professional development	2,122	2,500	2,500	-
Travel	5,198	5,800	5,500	(300)
	\$ 541,509	\$ 725,600	\$ 763,150	\$ 37,550

Municipal Agreement, City of Kawartha Lakes Risk Management Official Clean Water Act, Part IV, Enforcement

Purpose

Source Water Protection Plan policies are designed in the best interests of a community and are required to be implemented for the long-term protection of safe and healthy drinking water sources. Risk Management Plans and developing the land surrounding water supply systems in a suitable way is required. This is a proactive method of ensuring contamination risks are reduced and expensive clean-up costs can be averted.

Benefits

A Source Protection Plan helps municipalities save money by creating and implementing a multi-barrier approach to strengthen the protection of municipal drinking water sources. By implementing source protection plan policies requiring a risk management official (RMO), as per the Clean Water Act, threat assessments of groundwater and surface water quality and quantity on a site specific and watershed scale are determined and monitored. These plans and activities directly support the City of Kawartha Lakes specifically in implementation of plan policies requiring a Risk Management Plan and providing information for planning/building applications for development where the activity or land use could impact upon municipal drinking water supplies.

Deliverables

This project to date has involved the establishment of a risk management office and the development of plans with landowners designed to eliminate risks to municipal water supply systems, as delegated by the City of Kawartha Lakes through agreement. Policies and procedures have been developed to guide implementation activities. Activities in 2021 will continue to focus on the negotiation and establishment of risk management plans, issuing notices to proceed with an activity under the Planning Act and Building Code Act and reporting.

Risk Management Plans have been prioritized to focus on agricultural and residential fuel oil. Risk management plans need to be negotiated with landowners and tenants, which will address threats to community drinking water supply systems. Risk management plans ensure that activities that pose a potential threat to municipal drinking water supply systems are adequately managed, such as by improvements to infrastructure, changes in process and handling of chemicals, and ensuring spill containment measures are in place. Activities of the Risk Management Official are guided by a Project Oversight Committee comprised of public works staff and staff at Kawartha Conservation.

**KAWARTHA CONSERVATION
2021 Municipal Agreement Budget**

Draft

City of Kawartha Lakes			
Risk Management Official	Budget	Budget	Variance to
CLEAN WATER ACT, PART IV, ENFORCEMENT	2020	2021	2020 Budget

Sources of Revenue

City of Kawartha Lakes, service agreement	\$ 61,800	\$ 61,800	\$ -
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Expenditures

Direct labour	\$ 41,000	\$ 39,900	\$ (1,100)
In-house expertise	10,700	11,000	300
Supplies	2,400	2,400	-
Technology and data management	500	1,500	1,000
Travel	3,100	3,000	(100)
Administration fee	4,100	4,000	(100)
	\$ 61,800	\$ 61,800	\$ -

Note:

This budget is funded through a municipal agreement

and is not considered a part of the municipal general operating levy

Integrated Watershed Management

Environmental Information Services

Environmental Information Services help property owners, builders, developers, real estate professionals and municipal partners make information and timely resource management decisions that benefit their actions, and which impact our watershed. This program area provides support to many of our programs and projects by managing data in a spatial context and developing maps for various internal and external requirements.

Environmental Monitoring Services

We maintain a core watershed monitoring network, including water quality and quantity for both surface and ground water. This enables us to identify issues requiring attention early on, while gauging the effectiveness of current planning practices. Collaboration and the pooling of resources assist with the coordination of program delivery and is key to planning and permitting functions, while combining expertise and experience to ensure consistency and cost efficiency. We partner with provincial ministries, such as the Ministry of the Environment, Conservation & Parks, Ministry of Natural Resources and Forestry, local volunteer groups, Fleming College, Ontario Technical University, Trent University, local high schools and agencies such as the Greenbelt Golden Horseshoe Conservation Authority Collaborative – a grouping of 12 Conservation authorities.

During 2021 we will be initiating our ‘Seniors Citizen Science Climate Action Group’ Project that covers our entire jurisdiction and focuses on the shorelines of our lakes. We were successful in obtaining \$17.5k in funding in 2020 from Employment and Social Development Canada’s ‘New Horizon’s for Seniors Program. With agreement from the funder this money was deferred until 2021. This funding will be used to purchase climate monitoring equipment to measure air and water temperature and precipitation levels across our watershed helping to action ours and our municipal partners climate strategies.

Flood & Water Level Monitoring

Our flood contingency and flood response plans, daily monitoring of water levels and precipitation, assessment of potential flood threats, communication with municipalities and the community, and participation in municipal flood response activities helps support and protect the people and property across the watershed.

Flood forecasting and warning is a fundamental responsibility delegated to conservation authorities by the Province since 1984. We fulfill this duty by monitoring the water level, precipitation, and watershed conditions.

Close collaboration and partnership with federal (Ontario Waterways – Trent Severn Waterway, Environment and Climate Change Canada), and provincial (MNRF, Ontario Hydro) agencies and partner conservation authorities allow for accurate forecast and reliable information which is put in context of the local watershed and provided to the community when flooding concerns are warranted.

**KAWARTHA CONSERVATION
2021 Operating Budget**

Draft

INTEGRATED WATERSHED MANAGEMENT

	Audited				
	Actual	Budget	Budget	Variance to	
	2019	2020	2021	2020 Budget	
Sources of Revenue					
Municipal operating levy	\$ 434,656	\$ 487,071	\$ 599,550	\$ 14,350	
Special Projects Management	101,527	-	\$ -	-	
MNRF transfer payment	18,480	-	24,600	24,600	
Low water response	10,850	-	-	-	
Technical Services fees	11,447	3,000	8,000	5,000	
Innovation Hub	14,636	25,000	25,000	-	
Employment grants	479	8,900	-	(8,900)	
Climate Change grant	-	-	17,500	17,500	
Other grants	318	-	300	300	
	\$ 592,393	\$ 523,971	\$ 674,950	\$ 52,850	

Expenditures

INTEGRATED WATERSHED MANAGEMENT

Direct labour	\$ 512,782	\$ 503,800	\$ 524,900	\$ 21,100	
Seasonal labour	18,849	17,800	11,500	(6,300)	
Overhead	42,968	42,100	61,100	19,000	
Supplies & equipment	15,973	19,450	23,100	3,650	
Technology and data management	12,004	13,900	12,800	(1,100)	
Professional development	2,520	3,600	4,200	600	
Travel	4,064	3,550	2,850	(700)	
Oak Ridges Moraine Alliance	2,500	2,500	2,500	-	
Stream gauge utilities, maintenance	436	2,400	1,000	(1,400)	
Ontario Low Water Response	10,684	-	500	500	
Surface water monitoring	3,770	5,500	5,500	-	
Groundwater monitoring	6,901	7,500	7,500	-	
Climate Change program	-	-	17,500	17,500	
	\$ 633,451	\$ 622,100	\$ 674,950	\$ 52,850	

Stewardship and Conservation Lands

Conservation Areas

Kawartha Conservation owns and manages over 1,300 hectares of natural areas including Ken Reid Conservation Area, Durham East Cross Forest, Pigeon River Headwaters, Windy Ridge / Tuckerman property, Fleetwood Creek Natural Area, Dewey's Island, Nogies Creek, and South Bay Wetlands. Visitors to our Conservation Areas include the general public, schools, special interest groups, and tourists. With an estimated 30,000 visits per year, our Conservation areas provide opportunities to relax, discover the natural world, and enjoy the many health benefits of being in nature. This program strives to provide a safe and meaningful way for our community to access quality green spaces.

During the pandemic we have seen a dramatic increase in the number of people visiting our conservation areas. In a year over year comparison of on-line searches for our conservation areas between August and December we have seen an increase of 48% in searches, translating to 556,411 searches resulting in just under 10,000 requests for directions. This surge in popularity demonstrates the demand for green spaces during a time of social isolation. Our properties offer safe opportunities to get active, get outside, and physically distance from friends and family. In the first 7 days of January, the popularity continues with over 21,000 searches and 469 requests for directions.

Our conservation lands also provide sites to compensate for species or habitat disruption as a result of development activity to restore these vulnerable habitats in our conservation properties, and by providing expert advice and support for private land restoration projects. This program is initiated by provincial requirements and generates revenue for other programming, improves habitat across Conservation and private lands, and builds relationships between the development industry and the Conservation Authority.

Stewardship

As a result of the pandemic, the Stewardship department has reworked the implementation of our programs as projects linked to the implementation of our Lake and Watershed Management Plans. As a result, these budgets can be found in the Special Benefiting programs of the budget document.

Education

Due to the uncertainty of the Pandemic and the impacts that it will have on schools, this program area is currently on hold for 2021. If community-based programs move forward, they will do so as a cost recovery program and have a net zero impact on the operating budget.

**KAWARTHA CONSERVATION
2021 Operating Budget**

Draft

STEWARDSHIP AND CONSERVATION LANDS

	Audited Actual 2019	Budget 2020	Budget 2021	Variance to 2020 Budget
SOURCES OF REVENUE				
Municipal operating levy	\$ 301,836	\$ 285,451	\$ 241,700	(43,751)
Municipal funds, Region of Durham	70,502	119,300	154,200	34,900
	<u>372,338</u>	<u>404,751</u>	<u>395,900</u>	<u>(8,851)</u>
Restoration Management				
Habitat Compensation projects, cost recovery	88,458	9,000	105,000	96,000
Project management fees Habitat Compensation	11,196	-	67,100	67,100
	<u>99,654</u>	<u>9,000</u>	<u>172,100</u>	<u>163,100</u>
Conservation Areas				
Conservation Area Employment grants	26,909	10,600	-	(10,600)
Conservation Areas User fees	3,276	4,500	2,500	(2,000)
Conservation Areas Parking fees	20,893	30,000	32,000	2,000
Conservation Area Agricultural rent	11,513	12,000	12,000	-
Reserve funds, Windy Ridge	-	3,900	3,900	-
Fleetwood Creek cost recovery	7,371	8,300	8,300	-
Property management fees Fleetwood Creek	7,055	6,800	6,800	-
Property management fees East Cross Forest	48,137	52,100	87,600	35,500
Special Events	9,817	-	-	-
Employment grants and Other	1,370	-	-	-
	<u>136,341</u>	<u>128,200</u>	<u>153,100</u>	<u>24,900</u>
Stewardship	<u>39,214</u>	<u>-</u>	<u>-</u>	<u>-</u>
Education	<u>41,402</u>	<u>35,000</u>	<u>-</u>	<u>(35,000)</u>
	\$ 688,950	\$ 576,951	\$ 721,100	\$ 144,149
Expenditures				
Direct labour	\$ 382,009	\$ 292,200	\$ 291,400	(800)
Seasonal labour	51,596	39,400	36,800	(2,600)
Overhead	48,443	37,600	40,700	3,100
Professional development	2,680	1,500	1,500	-
Contractors and consultants	2,491	-	-	-
Supplies, brochures and publications	12,845	10,200	7,200	(3,000)
Cost of product sales	18,932	-	-	-
Travel	2,062	1,000	900	(100)
Special events	8,841	-	-	-
Ken Reid Conservation Area	50,999	49,300	60,000	10,700
Pigeon River Headwaters Conservation Area	2,662	10,000	10,150	150
Windy Ridge Conservation Area	3,434	3,900	4,250	350
Fleetwood Creek Natural Area	7,743	8,300	8,300	-
Dewey's Island	-	100	100	-
Nogies Creek	534	550	600	50
Durham East Cross Forest Conservation Area	100,305	119,300	154,200	34,900
Restoration projects	24,421	3,600	105,000	101,400
	<u>\$ 719,995</u>	<u>\$ 576,950</u>	<u>\$ 721,100</u>	<u>\$ 144,150</u>

**KAWARTHA CONSERVATION
2021 Operating Budget**

Draft

SCHEDULE OF CONSERVATION AREAS

	Audited Actual 2019	Budget 2020	Budget 2021	Variance to 2020 Budget
<i>Ken Reid Conservation Area</i>				
Road and parking lot maintenance	\$ 15,959	\$ 14,000	\$ 20,000	\$ 6,000
Vehicle usage	1,770	700	1,800	1,100
Equipment usage	6,254	5,000	6,200	1,200
Supplies and small tools	12,865	9,500	11,700	2,200
Infrastructure repair and maintenance	11,158	17,000	17,000	-
Utilities	2,917	3,000	3,200	200
Property taxes	76	100	100	-
	50,999	49,300	60,000	10,700
<i>Pigeon River Headwaters Conservation Area</i>				
Road and parking lot maintenance	-	800	800	-
Vehicle usage	946	700	900	200
Equipment usage	612	500	600	100
Supplies and small tools	- 205	500	250	(250)
Infrastructure repair and maintenance	512	6,800	6,800	-
Property taxes	797	800	800	-
	2,662	10,100	10,150	50
<i>Windy Ridge Conservation Area</i>				
Road and parking lot maintenance	1,002	1,000	1,000	-
Vehicle usage	1,119	500	1,000	500
Equipment usage	209	400	250	(150)
Supplies and small tools	- 346	1,000	500	(500)
Infrastructure repair and maintenance	1,023	500	1,000	500
Property taxes	425	500	500	-
	3,434	3,900	4,250	350
<i>Fleetwood Creek Natural Area</i>				
Road and parking lot maintenance	-	-	-	-
Vehicle usage	804	600	600	-
Equipment usage	332	200	200	-
Supplies and small tools	- 448	700	700	-
Property management	7,055	6,800	6,800	-
	7,743	8,300	8,300	-
<i>Dewey's Island</i>				
Travel and equipment	-	100	100	-

KAWARTHA CONSERVATION
2021 Operating Budget
SPECIAL OPERATING PROGRAM

Draft

Region of Durham

DURHAM EAST CROSS FOREST CONSERVATION AREA	Audited Actual 2019	Budget 2020	Budget 2021	Variance to 2020 Budget
Sources of Revenue				
Region of Durham special and operating levy	\$ 89,100	\$ 102,080	\$ 104,200	\$ 2,120
Grants and other sources of revenue	3,670	-	-	-
Deferred municipal levy	7,535	17,220	50,000	32,780
\$ 100,305	\$ 119,300	\$ 154,200	\$ 34,900	
Expenditures				
Direct labour	\$ 6,871	\$ 34,800	\$ 33,900	\$ (900)
In-house expertise	39,018	41,400	73,500	32,100
Security	9,119	-	-	-
Infrastructure and supplies	14,550	20,500	20,500	-
Travel	18,914	4,800	6,100	1,300
Equipment usage	5,566	2,100	2,100	-
Professional fees and contractors	-	-	2,000	2,000
Property taxes	1,777	5,000	2,000	(3,000)
Administration fee	4,491	10,700	14,100	3,400
\$ 100,305	\$ 119,300	\$ 154,200	\$ 34,900	

Durham East Cross Forest is considered to be an operating program funded solely by the Region of Durham Levy.

Corporate Services

Corporate Services supports each of the departments and the organization as a whole by providing administrative support, coordination, policy development and implementation, program direction and development, strategic and business planning and Board support including agendas and minutes.

Finance, Budget, Audit

This area of business provides financial leadership and support to the organization through financial direction, reporting and management. All accounting processes, financial statements, and audits are conducted and prepared through strict adherence to the Canadian public sector accounting standards. Ongoing scrutiny and analysis contribute to effective and efficient processing, and adherence to applicable legislation. We produce internal financial statements and reports regularly for our leadership team and the Board of Directors.

Human Resources, Health & Safety

Human Resources provide comprehensive services and advice to all departments in the areas of legislative compliance, recruitment, orientation, on-boarding, talent management, metrics reporting, performance management, employment grants and policies and procedures. Within the Health and Safety function, education and training continue to be a focus to create a culture of safety in our organization. We continue to invest resources to produce an effective and progressive Health and Safety program and ensure compliance with the Occupational Health and Safety Act.

Infrastructure, Asset Management, Information & IT Management

Assets include land, buildings, information technology infrastructure, vehicles, and equipment. The Corporate Services team provides support in managing, maintaining, replacing, and monitoring risk and liability issues. This business area also includes the management of corporate records involving soft and hard copies along with the proper retention criteria as well as the implementation of the Information Management System (IMS). This system enables timely responses to client requests, helps us to meet MFIPPA obligations, and improves search capabilities. Hardware and software for the computer network, including system support and security, are a function of this division.

We continue to implement and embrace technology during the pandemic utilizing new processes, software and tools to allow for remote work for our staff. We have additional plans for advancements in 2021 along with additional cybersecurity and improvements for our systems.

Corporate Communications

Corporate communications help to ensure organization transparency and accountability to our Board of Directors, Municipal partners, staff and the watershed community, while representing our organization in a strong, positive manner that is consistent with our vision, mission and focus. This business area also supports all of our programs, projects and services through the development and implementation of communication plans. Some of the regular services and products provided include strategic communication guidance, plan development and implementation, media relations, image and brand management, website development and maintenance, and social media management.

**KAWARTHA CONSERVATION
2021 Operating Budget**

Draft

CORPORATE SERVICES

	Audited Actual 2019	Budget 2020	Budget 2021	Variance to 2020 Budget
Sources of Revenue				
Municipal operating levy	\$ 602,727	\$ 724,300	\$ 840,300	\$ 116,000
Investment income	31,832	23,000	15,000	(8,000)
Donations	180	-	-	-
Grants, wage subsidies and other	5,432	-	-	-
	\$ 640,171	\$ 747,300	\$ 855,300	\$ 108,000
Expenditures				
Direct labour	\$ 690,902	\$ 666,200	\$ 749,400	\$ 83,200
Overhead	42,968	42,300	50,700	8,400
Technology, supplies & equipment	15,473	24,900	29,000	4,100
Professional services	-	-	10,000	10,000
Directors travel and expenses	3,977	5,200	2,400	(2,800)
Strategic Plan	-	-	5,000	5,000
Reports, brochures, publications	1,527	1,500	1,500	-
Professional development	3,643	5,000	5,700	700
Travel	2,314	2,200	1,600	(600)
	\$ 760,805	\$ 747,300	\$ 855,300	\$ 108,000

**KAWARTHA CONSERVATION
2021 Operating Budget**

Draft

Schedule of Overhead

	Audited Actual 2019	Budget 2020	Budget 2021	Variance to 2020 Budget
Administration building utilities	\$ 11,863	\$ 16,000	\$ 14,000	\$ (2,000)
Administration building maintenance	57,516	25,000	26,000	1,000
Office equipment supplies, maintenance	(2,579)	1,100	3,000	1,900
Telephone & internet	5,534	6,600	11,600	5,000
Audit, legal, other	9,963	10,000	33,000	23,000
Banking fees and interest	2,279	3,000	3,000	-
Insurance	35,288	34,000	37,500	3,500
Website hosting, licenses, ecommerce	-	-	7,100	7,100
Conservation Ontario membership	24,630	25,000	25,000	-
IT/IMS support services	26,210	38,000	33,500	(4,500)
Human Resources & Safety	1,165	10,000	9,700	(300)
	\$ 171,871	\$ 168,700	\$ 203,400	\$ 34,700
Distributed to departments:				
Planning, Development and Engineering	\$ 34,374	\$ 33,900	\$ 40,700	\$ 6,800
Regulation Compliance	8,594	8,400	10,200	1,800
Integrated Watershed Management	8,594	8,400	10,200	1,800
Environmental Information Services	8,594	8,400	10,200	1,800
Environmental Monitoring Services	17,187	16,900	30,500	13,600
Flood and Water Level Monitoring	8,594	8,400	10,200	1,800
Stewardship and Conservation Lands	8,594	8,400	-	(8,400)
Conservation Areas	25,781	16,800	30,500	13,700
Stewardship	8,594	8,400	10,200	1,800
Conservation Education	-	8,400	-	(8,400)
Corporate Support Services	34,374	33,900	40,600	6,700
Corporate Communications	8,594	8,400	10,100	1,700
	\$ 171,871	\$ 168,700	\$ 203,400	\$ 34,700

**KAWARTHA CONSERVATION
2021 Budget**

Draft

	2020 Project Budget	2021 Project Budget	2021 Municipal Levy
SUMMARY GENERAL BENEFITING PROJECTS			
Drinking Water Source Protection Plan	\$ 68,200	\$ 68,200	\$ -
Website -implement application tracking	20,000	20,000	20,000
Digitization of corporate records	15,000	15,000	15,000
	\$ 103,200	\$ 103,200	\$ 35,000

General Benefiting Project

Drinking Water Source Protection

Purpose

To help implement a multi-barrier approach to strengthen the protection of municipal drinking water sources, through the support of actions required to implement source protection planning. A Source Protection Plan is based on threat assessments of groundwater and surface water quality and quantity. Activities support the Source Protection Committee, Source Protection Authority and stakeholders in the implementation of the Source Protection Plans.

Benefits

A multi-stakeholder Source Protection Committee (SPC) which includes representatives from municipal and local stakeholders (agriculture, industry, commerce, environmental, rural and urban property owners) is responsible for the development of an effective and proactive approach to protect municipal drinking water sources. This is completed through policy development detailed in a local Source Protection Plan. The plan uses a preventative planning approach to actively manage development and activities around municipal water supply source areas. Our work has been fully funded by the Ministry of Environment, Conservation and Parks.

Background and detail

In response to Justice O'Connor's recommendations in the Report of the Walkerton Inquiry, Ontario's Clean Water Act was released in 2006. The Act requires Source Protection Plans be developed on a local watershed basis by a local committee comprised of a variety of stakeholders known as a Source Protection Committee.

The best available science, technical data and local knowledge has been used by the SPC to make decisions in the interest of the long-term protection of safe and healthy drinking water sources. Our local SPC has since developed the terms of reference guiding the overall work, the assessment report (September 2014) identifying the science behind source protection planning, and the source protection plan (effective Jan 1, 2015) outlining the policies to protect water supply. The current challenge is the implementation of the plans, which includes an annual reporting component. The implementation of policies in the source protection plan form the current phase in the planning cycle. Activities include the update of planning policies (Official Plans, Zoning bylaws), emergency management plans, and the development of risk management plans, which will reduce the likelihood of an activity on the landscape impacting the municipal water supplies. Updates to the assessment report and source protection plan are also slated for 2021.

Deliverables

- Assist municipalities in the implementation of the Source Protection Plan
- Respond to inquiries regarding the plan and deliver communications and education services
- Conduct annual reporting requirements specified in the plan
- Provide management of source water related information and data
- Update assessment report science and plan policy updates as per the Minister-ordered five-year work plan

KAWARTHA CONSERVATION
2021 General Benefiting Project Budget

Draft

DRINKING WATER SOURCE PROTECTION PLAN

	Budget 2020	Budget 2021
<hr/>		
Sources of Revenue		
Regional Transfer funds	\$ 68,200	\$ 68,200
<hr/>		
Expenditures		
Direct labour	\$ 40,600	\$ 40,000
In-house expertise	15,000	15,400
Project admin fee	6,300	6,300
Travel	5,500	1,000
Supplies & equipment	800	5,500
<hr/>		
	\$ 68,200	\$ 68,200
<hr/>		

General Benefiting Projects

Website Enhancement

This project is a continuation of the work started in 2019 and continuing through 2020 and will allow Kawartha Conservation to continue to provide leading-edge, customer-focused solutions to our watershed residents and building community. In spring of 2020, we launched our new award-winning website, which included an Online Planning and Permit Application component, allowing customers to file their applications and documents remotely from anywhere. In late summer, we added a new mapping feature to our Planning and Permitting forms so that applicants could pinpoint exactly where a proposed develop would be occurring, making it easier, more efficient, and more effective for our planning staff to determine requirements for application approval.

The continuation of the Planning/Permitting enhancements will provide greater access to information for customers and free up time for planning/permitting staff to focus on completing applications. The enhancement will include:

- Enable customers to access their planning/permitting application status through a secure, unique access code, reducing the inquiries to staff on status updates.
- Provides a greater, more open, transparent and customer-first approach to providing information in a timely manner that applicants want and need.

The project will be completed in the third quarter of 2021.

Digitization of Corporate Records

In conjunction with our Information Management System the digitization of these hard copy files will help contribute to faster processing of planning applications and can provide both parties with instant copies of important documents. As technology improves more and more companies are moving to paperless offices to preserve these documents. Benefits of shifting to digitized documents will allow for easy storage, retrieval, updating and improved access and transport of information and has become a critical factor in our ability to work off-site.

The digitization of corporate records is multi-year project to transfer our paper files to a digital format.

2021 General Benefiting Project Budget
GENERAL BENEFITING PROJECTS

Draft

	Budget 2020	Budget 2021	Budget 2022
Website -implement application tracking	\$ 20,000	\$ 20,000	\$ -
Digitization of corporate records	15,000	15,000	15,000
	\$ 35,000	\$ 35,000	\$ 15,000

Apportionment share:

City Kawartha Lakes	59.7131	\$ 20,972	\$ 20,900	\$ 8,957
Region of Durham	35.6513	12,390	12,478	5,348
Municipality of Trent Lakes	4.2622	1,514	1,492	639
Cavan Monaghan	0.3735	124	131	56
100.0000		\$ 35,000	\$ 35,000	\$ 15,000

**KAWARTHA CONSERVATION
2021 Special Projects Budget**

Draft

SUMMARY SPECIAL PROJECTS

	2020 Project Budget	2020 Municipal Levy	2021 Project Budget	2021 Municipal Levy
REGION OF DURHAM				
Watershed Planning	\$ 30,000	30,000	\$ 27,500	\$ 27,500
Watershed Plan Implementation	198,900	\$ 138,000	168,900	140,100
Joint Implementation, Stewardship	-	-	129,800	-
	\$ 228,900	\$ 168,000	\$ 326,200	\$ 167,600
CITY OF KAWARTHA LAKES				
Lake Management Plans, Implementation	493,600	357,000	527,100	277,200
Joint Implementation, Stewardship	-	-	129,800	30,500
Flood Plain Mapping	98,800	84,100	-	-
Lake Management Plans, Lake Dalrymple	-	-	-	-
	\$ 592,400	\$ 441,100	\$ 656,900	\$ 307,700
TOTAL SPECIAL PROJECTS	\$ 821,300	\$ 609,100	\$ 983,100	\$ 475,300

Proposed Special Benefiting Project

Watershed Planning 2021

The purpose of this 2 year project is to ensure that Durham Region has the most up to date information related to Water Resource Systems, Natural Heritage Systems, and Watershed Planning to assist with ongoing Municipal Conformity Review exercises and land use planning activities related to our Planning Services Partnership Memorandum of Understanding (MOU).

This project will help the municipality conform to provincial planning guidance related to watershed resources management (e.g., Provincial Policy Statement, Growth Plan, Greenbelt Plan, Oak Ridges Moraine Conservation Plan, etc.) and will also contribute to more efficient processing of Planning Act applications.

Recently published reports: *Durham Watershed Planning Project, Provincial Conformity of Watershed Plans and Water Resources System (Kawartha Conservation, 2020)* identified several activities that should be undertaken to ensure conformity with provincial policies in the overlapping jurisdictions of Durham Region and Kawartha Conservation, which encompasses 1/5th of the overall area of both.

Deliverables from this project are:

- Verify location of 86km of 'unknown' mapped watercourses.
- Verify flow status (perennial or intermittent) and thermal regime of all streams at road crossings.
- Evaluate and confirm location of several 'unevaluated' mapped wetlands.
- Integrate new information (i.e., data from Ontario Climate Consortium) available for the northern parts of Durham Region into management considerations and scenario modelling, including: updating water budgets, nutrient loading values, and thermal regime impacts.
- Collaborate with Durham Region Conservation Authorities to integrate updated Water Resources, Natural Heritage, and Watershed Planning information into Official Plan update/conformity initiatives.
- Updating of mapping tools (e.g., CA Maps, ARCGIS) to include most up-to-date information related to Water Resources, Natural Heritage, and Watershed Planning data.
- Address gaps in Ecologically Significant Groundwater Recharge Areas with help of Durham Region and Conservation Authorities Moraine Coalition Groundwater Program.

KAWARTHA CONSERVATION
2021 Preliminary Special Project Budget
 SPECIAL BENEFITING PROJECTS

Draft

Region of Durham

	Budget 2020	Budget 2021
WATERSHED PLANNING		
Sources of Revenue		
Special project funding, Region of Durham	\$ 30,000	\$ 27,500
Expenditures		
Direct labour	\$ 6,200	\$ -
In-house expertise	14,700	22,200
Supplies & professional fees	1,700	1,500
Travel and equipment	4,600	1,300
Project administration fee	2,800	2,500
	<u>\$ 30,000</u>	<u>\$ 27,500</u>

Proposed Special Benefiting Project, Region of Durham

Watershed Plan Implementation 2021

Purpose

This program implements recommendations for high priority objectives identified within the Lake Scugog Environmental Management Plan (endorsed in 2010), Oak Ridges Moraine Watershed Plans (endorsed in 2012), and the Port Perry Stormwater management Plan (endorsed in 2014). In addition, the Kawartha Conservation Climate Change Strategy (endorsed by the Board of Directors in 2016) and the Stewardship Strategy (endorsed by the Board of Directors in 2020) recommend a wide range of adaptation and mitigation activities that also support watershed plan implementation.

The maintenance of a healthy aquatic environment, recreational opportunities and attractive waterfront area, with enhanced stormwater management, are critical to the economic and social well-being of Lake Scugog and the Port Perry area. Implementation activities are geared to the improvement of water quality and the sustainability of natural heritage features. They are categorized into major groupings of activities as identified below:

- Stewardship and Natural Heritage
- Scugog WATER Fund
- Water Quality Monitoring
- Lake Scugog Enhancement

Stewardship and Natural Heritage:

Climate Change:

We will work with our Municipal partners to identify low impact design demonstration sites on public property that will help demonstrate wise property management and support municipal infrastructure.

Improving the forest canopy across Durham Region has been a strong movement that will improve natural heritage while also increasing our resilience in the face of climate change. Incentive programs will help encourage landowners to act with projects on private land that will result in climate change resilience.

- Urban Tree Planting on Municipal Property
- Implementation of permeable pavement pathway near the boat launch
- Leverage additional investment of up to \$38,000 in external support

Scugog WATER Fund

Since 2007, Kawartha Conservation has worked in partnership with the Township of Scugog, local landowners and businesses to deliver the Scugog Water and Terrain Environmental Restoration (WATER) Fund. To date we have assisted 176 landowners with small financial incentives in support of various water quality projects. This investment has leveraged approximately \$450,000 of landowner investments in stewardship improvements since 2007.

The majority of shoreline around Lake Scugog is privately owned. With this sensitive area having such a large influence on surface water quality, the daily actions of these landowners are important to ensuring the ability for our community and tourists to enjoy our lake. The Port Perry urban landscape is largely hardened surfaces that promote faster moving storm runoff and reduces the ability for the land to absorb water. In addition, farmland makes up nearly 50% of the Kawartha watershed and is particularly important in sustaining our rural communities, with agriculture and healthy lakes being the two pillars of our vibrant local economy. This program works directly with shoreline residents, urban communities, and our farming community, to provide a range of technical services and incentives to assist landowners in practicing beneficial management to improve groundwater and surface water quality.

- On-site landowner consultations and support to connect them with other cost sharing program opportunities.
- Collaboration and consultation with commodity groups across the region
- Development of a series of technical videos that provide advice and support to landowners looking to improve their properties.
- Provide seed funding grants to private landowners to support water quality improvement projects that align with our stewardship outreach programs and the various management plan recommendations.
- Continue to provide support for community and private urban projects that improve water quality and incorporate climate change adaptation recommendations at the lot level.
- Continue to expand our reach to embrace rural non-agricultural landowners with pilot project seed funding that improve water quality and incorporate climate change adaptation recommendations.
- Report on Implementation successes to community stakeholders, municipal partners, and other agencies

Water Quality Monitoring

Upstream Investigative Water Quality Examination

Due to Covid-19, the two science-based water quality monitoring projects within this implementation program were deferred with deliverables moved over from 2020 to 2021. The total deferred amount being utilised from the science portion is \$46,000. This includes staff time and materials, supplies, travel, equipment use, lab fees and administrative costs.

The intention of the upstream investigative program is to reduce the data gaps by performing more comprehensive water quality & quantity data collection (more sites on one stream) in a specific area in order to identify causality of water quality degradation and plan for remediation or restoration efforts through our stewardship department. The tributaries identified with water quality concerns include: Layton River, Nonquon, Cawker's Creek, Williams Creek, and Blackstock Creeks. This program includes a comprehensive water chemistry and flow data to be collected simultaneously to achieve accurate nutrient loading calculations. The information gathered will serve to identify specific stewardship priorities and areas for actions / improvements. Data collection is performed during 4 high flows (3 spring, 1 fall) and 3 low flows (1 Spring, 1 Summer, 1 fall). A final report will disseminate findings and provide recommendations for stewardship prioritization.

- Focus will be on 3 streams, Cawker's Creek, Williams Creek and Layton River.
- This is Year 1 of 3 for Layton river with 11 sites being sampled.
- Year 2 of 3 for Cawker's and Williams Creek.
- 7 rounds of sampling (4 high flow and 3 low flow events)
- There are 19 sites in total across the 3 streams
- Water quality and discharge rates (flow volumes)
- Data maintenance, analysis and Report writing

Watershed Quality Monitoring - Lake Scugog and Major Oak Ridges Moraine Tributaries

The LSEMP originated as a municipally funded (Durham Region) lake management planning program (including a characterization report) within the Kawartha Conservation district on the Lake Scugog watershed. The current LSEMP program is an implementation plan though it does not explicitly include the word implementation in the title of the program. It originated as a result of recommendations and the identification of 'hot spots' and data gaps from the Lake Scugog Environmental Management Plan developed in 2010.

Research and monitoring activities conducted for watershed planning purposes provided detailed baseline information on water quality and quantity for Lake Scugog and watershed tributaries. This annual project maintains a basic level of monitoring, providing a basis for evaluating implementation activities, identifying hotspots for future stewardship priorities, and providing recommendations for land use planning. As described above, the deliverables within this project were deferred from 2020 to 2021 due to Covid-19.

- 8 sampling sites across Lake Scugog Watershed (tributaries into Lake Scugog)
- 6 mid lake sampling sites
- 18 rounds of sampling

- Data maintenance, analysis and Report writing
- Continue to monitor flow at East Cross Creek and the Layton River –to help with water balance and load calculations.

Lake Scugog Enhancement Project

The purpose of this project is to provide technical and project management support to the Healthy Lake Scugog Steering Committee with a project to revitalize Port Perry Bay. Proposed strategies involve a combination of activities such as dredging, creating a berm and constructed wetland to improve urban storm water treatment, and aquatic plant harvesting.

These activities will involve environmental assessment processes, public input, and permitting.

A contract was awarded to GHD Consulting to investigate options, develop a project plan, and conduct the public consultation process. A draft conceptual design was unveiled in 2016 for public review and input, along with a subsequent open house in late 2017. Work is being undertaken by GHD in response to recommended project refinements and amendments as part of the ongoing permitting processes with external regulatory organizations in conjunction with our support for managing the project as provided below.

- Provide ongoing science and technical support in addition to project management services, in collaboration with the Township of Scugog.
- Oversee GHD to provide final details in support of permitting requirements.
- Work through agency comments on submitted permits and applications including:
 - Municipal Class Environmental Assessment file
 - Basic Impact Assessment for Parks Canada
 - DFO fish offsetting plan
 - 'In Water Works' permit application to Parks Canada for the DFO offsets
- Review of project deliverables and reports
- Provide project management support through the construction period, anticipated to commence in the fall of 2021.

KAWARTHA CONSERVATION
2021 Preliminary Special Project Budget
SPECIAL BENEFITING PROJECTS

Draft

Region of Durham		
	Budget 2020	Budget 2021
WATERSHED IMPLEMENTATION PROJECTS		
Sources of Revenue-Stewardship programs		
Special project funding, Region of Durham	\$ 76,600	\$ 70,100
Deferred project funds	-	-
Grants, Provincial	-	-
Grants, other	30,000	20,000
Landowner contributions	-	-
	\$ 106,600	\$ 90,100
Expenditures-Stewardship programs		
Direct labour	37,700	32,800
In-house expertise	8,400	6,700
Supplies & professional fees	12,500	1,600
Demonstration site	15,000	-
Contracted services	-	20,000
Landowner grants	20,000	20,000
Travel and equipment	3,300	600
Project administration fee	9,700	8,400
	\$ 106,600	\$ 90,100
Sources of Revenue-Science and Technical		
Special project funding, Region of Durham	\$ 61,400	\$ 70,000
Deferred project funds	5,900	8,800
Scugog Lake Stewards	20,000	-
Grants, provincial	-	-
Grants, employment	5,000	-
	\$ 92,300	\$ 78,800
Expenditures-Science and Technical		
Direct labour	10,100	10,500
In-house expertise	52,300	41,800
Supplies & professional fees	600	3,600
Travel and equipment	5,500	5,500
Lab costs	15,400	10,200
Project administration fee	8,400	7,200
	\$ 92,300	\$ 78,800
PROJECT EXPENDITURE TOTAL	\$ 198,900	\$ 168,900
Total Municipal Special Project Levy	\$ 138,000	\$ 140,100

Proposed Special Benefiting Project, City of Kawartha Lakes

Lake Management Plan Implementation 2021

Purpose

Implementation of the Lake Management Plans is important to our local economy, the attractiveness of the area for tourism and to the continued growth of our communities that have developed around our lakes and rivers. Building on the momentum established through early implementation, Kawartha Conservation and the Implementation Task Force developed a 5-year Implementation Action Plan to improve the appeal of our lakes as an engine for economic growth. In June of 2018, the Implementation Action Plan was approved by the City of Kawartha Lakes Council.

The preferred options provided here address the greatest common concerns expressed by residents throughout the City and proposes science-based solutions to address these concerns. The programs are broken into five areas as outlined in the Action Plan. They are as follows:

- Incentive Grant Program
- General Program
- Shoreline Program
- Urban Program
- Rural Program

Due to Covid-19, science-based projects within this implementation program have been deferred with deliverables moved over from 2020 to 2021. The total deferred amount being utilised from the science portion is \$121,600. This includes staff time and materials, supplies, travel, equipment use, lab fees and administrative costs. The deferred projects included are: Sediment & Erosion Control Planning, Aquatic Plant Control, Nearshore Monitoring, and Investigative Upstream Monitoring.

Incentive Grant Program

Community Grant Program

Grassroots organizations play a critical role in the implementation of the Lake Management Plans. The Community Grant program provides support to local groups so that they are empowered to take action towards the implementation of the Lake Management Plan recommendations specific to their community. Since 2019, this program has leveraged over \$34,000 in community investment through volunteer and fundraising efforts.

- \$10,000 in grants available for a 50/50 match
- Community planting projects
- Aquatic plant management projects
- Community engagement projects
- Implementation of other LMP recommendations
- Leverage additional investment of \$15,000 in external support
- Return on investment of 97%

Landowner Incentive Fund

Provides seed funding for private land stewardship to landowners looking to undertake key projects that improve water quality through the implementation of high priority recommendations from the Lake

Management Plans. Since 2019, this program has leveraged over \$237,000 in landowner investment in beneficial management practices.

- \$71,000 in grants available for:
 - Agricultural Best Management Practices
 - Septic upgrades
 - Rainwater harvesting
 - Shore and stream side plantings
 - Low impact development solutions
 - Well decommissioning/upgrades
- Leverage additional investment of \$120,000 in external support
- Return on investment of 400%

General Program

Implementation Oversight & Coordination

A key component of the Implementation Action Plan is collaboration among community groups and institutions already active on the lake. This program will ensure that collaboration continues between multiple partners at various levels to make sure that projects and programs within partner agencies include actions recommended with the Lake Management Plans. It will also support grass roots organizations that are looking for support in identifying and implementing high priority actions.

- Coordinate 2 Community Advisory Panel meetings
- Annually meet with the Science and Technology Committee
- Develop virtual tools that support community engagement and participation
- Collaborate with Lake Associations, and other community groups
- Report on Implementation successes to community stakeholders, municipal partners, and other agencies
- Promote the Implementation Action Plan and Community Grant Program to partner groups, agencies, and individuals throughout the City of Kawartha Lakes
- Return on Investment of 16%

Sediment and Erosion Control Planning

Better erosion and sediment control management is a priority recommendation in all Lake, Watershed, and Storm Water Management Plans to address this significant threat to the health of local lakes and connecting waters. The purpose of this project is to increase local expertise and application of erosion and sediment control standards when reviewing, undertaking, and inspecting development and site alteration projects. Training and expert resource materials will be learned, provided to, and shared among staff at municipalities, Kawartha Conservation, and local contractors.

Release of materials from construction/development sites to local watercourses can have significant long-term impacts, including filling in shallow areas, smothering fish habitat, water pollution, and poor aesthetics, among others.

Project deliverables intended to be completed during 2020 have been deferred until 2021 due to Covid-19. One additional deliverable has also been included from the originally planned 2021 program 'Create and distribute factsheets...'

Deliverables for 2021 include:

- Enhanced staff skills including certification by CISEC (Certificated Inspector of Sediment and Erosion Control).
- Attendance at TRIECA (industry conference among subject experts).
- Coordinated site visits to local construction sites.
- Create and distribute factsheets and other relevant field-reference information.

Rural Program

Agricultural Stewardship

Farmland makes up nearly 50% of the Kawartha watershed and is particularly important in sustaining our rural communities, with agriculture and healthy lakes being the two pillars of our vibrant local economy. This program works directly with the farming community to provide a range of technical services and incentives to assist farmers in practicing beneficial farmland management to improve groundwater and surface water quality.:

- Collaboration and partnerships with agricultural commodity groups
- On-farm and virtual consultations to develop and support project implementation
- Collaboration with the East Central Farm Stewardship Collaborative
- Development of technical videos to support BMP adoption and implementation
- Participation in the International Plowing Match being hosted in Lindsay On
- Leverage an additional \$16,800 in funding support
- Total Return on Investment of 60%

Investigative Upstream Monitoring

The Investigative Upstream Monitoring program will reduce existing data gaps by providing qualitative and quantitative data over a three-year period. This data will be invaluable to allowing Kawartha Conservation to identify problem areas and establish remediation and restoration options moving forward.

The City of Kawartha Lakes Lake Management implementation plan is a result of recommendations made from the lake management planning process for Sturgeon, Balsam, and Cameron and Pigeon lakes. These recommendations include the identification of 'hot spots' or problem areas (i.e. high nutrient concentrations, reduced forest cover, impaired riparian zones).

Project deliverables intended to be completed during 2020 have been deferred until 2021 due to Covid-19.

- Final report of findings from 3-year monitoring program for Jennings, Reforestation and McLaren's Creek.
- Start of monitoring on 3 new streams – Sinister, Distillery and Stony Creek.
- 4 high flows (4 spring) and 4 low flows (2 summer, 2 fall) - 8 sampling events
- Flow data collected simultaneously with water chemistry
- Water chemistry sampling 8 times a year

- Parameters include: (phosphorous & nitrogen, total suspended solids, chloride-proxy for road salt)
- Produce summary report including recommendations for stewardship prioritization projects

Shoreline Program

Aquatic Plant Control

Waterfront residents need practical approaches for controlling nuisance aquatic plants along their shoreline. Aquatic plant management is a priority recommendation in the majority of completed lake management plans. The proliferation of aquatic plants can have significant effects on the enjoyment, perception of water quality, and sustainability of the lakes. Aerators are an emerging aquatic plant control method being used by landowners even though it is not currently a legal activity.

This proposal is a 4-year project to study the degree to which aerators impact the growth of nuisance aquatic plants, and evaluate the effect on physical, chemical, and biological parameters of nearshore waters. In addition, the viability of using aerators will be conducted to more clearly understand the return on investment of using aerators. We will work in partnership with the Trent Severn Waterway (TSW) (responsible for allowing permits to landowners) to scientifically test the impacts and effectiveness of aerators on controlling plant populations. Based on the results of this study, we will be able to work to have aerators recognized as a viable solution and a permitted option through TSW's aquatic plant control options.

Project deliverables intended to be completed during 2020 have been deferred until 2021 due to Covid-19.

- Partnerships with academic institutions to assist in the design, funding and delivery of the project.
- Liaise with shoreline communities at 3 high priority locations to undertake project.
- Liaise with business community, particularly equipment manufacturers/suppliers, to secure various aerators for testing.
- Leveraged external funding of \$10,600
- Total return on investment of 56%
- Install device and initiate field sampling

Shoreline Stewardship

The Shoreline Stewardship Program works with private landowners to provide an array of technical supports to encourage better land management decisions and actions. The majority of shoreline properties in the City of Kawartha Lakes are privately owned. With this sensitive area having such a large influence on surface water quality, the daily actions of these landowners impact the ability for our community and tourists to enjoy our lakes.

- On-site or Virtual Shoreline consultations with landowners
- Development of technical videos to provide support to landowners
- Watershed Welcome program in partnership with Real Estate Professionals and KLEAC
- Septic Management information for private landowners
- Produce final report (beach sampling from 2020) including recommendations for stewardship prioritization projects.

- Development of a Community Partner Tool Kit to assist other groups around the lakes to implement a shoreline stewardship program.

Near Shore Monitoring

The nearshore area is under the direct influence of activities performed on the shoreline (urban development, agriculture, specific shoreline alteration) in addition to acting as a transition zone that is highly influenced from waters offshore and land and tributary drainage. The data collected in near shore areas can act as an early warning indicator for the lakes and thus identify “problem areas” or “hot spots” of degraded water quality and threats to human and animal health in addition to a decrease in biodiversity and habitat. An identified gap that exists in each of the Lake Management Plans is the lack of near shore water quality (chemical and biological).

The near shore monitoring program includes a comprehensive water chemistry and physical baseline survey to be completed on Sturgeon, Pigeon, and Balsam and Cameron lakes for a minimum duration of three years to ensure reliable results..

The information gathered from each survey would also serve as a jumping off point to initiate specific stewardship priorities and actions in addition to providing valuable information for shoreline policy creation.

Project deliverables intended to be completed during 2020 were deferred until 2021 due to Covid-19.

- 3-year monitoring period
- PhD candidate securement (Ontario Technical University)
- 4 lakes (Sturgeon, Balsam, Cameron, & Pigeon)
- Monthly sampling chemical, biological and physical parameters of lake water quality, up to 20 sites per lake.
- Provide recruitment, training and ongoing support of ‘Citizen Scientists’
- Data analysis
- Produce annual summary reports
- Produce final report including recommended action items for stewardship prioritization projects
- Produce peer reviewed journal article
- Leverage additional investment of \$52,600 from outside partners and grants
- Total Return on Investment of 184%

Urban Program

BlueScaping

The BlueScaping program helps to protect our urban communities by providing low impact development recommendations at the individual property level. Much of our urban landscape is hardened surface that promotes faster moving storm runoff and reduces the ability for the land to absorb water. We work with private landowners and the landscaping community to develop a program for retrofitting existing properties including a variety of options to suit landowners with varying capacity for implementation.

BlueScaping program benefits and value include:

- On-site or Virtual Landowner consultations
- Development of technical video series to support private land retrofit projects
- Urban tree planting demonstration site

- Consult and partner with local landscaping professionals to develop feature landscape plans

Rural Program

Tree Planting

Kawartha Conservation is a Partner organization in the delivery of the 50 Million Tree Program as well as the Forest Recovery Program. Both provide funding support for tree planting projects on private properties. Tree planting through these programs also supports the implementation of both the Implementation Action Plan as well as Protect and enhance our tree canopy; both highlighted in the City's 2020-2023 Strategic Plan. this new program is heavily invested in by forest Ontario as well as the private landowner. Program benefits and value include:

- On-site or Virtual Landowner consultations
- Development of planting plans to support canopy growth
- Planting of private land
- Leveraged additional investment of \$32,375 from outside partners and landowners
- Return on investment of 194%

**KAWARTHA CONSERVATION
2021 Special Project Budget**

Draft

City of Kawartha Lakes

LAKE MANAGEMENT PLANS, IMPLEMENTATION	Budget 2020	Budget 2021
Sources of Revenue-Stewardship programs		
Special project funding, CKL	\$ 278,200	\$ 215,500
Deferred revenue	-	35,000
Grants, Federal	-	21,700
Grants, Provincial	4,000	78,200
Grants, other	96,400	-
	<u>378,600</u>	<u>350,400</u>
Expenditures-Stewardship programs		
Direct labour	158,700	130,000
In-house expertise	47,600	48,000
Supplies and events	24,600	22,700
Landowner grants	85,000	98,800
Contractor and consulting services	17,700	13,000
Travel and equipment	10,500	7,400
Project administration fee	34,500	30,500
	<u>378,600</u>	<u>350,400</u>
Sources of Revenue-Science and Technical		
Special project funding, CKL	138,900	61,700
Deferred project funding	6,900	105,000
Grants, fees, sponsors	25,200	10,000
	<u>171,000</u>	<u>176,700</u>
Expenditures-Science and Technical		
Direct labour	18,700	28,500
In-house expertise	86,600	79,600
Supplies	11,200	13,500
Laboratory fees	29,650	30,000
Travel and equipment	9,300	9,000
Project administration fee	15,550	16,100
	<u>171,000</u>	<u>176,700</u>
PROJECT TOTAL	\$ 549,600	\$ 527,100
Total Municipal Special Project Levy	\$ 417,100	\$ 277,200

Proposed Joint Special Benefiting Project, City of Kawartha Lakes and Region of Durham

Tree Planting Program

Tree planting within the watershed is a key deliverable of the 2020 Stewardship Strategy which outlines the need for increased forest cover across the watershed. Municipal guidance indicates a desired 30% tree canopy to help address the impacts of climate change. To achieve this coverage will require multiple organizations working together to support private landowners in rural and urban areas. Kawartha Conservation has focused programs to support private landowners including participating in the 50 Million Tree program, the Forest Recovery Program, and through over the counter tree seedling sales. These programs provide incentives that support for tree planting projects on private properties. Tree planting through these programs also supports the implementation of the Implementation Action Plan as well as Protect and enhance our tree canopy; both highlighted in the City of Kawartha Lakes 2020-2023 Strategic Plan. This new program is heavily invested in by Forest Ontario, Highway of Heroes, and the private landowner. Program benefits and value include:

- On-site or Virtual Landowner consultations
- Development of planting plans to support canopy growth
- Planting of private land
- Over the counter tree seedling sales
- Leveraged external funding of \$217,550
- Return on Investment of 330%

KAWARTHA CONSERVATION
2021 Preliminary Special Project Budget
 JOINT SPECIAL BENEFITING PROJECTS - new

Draft

Region of Durham
 City of Kawartha Lakes

WATERSHED IMPLEMENTATION PROJECTS		Budget 2021
Revenue		
Special Project Funding, Region	\$	32,600
Special project funding, CKL		30,500
Region of Durham, climate change funding		36,000
Region of Durham, product sales		19,000
Grants, Provincial		39,000
Grants, other		26,500
Fees for service		76,000
	\$	259,600
Expenditures		
Direct Labour	\$	115,500
In-house expertise		18,500
Supplies		57,500
Project Contractor		42,600
Travel and equipment		2,000
Project administration fee		23,500
	\$	259,600

Town of Whitby
 575 Rossland Road East,
 Whitby, ON L1N 2M8
 905.430.4300
 whitby.ca



February 1, 2021

Via Email:

Date:	02/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Brian Bridgeman, Commissioner of Planning and Economic Development
 Region of Durham
planning@durham.ca

Re: Planning and Development Department Report, PL 02-21
 Envision Durham – Employment Area Conversion Requests

Please be advised that at a meeting held on January 25, 2021, the Council of the Town of Whitby adopted the following as Resolution # 09-21:

1. That Planning Report PL 02-21 be endorsed as the Town's comments on the Employment Area Conversion Requests submitted to the Region of Durham, as part of the Envision Durham Municipal Comprehensive Review; and,
2. That the Clerk forward a copy of Planning Report PL 02-21 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

Should you require further information, please do not hesitate to contact the Planning and Development Department at 905.430.4306.

Kevin Narraway
 Manager of Legislative Services/Deputy Clerk

Attach: Report PL 02-21

Copy: R. Saunders, Commissioner of Planning and Development –
saundersr@whitby.ca

N. Cooper, Director of Legislative and Information services, Town of Ajax –
clerks@ajax.ca

B. Jamieson, Clerk, Township of Brock - bjamieson@townshipofbrock.ca

J. Gallagher, Municipal Clerk, Municipality of Clarington - clerks@clarington.net

M. Medeiros, City Clerk, City of Oshawa - clerks@oshawa.ca
S. Cassel, City Clerk, City of Pickering – clerks@pickering.ca
L. Fleury, Acting Clerk, Township of Scugog - leigh.fleury@durham.ca
D. Leroux, Clerk, Township of Uxbridge - dleroux@town.uxbridge.on.ca

Town of Whitby Staff Report

whitby.civicweb.net



Report Title: Envision Durham – Employment Area Conversion Requests

Report to: Committee of the Whole

Date of meeting: January 11, 2021

Report Number: PL 02-21

Department(s) Responsible:

Planning and Development Department

Submitted by:

R. Saunders, Commissioner of Planning and Development

Acknowledged by M. Gaskell, Chief Administrative Officer

For additional information, contact:

Lori Tesolin, MCIP, RPP
Principal Planner, Policy and Heritage Planning: 905.444.2858

1. Recommendation:

1. That Planning Report PL 02-21 be endorsed as the Town's comments on the Employment Area Conversion Requests submitted to the Region of Durham, as part of the Envision Durham Municipal Comprehensive Review; and,
2. That the Clerk forward a copy of Planning Report PL 02-21 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

2. Highlights:

- The Region of Durham is undertaking a Municipal Comprehensive Review (MCR) study to update the Durham Regional Official Plan (ROP).
- Staff have been working with Regional staff to provide data, input, and preliminary staff comments on Envision Durham policy Discussion Papers, as well as the Region's Strategic Growth Areas analyses and other growth management related studies to inform the Region's Land Needs Assessment.

- In June 2020, as part of the Region's MCR process, the Region established a formal process to consider Employment Area Conversion Requests. The Region is now seeking area municipal Council positions on the conversion requests that have been received.
- There are a total of eight conversion requests for Whitby.
- Any Employment Area Conversion Requests should only be considered at such time as additional information is available regarding the growth management component of the MCR (including the Land Needs Assessment; Strategic Growth Areas analyses; Supply/Demand analyses; and, urban area boundary expansion analyses).

3. Background:

Envision Durham

On May 2, 2018, Regional Council authorized Regional staff to proceed with Envision Durham, representing the Municipal Comprehensive Review (MCR) of the Durham Regional Official Plan (ROP). The review addresses a number of strategic land use planning and development matters, including:

- Conformity with recently updated Provincial Plans, including implementing growth forecasts to 2051;
- Incorporating sustainability and climate change provisions;
- Implementing key policy directions from the Region's 2017 Transportation Master Plan, and Provincial Major Transit Station Area (MTSA) policy directions;
- Reviewing agricultural land permissions to support rural communities;
- Enabling the provision of affordable housing by incorporating policy recommendations from At Home in Durham, the Region's Housing Plan; and,
- Including policies and initiatives to shape growth and development.

The first 'Discover' stage included gathering of background information, commencement of public engagement, and a public opinion survey.

In early 2019, the Region entered the second stage of its MCR ('Discuss' stage), by releasing discussion papers for public consultation, as follows:

- Agriculture and Rural System Discussion Paper (released March 5, 2019);
- Climate Change and Sustainability Discussion Paper (released May 7, 2019);
- Growth Management – Urban System Discussion Paper (released June 4, 2019);

- Environment and Greenlands System Discussion Paper (released September 3, 2019);
- Transportation System Discussion Paper (released October 1, 2019); and,
- Housing Policy Planning Discussion paper (released December 3, 2019).

Staff are part of an Area Municipal Working Group consisting of Regional Planning staff, its consultants, and planning staff from all area municipalities. High level, staff to staff comments have been provided to Regional Planning staff regarding the discussion papers.

Regional staff reported back to the Regional Planning and Economic Development Committee on the input received on the Discussion Papers. A future Policy Direction Report is expected to be presented in 2021.

Council adoption and Provincial approval of the Region's Regional Official Plan Amendment (ROPA) is intended to occur in advance of the July 2022 conformity target. The Minister of Municipal Affairs is the approval authority for the ROP.

In June 2020, the Region began its third stage of the MCR ('Direct' stage), which includes the release of its consultants' reports regarding Growth Management and Policy Directions. A component of this stage includes a formal process to consider Employment Area Conversion Requests.

Employment Area Conversion Requests

Provincial and Regional policy directs that Employment Lands be protected, designated in local Official Plans, and primarily set aside for manufacturing, warehousing and industrial uses to accommodate the forecasted employment growth to 2041 and beyond.

In June 2020, the Region endorsed a Proposed Employment Area Conversion Criteria and Submission Review Process ([Regional Planning Report #2020-P-11](#)), which also includes a formal process and evaluation criteria for considering conversion requests. The guiding principles for consideration of the conversion requests include:

- Protecting Employment Areas in proximity to major transportation corridors and goods movement infrastructure to ensure businesses have access to a transportation network that safely and efficiently moves goods and services;
- Maintaining the configuration, location and contiguous nature of Employment Areas in order to prevent fragmentation and provide business supportive environments;

- Providing a variety of Employment Area lands in order to improve market supply potential and Regional attractiveness to a variety of employment sectors and business sizes;
- Maintaining or improving the employment function and job potential of Employment Areas;
- Supporting efforts of transformational change in Major Transit Station Areas (MTSA) if it can be demonstrated that the employment and job potential of Employment Areas can be maintained or improved;
- Aligning with municipal interests and policies related to Employment Areas;
- Limiting and/or mitigating land use incompatibilities where necessary; and,
- Considering the Provincial interests and guidance regarding Provincially Significant Employment Zones.

The Region's process also outlined the following criteria to be used in evaluating requests for Employment Area conversions:

- To satisfy the Provincial Policy Statement, it must be demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion;
- To satisfy the Growth Plan, it must be demonstrated that:
 - There is a need for the conversion;
 - The lands are not required over the horizon of the Growth Plan for the employment purposes for which they are designated;
 - The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of the Growth Plan;
 - 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 the Growth Plan, as well any other applicable policies;
 - There are existing or planned infrastructure and public service facilities to accommodate the proposed uses;
 - The site is not located in proximity to major transportation corridors and goods movement infrastructure;
 - The site does not offer direct access to major transportation corridors and goods movement infrastructure;

- The site is located outside or on the fringe of an assembly of Employment Areas;
- The site offers limited market supply potential for Employment Area development due to size, configuration, access, physical conditions, and/or servicing constraints, etc.;
- The proposed conversion to non-employment uses is compatible with surrounding land use permissions and potential land use conflicts can be mitigated;
- The conversion of the proposed site to non-employment uses would not compromise the overall supply of large Employment Area sites at the Regional or Area Municipal level;
- The conversion request demonstrates total job yield of the site can be maintained or improved;
- The conversion request is within a proposed Major Transit Station Area;
- The conversion request is supported by Area Municipal staff/Council and does not conflict with municipal interests and policies; and,
- The conversion of the site would not present negative cross-jurisdictional impacts that could not be overcome.

Employment Area Conversion Requests are mainly permitted during the Municipal Comprehensive Review process, to consider if the designation of land should be 'converted', permitting the land to be used for residential purposes or other non-employment uses. The Region's 90-day submission window for new and/or amended requests for Employment Area conversion requests through Envision Durham closed on September 23, 2020. A total of 42 conversion requests were received by the Region, eight of which apply to lands within the Town of Whitby (refer to Attachment #1).

4. Discussion:

The Envision Durham MCR of the current ROP is intended to establish a forward-looking planning vision for the Region up to 2051. Employment Area Conversion Requests, to permit the land to be used for residential purposes or other non-employment uses (e.g. major retail; mixed use), can only be considered during the Region's MCR process.

Comprehensive Approach is Required

If the Region's approach is to repeal and replace the existing ROP through the Envision Durham MCR process, a more comprehensive understanding of the long-term future land needs to 2051, including any potential future boundary expansions, and proposed policy directions for growth management, must be completed before area municipalities can provide informed comments and appropriate recommendations regarding conversion requests, to ensure a balanced approach to

growth is considered and implemented. Consideration of Employment Area Conversion Requests, need to be made concomitantly, and not in advance of, nor in isolation from, the Region's Land Needs Assessment, Envision Durham updated ROP policy directions, the draft MTSA ROPA, and other technical materials, reports, and data associated with the Envision Durham, MCR.

Employment Areas need to be protected for the long-term. Without knowing the proposed Envision Durham policy directions, staff can not determine at this time if a particular conversion request would achieve the future proposed policy requirements of the updated ROP regarding overall (population and employment) growth management. The Region should consider these conversion requests at a later date, when the more comprehensive, Land Needs Assessment, and other related information, is made available. At that time, the Town will be in a better position to provide informed input on the Conversion Requests.

Impacts on Municipal Structure and Complete Communities

The Town's Official Plan currently directs residential development and redevelopment to Major Central Areas, Urban Central Areas, the Port Whitby GO MTSA, and within intensification areas and corridors. New 'greenfield' residential development, mixed uses, and employment uses are further planned for the West Whitby and Brooklin Community Secondary Plan areas.

Employment Area Conversion Requests need to be evaluated based on their potential impact on the overall municipal structure. Without further information from the Land Needs Assessment and Envision Durham future policy directions, decisions on requests for conversion would be pre-mature and could undermine the overall planned (residential and employment) municipal structure for Whitby. Likewise, decisions on conversion requests in isolation from the above mentioned information could undermine the Town's goals for developing sustainable, complete communities.

Meeting Long-Term Employment and Economic Needs

Employment Areas in the ROP are designated as Prestige Industrial (including Business Parks) or General Industrial on Schedule A of the Town of Whitby Official Plan. Employment Areas are generally found along Highways 401, 412 and 407, near arterial road interchanges and compatible land uses. Employment lands in proximity to Thickson Road and Highway 401 are included within a Provincially Significant Employment Zone (PSEZ).

Based on the Provincial Policy Statement and Provincial Growth Plan, higher order industrial and manufacturing uses are intended for Employment Areas. Protecting these lands over the long term is important, as they can be the last to be developed and absorbed into the marketplace.

The total land area for the eight conversion request properties in Whitby is 99.4 hectares (245.6 acres), the majority of which are currently vacant. Together, these submissions represent a significant amount of employment land area in Whitby. The parcels range in size from 2.2 hectares (5.5 acres) to 34 hectares (84.0 acres) (refer to Attachment #2).

A sufficient amount of land needs to be protected for the long term for industrial and other appropriate uses intended for Employment Areas in Whitby, to ensure a sustained level of future employment opportunities, contributing towards a live-work balance for a complete community. Conversion of these lands could result in the potential loss of shovel-ready, (i.e. serviced/serviceable) lands for employment uses, to residential or other uses, which are already planned for, and are more suitable in, other locations. Further, without additional information regarding the residential component of the Region's Land Needs Assessment, it is not yet known whether any of the conversion requests would even be needed to accommodate forecasted population growth.

If a conversion was considered at this time, without additional information from the Land Needs Assessment, the potential number of jobs that would result from, or be lost due to, any future development is unknown. This could compromise the Town's ability to meet its long-term employment and economic needs. While aspects of potential conversions could result in some job creation, it is difficult to control the amount of non-employment generating uses that could be realized.

Protecting Vulnerable Employment Areas from Conversion

For Employment Areas to be functional over the long term, they need to be in proximity to major transportation corridors and goods movement infrastructure; maintain a configuration and contiguous nature to prevent fragmentation and provide business supportive environments; and provide a variety of sizes to improve market supply.

A range of employment area parcel sizes is needed in Whitby for prospective investors and expanding businesses. These options can range from as low as 0.4 hectares (1 acre) to as high as 40.4 hectares (100 acres). All of the Conversion Requests in Whitby fall within this range. The majority of these lands (with the exception of lands within the Special Activity Node) are vacant, making them most vulnerable to conversion. It is recognized that some sites have environmental and other development constraints, however, there are some sites that have a large developable area and offer highway frontage or quick highway access.

Decisions on Employment Area Conversion Requests should not be made on individual proposals at this time, but instead should consider key principles to protect the viability of the Town's employment areas, including, but not limited to:

- Protecting vulnerable locations along 400 series highways;

- Protecting employment lands over the long-term;
- Protecting access to arterial roads and highway interchanges;
- Avoiding environmental constraints;
- Ensuring compatibility with and appropriate transition to nearby land uses;
- Minimizing orphaned parcels and/or avoiding parcels that may fracture or compromise the planned function of the larger employment area; and,
- Understanding interrelationships of sites in proximity to MTSA's, where applicable.

While some conversion requests may be on the fringe of Employment Areas, and/or may be fragmented, and/or may provide suitable transition to other adjacent land uses, informed decisions can not be made on these conversion requests at this time. More detailed information on the Land Needs Assessment, future Envision Durham Policy Directions, and the draft MTSA ROPA is required before the Town can provide appropriate input and/or take a formal position on the Conversion Requests. The one exception may be any lands that are influenced by the proposed MTSA ROPA, which will be the subject of a subsequent report to Council in the New Year.

Other Considerations

Given the changing landscape of employment, office space, and retail uses, staff will continue to work with Economic Development staff to identify future local policy mechanisms that could broaden the range of employment uses permitted within Prestige Industrial and General Industrial areas in Whitby.

Further consideration could also be given to developing local policies that control the combination of employment to non-employment uses for parcels that are considered for conversion.

Next Steps

Planning staff, in collaboration with Economic Development staff, will continue to work with Regional Planning staff to discuss Employment Area Conversion Requests within the context of the forthcoming Lands Need Assessment.

In November, 2020, the Region released a proposed framework, guiding principles and strategic directions for Envision Durham. ROP goals, objectives and proposed policy directions are planned for release throughout 2021.

In December 2020, the Region released the MTSA Proposed Policy Directions Report, which includes draft refinements to MTSA boundary delineation. In Whitby, these include: Whitby GO Station; future Thornton's Corners GO Station; and, existing Oshawa GO Station.

Staff will report back to Committee and Council in 2021, as necessary, regarding any further consideration of the Employment Area conversion requests; the Region's Land Needs Assessment; the proposed MTSA Policy Directions; and, the Region's future Proposed Policy Directions as the Region enters the fourth and fifth stages of the MCR ('Drafting the Plan' and 'Finalizing the Plan').

5. Financial Considerations:

Not applicable.

6. Communication and Public Engagement:

The Region has been undertaking a comprehensive community consultation program integral to the MCR process, including a project website, social media and surveys, and Discussion Papers and proposed policy directions for public and stakeholder comment. No further public engagement is required on the Town's part at this time.

7. Input from Departments/Sources:

Planning staff have worked with staff from Public Works (Transportation), Strategic Initiatives (Economic Development,) and other relevant Departments to analyze and provide comments on the Region's Envision Durham Municipal Comprehensive Review process, including the Employment Area Conversion Request component. Planning staff will continue to work with relevant departments regarding future Envision Durham policy proposals.

Planning staff are represented on the Region's Area Municipality Working Group for the Municipal Comprehensive Review, and will continue discussions with Regional staff, as well as staff in other Durham municipalities, as part of the Envision Durham process.

8. Strategic Priorities:

The proposed comments on the Employment Area Conversion Requests align with Council Goals to deliver local jobs and prosperity through strategic planning and promotion that builds resilience and economic diversity. The proposed comments further align with Council Goals to remain the community of choice for families and become the community of choice for seniors and job creators; and to focus new growth around the principles of strong, walkable and complete neighbourhoods that offer mobility choices.

By requiring a more comprehensive approach to assessing Employment Area conversion requests within the broader context of the Land Needs Assessment (once it becomes available by the Region), we will better align with the Town's Corporate Plan Strategic Priority to be a high performing, innovative, effective and efficient organization, as well as Council Goals for affordability and sustainability.

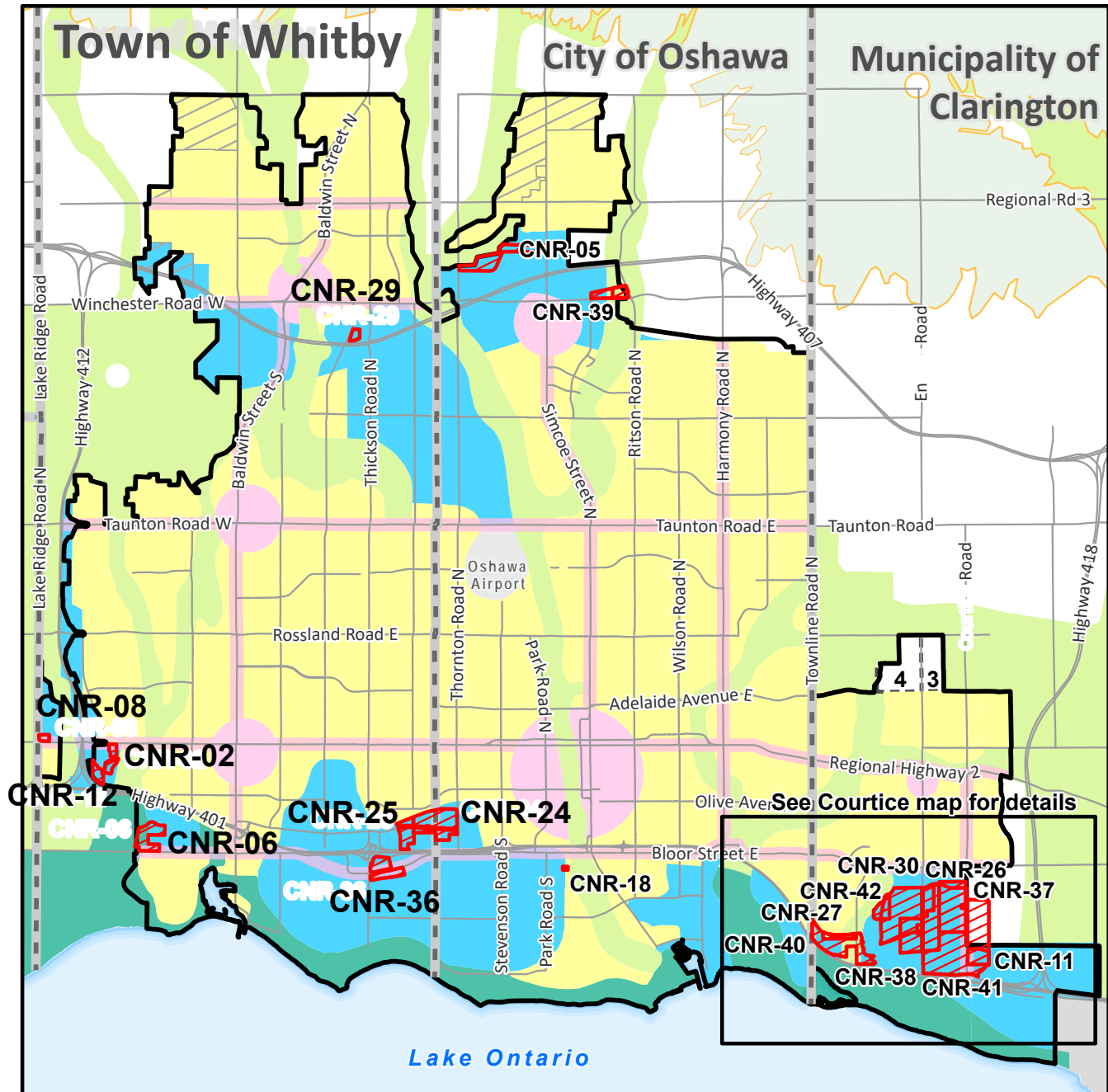
9. Attachments:

Attachment #1 – Excerpt from Regional Municipality of Durham Report No. 2020-INFO-94

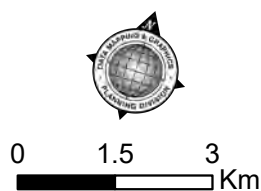
Attachment #2 – Overview of Employment Area Conversion Requests in Whitby

Attachment #1

Excerpt from Regional Municipality of Durham
Report No. 2020-INFO-94



Requests for Employment Area Conversion – Clarington, Oshawa and Whitby



Legend

- Lands Subject to Employment Conversion Request
- Prime Agricultural Areas
- Employment Areas
- Major Open Space Areas
- Waterfront Areas
- Living Areas






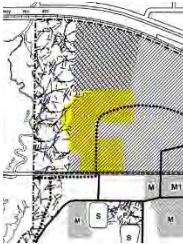
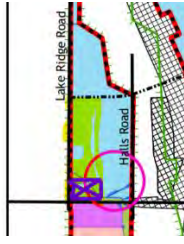
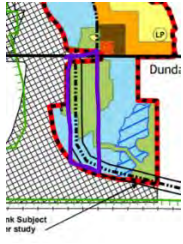
- Deferral Areas
- Special Study Areas
- Regional Corridors
- Regional Centres
- Urban Area Boundary
- Municipal Boundary









Data Sources and Disclaimer

Regional Official Plan, Schedule 'A' composite, 2017 consolidation. This map has been produced from a variety of sources. The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials. The Region hereby disclaims all representations and warranties. Digital cartography by The Regional Municipality of Durham, Planning and Economic Development Department, 2019. All rights reserved. May not be reproduced without permission. Requests received by the Region of Durham as of September 24, 2020.

Attachment #2 – Summary of Employment Area Conversion Requests in Whitby

PL-02-21

Sites	CNR-02	CNR-06	CNR-08	CNR-12
Key Map				
Location	South side of Dundas; east of Highway 412; west of Whitby Toyota	Victoria Street West and Jeffery Street	Northeast corner of Lake Ridge Road and Dundas Street West	South side of Dundas at Highway 412
Address(es)	1151 Dundas St W	Multiple Addresses	1730 Dundas St W	1275 Dundas W
Proposed Use - Based on Conversion Request	High-rise Residential and Mixed Use with ground floor retail and office space on northern area	Mixed Use of Townhouses, Apartments and ground floor retail and services	Residential/seniors building in conversion area Office / manufacturing on remainder of parcel	Mixed use residential and major office / commercial
Conversion Size (hectares)	2.9 ha (northern area only)	18 ha	2.2ha	5.5 ha
Town of Whitby Official Plan Excerpts Secondary Plan where applicable (Approximate site outlined in red or purple, or highlighted yellow)	 West Whitby Community Secondary Plan: Prestige Industrial; Major Open Space	 Lynde Shores Secondary Plan: Prestige Industrial	 West Whitby Community Secondary Plan: Prestige Industrial; Gateway	 West Whitby Community Secondary Plan: Prestige Industrial; Major Open Space
Surrounding Land Uses (existing & planned)	North: Mixed Use, High and Medium Density Residential South: 401 East: Whitby Toyota; residential West: Major Open Space; Highway 412	North: 401; Open Space; Business Park South: Residential East: Business Park; proposed Nordeagle development West: Major Open Space	North: Prestige Industrial South: Special Purpose Commercial East: Highway 412; Prestige Industrial West: Greenbelt	North: Environmental Area; Prestige Industrial South: 401; Environmental; East: Prestige Industrial West: Highway 412

Sites	CNR-24	CNR-25	CNR-29	CNR-36
Key Map				
Location	Stellar Drive at Whitby/Oshawa border	Stellar Drive, east of Durham College	Anderson Street; North of Highway 407	Northeast and Southeast quadrants of Thicksen Road South and Victoria Street East
Address(es)	Multiple Addresses	Multiple Addresses	Courtland Ave	Multiple Victoria St E
Proposed Use - Based on Conversion Request	Request inclusion in Thornton's Corners MTSA delineation to allow High Density Residential/mixed use	Request inclusion in Thornton's Corners MTSA delineation to allow High Density Residential/mixed use	Retirement home, office, commercial space, daycare	Maintain/expand existing retail; in addition, introduce High Density Residential and Mixed Use
Conversion Size (hectares)	13.5 ha	12.5 ha	3.2 ha	16.4 ha
Town of Whitby Official Plan Excerpts Secondary Plan where applicable (Approximate site outlined in red or purple, or highlighted yellow)	 Official Plan: Prestige Industrial <i>Located within PSEZ</i>	 Official Plan: Prestige Industrial <i>Located within PSEZ</i>	 Brooklin Community Secondary Plan: Prestige Industrial	 Official Plan: Special Activity Node B <i>Located within PSEZ</i>
Surrounding Land Uses (existing & planned)	North: CPR and Low Density Residential South: 401; Prestige Industrial; East: lands in Oshawa West: Prestige Industrial	North: CPR and Low Density Residential South: 401; Prestige Industrial East: Prestige Industrial West: Prestige Industrial	North: Low Density Residential; Mixed Use South: Highway 407 East: Prestige Industrial West: Low Density Residential	North: 401; Special Activity Node (SAN); South: General Industrial East: General Industrial West: SAN; General Industrial

From: [Switzer, Barbara](#) on behalf of [Regional Clerk](#)
To: [Brock Clerks](#)
Subject: Regional Council Decision - Upper York Sewage Solutions Individual Environmental Assessment - Approval Status Update
Date: February 3, 2021 9:12:29 AM
Attachments: [Upper York Sewage Solutions Individual Environmental Assessment Approval Status Update.pdf](#)

Date:	03/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

On January 28, 2021 Regional Council made the following decision:

1. That Regional staff continue discussions with the Province of Ontario and Durham Region related to a potential Provincially preferred southern solution as an alternative to the preferred solution identified in the Upper York Sewage Solutions Environmental Assessment and report back on the status of discussions in February 2021.
2. That Council affirm its support for the Lake Simcoe Solution as documented in the Upper York Sewage Solutions Environmental Assessment per the resolution approved by Durham Council on [December 16, 2020](#).
3. The Regional Clerk circulate this report to the Premier, all Members of Provincial Parliament in Durham and York Regions, and the Clerks of the local municipalities in the Region of Durham and York Region.

The original staff report is attached for your information. More information including recorded votes on this item can be found in the [minutes](#) of the meeting.

Please contact Mike Rabeau, Director, Capital Planning and Delivery at 1-877-464-9675 ext. 75157 if you have any questions with respect to this matter.

Regards,

Christopher Raynor | Regional Clerk, Regional Clerk's Office, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
 O: 1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

The Regional Municipality of York

Committee of the Whole
Environmental Services
January 14, 2021

Report of the Commissioner of Environmental Services

Upper York Sewage Solutions Individual Environmental Assessment Approval Status Update

1. Recommendations

1. That Regional staff continue discussions with the Province of Ontario and Durham Region related to a potential Provincially preferred southern solution as an alternative to the preferred solution identified in the Upper York Sewage Solutions Environmental Assessment and report back on the status of discussions in February 2021.
2. That Council affirm its support for the Lake Simcoe Solution as documented in the Upper York Sewage Solutions Environmental Assessment per the resolution approved by Durham Council on [December 16, 2020](#).
3. The Regional Clerk circulate this report to the Premier, all Members of Provincial Parliament in Durham and York Regions, and the Clerks of the local municipalities in the Region of Durham and York Region.

2. Summary

The purpose of this report is to provide an update on the Upper York Sewage Solutions (UYSS) Environmental Assessment file and subsequent information related to an alternative solution proposed by the Province. With continuing uncertainty for wastewater servicing in the three impacted communities (Towns of Aurora, Newmarket and East Gwillimbury), this report summarizes the current state of the project.

Key Points:

- The UYSS project was developed to provide wastewater servicing capacity to accommodate Provincially approved growth for 153,000 people (residents and workers) in the Towns of Aurora, Newmarket, and East Gwillimbury
- In July 2014, the UYSS Environmental Assessment was submitted to the Province for approval
- In January 2016, the then Ministry of the Environment and Climate Change published its positive review of the Environmental Assessment and the identified

preferred alternative (Ministry Review)

- In December 2016, the Region was informed that the Province had to complete the Crown's Duty to Consult obligation with Indigenous peoples
- In July 2020, the Chippewas of Georgina Island First Nation completed their Peer Review of the Environmental Assessment. The Peer Review did not contain any new information that would alter the findings of the Ministry Review
- On July 17, 2020, the Minister of Environment Conservation and Parks (Minister Yurek) sent a letter to Chairman Emmerson advising the Region that the Province is considering options, including a potential southern trunk sewer, as an alternative to the preferred alternative identified by the UYSS Environmental Assessment
- On December 2, 2020 Durham Works Committee approved the following resolution "Request from the Region of Durham that the Region of York affirm by Resolution its support for the Lake Simcoe Solution as Documented in the Upper York Sewage Solutions (UYSS) Environmental Assessmentadd resolution"

3. Background

Upper York Sewage Solutions Environmental Assessment was completed in July 2014

The UYSS project was developed to provide wastewater servicing capacity to accommodate Provincially approved growth for 153,000 people (residents and workers) in the Towns of Aurora, Newmarket, and East Gwillimbury. The proposed project includes a world-class Water Reclamation Centre in the Town of East Gwillimbury and a project-specific total phosphorus off-set program that would significantly reduce phosphorus levels in the Lake Simcoe watershed.

In July 2014, the UYSS Environmental Assessment was submitted to the Province for approval after completion of more than five years of extensive scientific study and consultation with the public, stakeholders and Indigenous peoples, including the Chippewas of Georgina Island First Nation. Following expected timelines, a decision on the approval was anticipated in February 2015.

In January 2016, the then Ministry of the Environment and Climate Change published its positive review of the Environmental Assessment and the identified preferred alternative. The Ministry Review stated that Ministry staff were satisfied that the Region properly completed the Environmental Assessment process and complied with the *Environmental Assessment Act*.

In December 2016, the Region was informed that the Province had to complete the Crown's Duty to Consult obligation with Indigenous peoples, advising that this process would delay project approval. At the time, senior Ministry staff advised this process would be completed by Summer 2017. Upon the Ministry's request in March 2017, the Region completed a voluntary Health Impact Assessment in consultation with the Chippewas of Georgina Island

First Nation in November 2018. The independent Health Impact Assessment found positive results in support of the Environmental Assessment and preferred alternative.

Communications and meetings among the Province, Region and the Chippewas of Georgina Island First Nation related to the Duty to Consult occurred and led to creation of a transfer payment agreement between the Province and the First Nation for review of the Environmental Assessment. This agreement was signed in October 2019.

The Chippewas of Georgina Island First Nation completed their Peer Review of the Environmental Assessment and provided no new information

Since October 2019, the Chippewas of Georgina Island First Nation undertook their peer review of the UYSS Environmental Assessment, fully funded by the Province. The Chippewas of Georgina Island First Nation peer review was completed and submitted to the Province on June 30, 2020. The Region received a copy of the Chippewas of Georgina Island First Nation peer review in September 2020 and responded to the points raised. After the Region's review of the Chippewas of Georgina Island First Nation submission, no new information was identified that would change the positive conclusions of the Ministry Review of the UYSS Environmental Assessment released in 2016. Provincial staff have also confirmed this separately. The Region submitted its response to the Chippewas of Georgina Island First Nation peer review to the Ministry of Environment Conservation and Parks in November 2020.

Approval in principle for Disaster Mitigation and Adaptation (DMAF) Funding

In 2018, the Region and the Lake Simcoe Region Conservation Authority (LSRCA) submitted an expression of interest to the Federal Government for a potential treatment facility on the Holland River designed to remove phosphorus generated in the Holland Marsh. The principle of the submission was that it would potentially serve as an alternative to the stormwater retrofits proposed in the UYSS and use DMAF and UYSS project funding to build the facility. With the federal funding, the resulting treatment facility would cost approximately the same as the proposed stormwater retrofits for the UYSS project but would beneficially remove many times more phosphorus (approximately several tonnes compared to a projected 500 kg). Leveraging Federal funding provides a significant benefit to UYSS project, the Region and Lake Simcoe.

During the spring of 2020, the Federal Government contacted the Region and requested submission of a full application for the Holland Marsh treatment facility in conjunction with a further funding round as part of the broader COVID-19 response and potential economic stimulus. The Region and LSRCA submitted a full application with the caveat that the Region could not fund their portion of the project without approval of the UYSS and the approved change from stormwater retrofits to the Holland Marsh treatment facility as part of the proposed Phosphorus off-set program. The Federal Government informed York Region and subsequently publicly announced in November 2020 that the DMAF submission was approved in principle. Further discussions would need to ensue on the balance of the funding.

July 17, 2020 letter from the Minister signals the Province is re-examining all options which may result in a southern sewer route

[Minister Yurek's letter](#) to Chairman Emmerson advised the Region that the Province is considering all options, including a potential southern trunk sewer, as an alternative to the UYSS project. At this time, the Minister's letter and discussions with the Province have not provided the detail necessary to inform Council of the specific scope and impact of the Province's intentions for an alternate wastewater servicing solution or the means for implementing such a concept by 2026, the targeted in-service date. Currently, Region staff are seeking clarity on the Provincial approach to implement any alternative solution and a Provincial decision on the UYSS Environmental Assessment is still pending.

4. Analysis

Region continues to advance discussions with the Province

York Region continues to support and stand-by the UYSS Environmental Assessment and the identified preferred solution. The Region concluded that it is the best solution and a great opportunity for the Lake Simcoe watershed by providing several benefits. A Provincial staff review has supported these conclusions. Despite having a world class solution, rigorously determined through the UYSS Environmental Assessment process, the Region has engaged in discussions with the Province with the ultimate goal of establishing a viable servicing solution for the affected communities. Regional staff have endeavored to advance discussions with the Province to obtain details on the Province's positions and plans to explore an expedited alternative wastewater servicing solution involving a potential southern (Lake Ontario) alternative.

Province has engaged Durham Region given implications of a potential southern servicing solution

The Province has communicated with Durham Region, who along with York Region, co-own Duffin Creek Plant and York Durham Sanitary Sewer Primary System, including the Primary Trunk Sewer. Provincial staff, at the Region's urging, have advised Durham Region of this Provincial initiative because of the co-ownership implications of a potential southern solution. Details of these discussions were provided to Durham Region Council in a staff report on [November 25, 2020](#). Durham Region Council provided authority to Durham Region staff to engage in further discussions with the Province to determine impacts and mitigating factors related to the Provincial proposal.

York Regional staff will continue to work with the Province, Durham Region, and affected Indigenous communities to determine an implementable solution to long-term servicing needs for the Towns of Aurora, Newmarket and East Gwillimbury. York Region continues to support the Environmental Assessment submitted to the Province in 2014. The Water Reclamation Centre meets the Province's imposed condition to include an "Innovative Wastewater Treatment Technologies (Innovative Alternative) such as development and use of a wastewater purification system and water recycling facilities to be located in The

Regional Municipality of York”. The Region fully assessed and inventoried the potentially affected natural, built, social, economic and cultural environments as defined by the *Environmental Assessment Act* and established a solution that will provide a lasting benefit to the watershed. The Region still awaits a Provincial decision on the Individual Environmental Assessment. In accordance with the request from Durham Council it is recommended that Regional Council affirm its support for the Lake Simcoe Solution as documented in the Upper York Sewage Solutions (UYSS) Environmental Assessment.

5. Financial

The 2020 Capital Program carries a total project cost for the UYSS project of \$628 million. Approximately \$100M has been spent to the end of 2020, \$475M remains in the 10-year plan for the proposed project. With an Environmental Assessment approval in early 2021, the project could have been ready for operation by the end of 2028.

A Provincial southern alternative has not been advanced through design or subjected to a rigorous cost analysis due to the early stages of work underway in response to the province’s inquiry. Progressing with a large complex trunk sewer has not been contemplated in detail to date. A potential southern Lake Ontario alternative servicing solution was screened out during the comparison of the benefits and challenges of potential alternative servicing solutions during the UYSS Environmental Assessment process.

6. Local Impact

Region is advancing Interim Solutions to mitigate approval delays

The UYSS project remains critical for servicing Provincially mandated growth in the Towns of Aurora, Newmarket and East Gwillimbury. To support continued growth in these communities, on June 28, 2018, Council authorized an assignment of capacity for 10,500 persons due to the completion of two interim solutions:

- modifications to the Aurora Pumping Station Equalization Tank
- construction of a new Henderson Pumping Station

An additional capacity of 1,000 persons is reserved for Centres and Corridors in these three municipalities once the capacity provided by the interim solutions is complete. The Region remains committed to monitor system performance and investigate additional interim solutions. To assist local municipalities in managing and planning for long-term growth, staff will provide Council with a capacity monitoring report in 2021.

Further discussions are on-going with the three affected municipalities to consider feasible options to generate short-term wastewater capacity. Concepts include wastewater attenuation of peak flows, local private servicing, inflow and infiltration reduction and other infra-stretching options. These are being considered and advanced by Regional staff.

Region is implementing modifications to the existing York Durham Sewage System in the Town of Newmarket

On March 7, 2018, the Province issued a Declaration Order to exempt modifications to the York Durham Sewage System, which was a component of the UYSS project, from the requirements of the *Environmental Assessment Act*. With the Declaration Order, the Region has proceeded to implement this infrastructure in the Town of Newmarket (twinning of the forcemain and alterations to the Newmarket Sewage Pumping Station and the Bogart Creek Sewage Pumping Station). Construction started in June 2019 and commissioning is expected in 2021. Commissioning of the new forcemain will unlock capacity for 1,500 persons in the Town of Newmarket in accordance with the 2016 capacity assignment.

7. Conclusion

It is recommended that Regional staff continue discussions with the Province of Ontario and Durham Region related to a potential provincially preferred southern solution as an alternative to the preferred solution identified in the UYSS Environmental Assessment with the ultimate goal of establishing sewage servicing for the affected communities. It is also recommended that Council affirm its support for the Lake Simcoe Solution as documented in the UYSS Environmental Assessment.

For more information on this report, please contact Mike Rabeau, Director, Capital Planning and Delivery at 1-877-464-9675 ext. 75157. Accessible formats or communication supports are available upon request.

Recommended by: **Erin Mahoney, M. Eng.**
Commissioner of Environmental Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

Private Attachments: (1)
December 17, 2020
#12009775

From: [ca.office \(MECP\)](#)
Subject: Proclamation of Provisions of the Conservation Authorities Act
Date: February 5, 2021 10:49:21 AM
Attachments: [FAQ - Conservation Authorities Act.pdf](#)

Date:	08/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Good morning,

With the amendments to the *Conservation Authorities Act* ("CAA") in Bill 229, the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020, now passed by the Legislature, the government has made a series of substantive amendments to the CAA in 2017, 2019 and in 2020, resulting in a number of un-proclaimed provisions in the CAA.

On February 2, 2021, some specific provisions in the CAA were proclaimed to initiate changes to conservation authority governance, for consistency in administration, transparency and financial accountability, as well as increased municipal and provincial oversight of conservation authority operations. These provisions are not tied to any specific regulations, and relate only to provisions from the 2019 and 2020 CAA amendments. Specifically, these include:

- Government requirements (e.g. Non-derogation provision clarifying that nothing in the CAA is intended to affect constitutionally protected Aboriginal and treaty rights);
- Provisions related to conservation authority governance (e.g. changes to the conservation authority municipal membership);
- Minister's powers (e.g., enabling the Minister to issue a binding directive to a conservation authority following an investigation); and
- Housekeeping amendments.

Please refer to the [CAA](#) on e-Laws for a complete list of the provisions that are now in force.

We are proposing that the remaining un-proclaimed provisions be proclaimed in two further stages over the coming months to align with the roll out of proposed regulations and policy. These include:

- i) Provisions related to natural hazard management, mandatory programs and services, community advisory boards, the agreements and transition period, and fees.
- ii) Provisions related to municipal levies, and standards and requirements for non-mandatory programs and services.

We have received a number of questions about the implications of certain provisions coming into force, and particularly those related to the composition of conservation authority membership. I can assure you that we are moving forward with a smooth transition to the new framework. Please refer to the attached FAQ for critical information on the implementation of these new measures.

My team in the Conservation Authority Office are available to answer any questions that you may have about the provisions that are now in effect as a result of the stage 1 proclamation. Please do not hesitate to contact us at ca.office@ontario.ca.

The Ministry of the Environment, Conservation and Parks will be in touch at a future date to notify you of the proclamation of the remaining provisions.

I look forward to continuing to work with you through our upcoming consultations on the new regulatory proposals under the CAA to ensure we put conservation authorities in the best position possible to be able to deliver on their core mandate.

Sincerely,

Keley Katona
Director, Conservation and Source Protection Branch
Ministry of the Environment, Conservation and Parks

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- Administrative change by striking out “of the Environment” from “Minister of the Environment” (in the section on CA dissolutions – clause 13.1(6)(c)) (Bill 108, 2019).
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**The Regional
Municipality
of Durham**

Corporate Services
Department
Legislative Services

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Whitby, ON L1N 6A3
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Don Beaton, BCom, M.P.A.
Commissioner of Corporate
Services

February 5, 2021

Honourable Premier Doug Ford
Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, ON
M7A 1A1

Date:	09/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Dear Premier Ford:

RE: Request from the Region of Durham that the Region of York affirm by Resolution its support for the Lake Simcoe Solution as Documented in the Upper York Sewage Solutions (UYSS) Environmental Assessment, Our File: 011

Council of the Region of Durham, at its meeting held on December 16, 2020, adopted the following resolution:

“That the following resolution be endorsed:

Whereas the Council of the Region of Durham supports the Lake Simcoe Solution for the proposed servicing solution for the Upper York Sewage Solutions (UYSS) Environmental Assessment;

Now therefore be it resolved that the Region of Durham request that the Council of the Region of York affirm by resolution its support for the Lake Simcoe Solution as documented in the Upper York Sewage Solutions (UYSS) Environmental Assessment, and that the resolutions from York and Durham be circulated to the Premier, all MPPs in the Region of Durham and York Region, to the leaders of the opposition, and to the local municipalities in the Region of Durham”.

On January 28, 2021 the Council of the Region of York received the above noted correspondence dated December 16, 2020 and made the following decision:

1. That Regional staff continue discussions with the Province of Ontario and Durham Region related to a potential Provincially preferred southern solution as an alternative to the preferred solution identified in the Upper York Sewage Solutions Environmental Assessment and report back on the status of discussions in February 2021;

2. That Council affirm its support for the Lake Simcoe Solution as documented in the Upper York Sewage Solutions Environmental Assessment per the resolution approved by Durham Council on December 16, 2020; and
3. The Regional Clerk circulate this report to the Premier, all Members of Provincial Parliament in Durham and York Regions, and the Clerks of the local municipalities in the Region of Durham and York Region.

Ralph Walton

Ralph Walton,
Regional Clerk/Director of Legislative Services

RW/sg

- c: Peter Bethlenfalvy, MPP, Pickering-Uxbridge
Lorne Coe, MPP, Whitby
Jennifer French, MPP, Oshawa
Lindsay Park, MPP, Durham
Rod Phillips, MPP, Ajax
Caroline Mulroney, MPP, York-Simcoe
Stephen Lecce, MPP, King-Vaughan
Christine Elliot, MPP, Newmarket-Aurora
Paul Calandra, MPP, Markham-Stouffville
Michael Parsa, MPP, Aurora-Oak Ridges-Richmond Hill
Billy Pang, MPP, Markham-Unionville
Logan Kanapathi, MPP, Markham-Thornhill
Michael Tibollo, MPP, Vaughan-Woodbridge
Gila Martow, MPP, Thornhill
Daisy Wai, MPP, Richmond Hill
Andrea Horwath, MPP – New Democratic Party, Leader of the
Official Opposition
Steven Del Duca, MPP – Ontario Liberal Party, Leader
Mike Schreiner, MPP – Ontario Green Party, Leader
N. Cooper, Clerk, Town of Ajax
B. Jamieson, Clerk, Township of Brock
J. Gallagher, Clerk, Municipality of Clarington
M. Medeiros, Clerk, City of Oshawa
S. Cassel, Clerk, City of Pickering
L. Fleury, Acting Clerk, Township of Scugog
D. Leroux, Clerk, Township of Uxbridge
C. Harris, Clerk, Town of Whitby
E. Baxter-Trahair, Chief Administrative Officer
S. Siopis, Commissioner of Works

From: [ca.office \(MECP\)](#)
Subject: Proclamation of Provisions of the Conservation Authorities Act
Date: February 9, 2021 10:27:02 AM
Attachments: [FAQ Conservation Authorities Act Updated.pdf](#)

Date:	09/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Hello,

Please find attached the set of FAQs regarding the recently proclaimed provisions that is slightly updated to correct a typo.

Our apologies for the confusion caused.

Regards,

Keley Katona
Director, Conservation and Source Protection Branch
Ministry of the Environment, Conservation and Parks

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From: [Rescue Lake Simcoe Coalition](#)
To: [Maralee Drake](#)
Subject: Lake Simcoe Protection Plan review - Rescue Lake Simcoe Coalition policy recommendations
Date: February 10, 2021 12:44:44 PM
Attachments: [image001.png](#)
[FINAL Long Policy recommendations LSPP Feb 8 V2.pdf](#)

Hi Maralee,

I've just sent this to the planning department, but if you could also circulate to the members of Council that would be great.

Attached are the Rescue Lake Simcoe Coalition's recommendations for the review of the Lake Simcoe Protection Plan. I would be happy to talk with Councillors or staff who are engaged in the LSPP review. Here's the province's consultation page:

<https://www.ontario.ca/page/protecting-lake-simcoe#section-5>

thanks so much,
Claire

Claire Malcolmson

Executive Director

Rescue Lake Simcoe Coalition
www.RescueLakeSimcoe.org
 647-267-7572

Donate here: <https://rescuelakesimcoe.org/donate/>

Or send a cheque to:
 Rescue Lake Simcoe Charitable Foundation
 120 Primeau Dr.
 Aurora, Ont.
 L4G 6Z4

Date:	11/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

On Fri, Jan 29, 2021 at 10:01 AM Maralee Drake <mdrake@townshipofbrock.ca> wrote:

Thank you Linda,

Communication has been received and will be distributed.

Kind regards,

Maralee

Recommendations for policy improvements and better implementation of the Lake Simcoe Protection Plan in its 10-year review

February 9, 2021



Lake Simcoe has the best watershed-based legislation in Canada, and yet, we are not making sufficient progress towards the science-based targets of the Lake Simcoe Protection Plan (LSPP). The priorities below represent what is urgently needed for the LSPP to achieve its objectives. Over the years our member groups have expressed the most concern about phosphorus reduction and natural heritage protection; they are our top priorities for protecting the long-term health of the Lake Simcoe watershed.

There is no compelling scientific argument for weakening the targets and objectives of the LSPP, nor its policies. The Lake Simcoe Protection Act lays out reporting requirements for the Minister, including “prepare a report that describes the extent to which the objectives of the LSPP are being achieved”¹. This has not been done. Therefore the Rescue Lake Simcoe Coalition and its 26 member groups want the province of Ontario to uphold or strengthen the LSPP’s targets and objectives (Protect Our Plan) and during this review, focus on its implementation. While today’s targets and objectives should remain strong, some additional targets and policy amendments would assist improved implementation of the LSPP.

Further, the Made in Ontario Environment Plan commits the province to: *“Build on previous successes and continue to implement the Lake Simcoe Protection Plan to protect and restore important natural areas and features of the lake.”*² We will hold the province to this promise.

The recommendations below include improvement to implementation and policy. Our expectations follow.

¹ Lake Simcoe Protection Act, S. 12.(2) <https://www.ontario.ca/laws/statute/08l23>

² Made in Ontario Environment Plan. P. 13. <https://www.ontario.ca/page/made-in-ontario-environment-plan>

Protect Our Plan Priorities in brief:

- 1. Improve water quality by reducing Phosphorus loads to the lake to 44 tonnes per year, as soon as possible, from urban and agricultural areas, and from aggregate and construction sites;**
- 2. Support a healthy environment around the lake and reduce flooding impacts by protecting 40% of the watershed area's forests and wetlands;**
3. Enable First Nations and the Lake Simcoe Region Conservation Authority to participate meaningfully in LSPP governance;
4. Respect the LSPP by stopping the use of Minister's Zoning Orders (MZOs) in the watershed;
5. Increase public engagement in restoration and invasive species control. Get the public and businesses involved in locally-driven stewardship activities;
6. Incorporate and implement the Lake Simcoe Climate Change Adaptation Strategy policies into the LSPP to reduce phosphorus loads, mitigate the impacts of climate change, and increase natural cover.

Protect Our Plan Expectations Are:

1. The Province of Ontario does not weaken targets, objectives, or timelines associated with phosphorus reduction;
2. That any changes made to LSPP policies will strengthen those policies, or will assist in the implementation of a policy related to achieving one of the LSPP's objectives;
3. The Province of Ontario revises the Phosphorus Reduction Strategy and identifies cost and funding sources for its implementation;
4. The Province of Ontario does not weaken phosphorus reduction and stormwater management requirements for development and aggregate industries;
5. New Sewage Treatment Plants are not permitted in the Lake Simcoe watershed;
6. Research, investment, and provincial direction for local implementation of the 40% high quality natural cover target of the LSPP result in a clear, time bound plan and regulation for achieving 40% high quality natural cover target of the LSPP;
7. Investment is made in land trusts' acquisition of lands that contribute to achieving 40% high quality natural cover in the watershed;
8. Fulfil the Lake Simcoe Protection Plan's commitments to involving First Nations in Plan implementation and policy development moving forward.

About us:

The Rescue Lake Simcoe Coalition is a lake-wide member-based organization, representing 26 groups in the Lake Simcoe watershed, that provides leadership and inspires people to take action to protect Lake Simcoe. www.rescuelakesimcoe.org

Our Story: We spearheaded the campaign to get the Lake Simcoe Protection Plan (LSPP) in 2008, with the support of 38 local groups, Environmental Defence and Ontario Nature.

Our Executive Director sat on the provincially-appointed Lake Simcoe Advisory Committee, the Lake Simcoe Science Committee, and ultimately chaired the Lake Simcoe Coordinating Committee until stepping down in 2018. Today we work with our member groups and other Ontario environmental organizations to educate the public about the lake's health and the importance of the LSPP.



Packed house at Campaign Lake Simcoe and the Ladies of the Lake's Lake Simcoe Summit at Barrie Southshore Center in 2007.



Standing ovation as Premier McGuinty promises to introduce the *Lake Simcoe Protection Act* at the Southshore Centre.

Detailed recommendations

Priority #1

Improve Water Quality

Chapter 4

Preamble: Lake Simcoe's biggest challenge is lowering phosphorus (P) loads from many sources. The Lake Simcoe Science Committee developed water quality targets for dissolved oxygen (necessary for healthy cold water fish) and the phosphorus loads that drive oxygen levels. Although some dissolved oxygen measures have improved, P loads have not. The Precautionary Principle should be respected in the absence of a robust scientific explanation for this unexpected outcome, and we should not use the improvement in dissolved oxygen to justify weakening the science-based P load target.

Reducing P loads is not something municipalities can do alone. Indeed, the shoreline communities of Brock, Georgina, Georgina Island First Nation, Barrie, and Orillia supported our call "on the Ontario Government to demonstrate its commitment to clean water and protecting what matters most in the provincial statutory review of the Lake Simcoe Protection Plan, by ensuring that provisions in the Lake Simcoe Protection Plan that protect water quality are not weakened" in [Council resolutions](#).

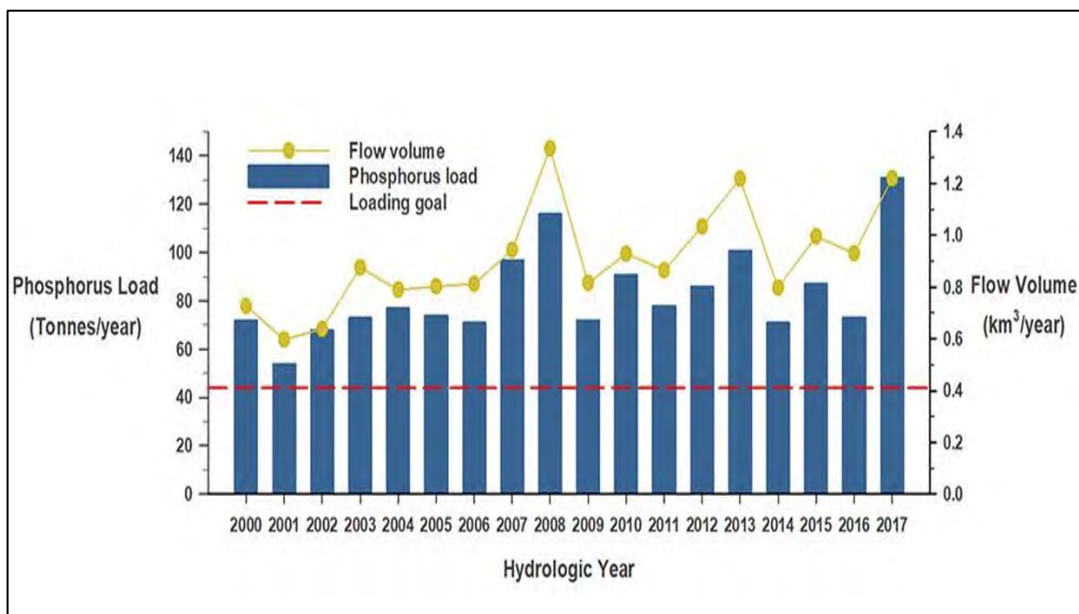
Further, responding to a pre-election survey in 2018 conducted by Lake Simcoe Watch, the Mayors of Aurora, Barrie, Bradford-West Gwillimbury, Brock, Georgina and Oro-Medonte called for the development and implementation of a plan to achieve the LSPP's phosphorus reduction target by 2026. The LSPP's phosphorus reduction target is getting P loads down to 44 tonnes per year from a current 10 year average load in the neighbourhood of 90 tonnes per year.

1. Reach the Phosphorus reduction target of 44 tonnes a year as soon as possible.

- a. Maintain the prohibition on new Sewage Treatment Plants discharging to Lake Simcoe.

Between 2010 and 2015 phosphorus loads from STPs were cut nearly in half - the only measurable reduction in phosphorus inputs to the lake in that time. Hard caps on effluent discharges are an effective way of driving innovation in the management of wastewater, and promote water management conservation best practices. And while it may be appealing to weaken the STP P load cap, one must be fully cognisant that overland stormwater loads of new development are a major factor in the lake's pollution: the STP does not erase the impact of development. Further, there are cases where sewage sludge is simply applied to fields upstream from the lake, and still pollutes the lake.

Phosphorus Loads to Lake Simcoe and Flow Volume, 2000 - 2017



Phosphorus loads vastly exceed the P load target and are being driven by high water flows.

Source: Minister's 10 year report on Lake Simcoe, July 2020. ontario.ca/page/ministers-10-year-report-lake-simcoe#section-3

- i) Maintain the Lake Simcoe Protection Plan regulation that “no new municipal sewage treatment plant shall be established in the Lake Simcoe watershed” unless they are replacing an existing one, or where subsurface sewage works or on-site sewage systems are failing” as per LSPP regulation 4.3-4.4;
 - ii) In order to avoid additional P loading from STPs in the watershed, a clearer, narrower definition of “replacement” is needed in 4.3.a.;
 - iii) Do not add any sewage works or sewage ponds to the list of those that can be replaced with a larger facility, and remember that the goal is a net reduction in P from serviced properties, not just the STP's P load;
 - iv) Until the Phosphorus Reduction Strategy is revised at least, maintain today's nutrient load caps on sewage treatment plants.
- b. Contribute financially if needed to complete the building the Stormwater Treatment facility on the Holland River by 2021, to which the Federal government and York Region have committed funding.
 - c. In line with the Precautionary Principle (which is in the LSPP as a “Principle to guide our efforts”) do not include the anticipated P reductions from the Holland River facility in growth planning, STP allocation planning, or the Phosphorus Reduction

Strategy until the facility has been built, and its effectiveness in the real world has been measured for a minimum of 5 years.

- d. Consult widely then revise the Lake Simcoe Phosphorus Reduction Strategy (a separate document enabled through LSPP policy 4.24 SA) in 2021 to make it actionable, with sector-specific interim targets and funding solutions for each sector. Identify oversight and enforcement roles.
 - i) Prioritize phosphorus reduction actions following criteria that ensure:
 - i. The work will have beneficial, long-term impacts on phosphorus load reductions. (For example, if we choose to focus on streambank stabilization and restoration and planting, is there evidence that these actions reduce P loads year after year the way STP caps do? Are they measurable? Is the science solid?)
 - ii. That multiple benefits are achieved with each project, in particular:
 - reducing flooding risk,
 - climate change adaptation and mitigation,
 - natural heritage protection,
 - engaging the public and the business community.
 - ii) Complete the Phosphorus Reduction Strategy work outlined in the LSPP, policy 4.26-SA, including:
 - i. developing subwatershed phosphorus loading targets;
 - ii. the identification of practical and effective actions that should be undertaken to address each source or sector...;
 - iii. the examination of how effluent re-use opportunities in the Lake Simcoe watershed may contribute to reducing phosphorus loadings to achieve the dissolved oxygen target of 7mg/L.
 - iii) Better implement the Phosphorus Reduction Strategy, as recommended in the Minister's 5-year report on Lake Simcoe³, including:
 - Improve the tracking of actions taken by various partners to reduce phosphorus loads to watershed streams and tributaries from agricultural and urban areas;
 - Ensure effective tools are in place to manage the impacts of growth on the lake (e.g. low impact development);
 - Promote the optimization of new and existing stormwater management facilities;
 - Continue to promote and support site-level stewardship and best management practices;

³ Minister's 5-year report on Lake Simcoe, P 21. <https://www.ontario.ca/page/ministers-five-year-report-lake-simcoe-protect-and-restore-ecological-health-lake-simcoe-watershed>

- Support the development of innovative new technology for the treatment of wastewater, stormwater and agricultural runoff; and
 - Promote the development and implementation of strategies to mitigate the effects of extreme weather events and associated phosphorus loading.
- e. Increase development cost charges to support municipal infrastructure and maintenance costs associated with reducing phosphorus loading to the lake.⁴
- f. Monitor and communicate additive and synergistic effects of pharmaceuticals and personal care products on aquatic life and water quality.

⁴ Lake Simcoe Watch has estimated the cost of what is required to achieve the P reduction target of the LSPP by 2026 and suggests that increasing Development Cost Charges by 4.5% would cover the cost of achieving the P reduction target. Lake Simcoe Watch: Cleaning Up lake Simcoe, a Discussion Paper, 2020. p. 11.
<https://lakesimcoewatch.ca/wp-content/uploads/2020/02/Simcoe-Book-final.pdf>

Priority #2

Protect Forests, Wetlands, and Shorelines & Adapt to and Mitigate Climate Change

Chapter 6 & 7

Preamble: Green space is vital to people's health and quality of life through outdoor recreation and enjoyment, and it provides habitats for the flora and fauna in the watershed, including species at risk. It also helps buffer us from the impacts of climate change, like flooding, rising air and water temperatures, and is a carbon sink. Many of the recommendations in the Lake Simcoe Climate Change Strategy underline the importance of achieving the targets of the Natural heritage chapter of the LSPP.

But we're going the wrong way! Losses of forest and wetland cover have occurred since the introduction of the LSPP ⁵. The LSPP identifies that 40% of the watershed should be in large patches of "high quality natural cover". High quality natural cover has been defined and mapped, and the Province's research has identified that 28% of the watershed is in high quality natural cover. Rescue Lake Simcoe Coalition [research into the strength of environmental policy protections](#) across the watershed found that only half of that is well-protected by restrictive provincial policies. There are no policies set to achieve the 40% cover target.

Some shoreline naturalization improvements have been made and documented since 2009, but no analysis of overall shoreline trends have been provided. Anecdotally, our members observe an increase in boathouse building, shoreline alteration, hardening, and loss of vegetation. We may well be going the wrong way on this target too.

2. Reach the Natural heritage targets of the Lake Simcoe Protection Plan:

- No further loss of natural shorelines on Lake Simcoe;
- Achieve a greater proportion of natural vegetative cover in large *high quality* patches;
- Achieve a minimum 40% *high quality* natural vegetative cover in the watershed;
- Achieve protection of wetlands;
- Achieve naturalized riparian areas on Lake Simcoe and along streams;
- Restore natural areas or features;
- Achieve increased ecological health based on the status of indicator species and maintenance of natural biodiversity.⁶

⁵ LSRCA's Watershed Report Card 2018. <https://www.lsrca.on.ca/watershed-health/reportcard>

⁶ Lake Simcoe Protection Plan, P. 46. <https://www.ontario.ca/document/lake-simcoe-protection-plan>

Natural Heritage Recommendations

- a. Due to the significance of patch size, it is of utmost importance to protect and maintain the 25 hectare plus patches of natural cover mapped by the province as “High Quality Natural Cover” using the following steps:
 - i) Identify and ground truth the quality of the natural features. The Province should continue to fund scientific research that examines the structure and composition of the High Quality Natural Cover parcels, and the presence of rare or endangered species, and their habitats, by the end of 2022;
 - ii) The Ministry of Natural Resources and the Lake Simcoe Region Conservation Authority, along with municipalities, need to map all known forest patches, then categorize by the 4 hectare (south) and 10 hectare (north) thresholds of the province’s “Technical Definitions and Criteria for Identifying Key Natural heritage Features and Key Hydrologic Features for the Lake Simcoe Protection Plan”. Any woodlands below these thresholds should then be recommended for evaluation to see if they meet the density/crown cover metrics of the technical guide;
 - iii) All levels of government should cooperate on mapping and evaluation of any unevaluated natural cover, including wetlands;
 - iv) Municipalities and Upper tier Region or County need to put the natural features in Official Plans (maps, policies, definitions, and supportive lower-tier zoning);
 - v) The Province must review Official Plans to confirm whether the natural features mapped by the Province, and shoreline areas, are in fact protected in Official Plans;
 - vi) The Province should encourage municipalities to enact an interim control bylaw to protect the mapped High Quality Natural Cover parcels of 25 hectare plus from rezoning or land use changes until the research is complete;
 - vii) Provide \$30 million in support for non-policy initiatives such as land acquisition or conservation easements by land trusts, prioritizing properties that are within the 25 hectare patches that do not meet the criteria for strong policy protection.
- b. The Province needs to work with municipalities to ensure they map the Growth Plan Natural Heritage System and incorporate the associated policies⁷ into their Official Plans within the identified time-frame. Once implemented, they will offer the best protection yet for natural heritage features and in particular for the linkage features between the features.

⁷ Growth Plan for the Greater Golden Horseshoe. S 4.2.2.3 <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>

- c. To support climate resilient urban canopy cover, ensure that all Lake Simcoe municipalities have strong tree cutting bylaws. Amend policy 6.46-SA as follows, and make it a Designated Policy, one having legal effect:
~~6.46-SA Within two years of the date the Plan comes into effect, the MNR and MOE, in consultation with other ministries, municipalities and the LSRCA will lead the development of a template for~~ Ensure the following development will encourage implementation of the model municipal site alteration and tree cutting bylaw within the watershed as related to natural heritage features including wetlands and woodlands, developed by MNR, MoE etc.
- d. Amend the LSPP to require the establishment of natural cover and restoration targets in each subwatershed by 2022. Subwatershed targets should be set for forest cover, wetland cover, and high quality natural cover, and based on the LSRCA's Natural heritage System and Restoration Strategy, 2018.
- f. Make progress on naturalizing shorelines:
 - i) Require municipalities to re-naturalize public areas adjacent to shorelines and streams, or provide financial incentives for municipalities to do this work. Make policy 6.14-SA a Designated Policy, one having legal effect and amend as follows:
~~6.14-SA Public bodies are encouraged to~~ [must] actively re-naturalize public areas adjacent to shorelines and streams to a minimum of 30 metres where practical and feasible.
 - ii) Enable better naturalization of privately owned shoreline areas by supporting outreach and funding incentives, to achieve the following policy of the LSPP:
~~6.15-SA Through the implementation of the stewardship, education and outreach policies (8.5-8.11) owners of existing cottages and residences will be encouraged to re-naturalize shorelines and areas adjacent to streams up to 30 metres where practical and feasible.~~
 - iii) Develop, fund and implement a shoreline version of the Managed Forest Tax Incentive Plan (MFTIP) in order to provide moderate tax incentives for shoreline landowners to improve the health of their shoreline.
- g. The Province must move past lip service to First Nations by providing meaningful opportunities for First Nations' to identify priority lands for protection through a [Traditional Ecological Knowledge assessment of the Lake Simcoe watershed](#).
 - i) In partnership with the public, land trusts and Conservation Authorities, purchase environmentally significant lands and linkage lands. Ensure that Indigenous communities are engaged and that the process considers co-management with Indigenous communities;

- ii) Arrange for the transfer of Crownlands under the protection of the province to Land Conservancies or create Indigenous Protected and Conserved Areas with supporting stewardship funding.

Governance

Chapter 8

3. Enable First Nations and the Lake Simcoe Region Conservation Authority to participate meaningfully in LSPP governance.

First Nations

For clarity, in this submission we are referring to First Nations with traditional territories and Treaty rights in the Lake Simcoe Watershed.

As recommended by the Lake Simcoe Coordinating Committee in 2018, “Although the Lake Simcoe Protection Plan states that First Nations will be involved in the development and implementation of LSPP policies, there has not been an adequate effort made to do so in a meaningful and substantially helpful way. We want to support the ability of First Nations communities at Lake Simcoe to engage in the development and implementation of LSPP policies, ensuring their involvement at the idea stage of a policy, and throughout. A thorough review will assist in identifying and prioritizing the policies for which there should be better FN consultation, including meaningful involvement and input. This action will also help to build capacity among Lake Simcoe’s First Nations.

- a. Promote partnership with First Nations in implementing the LSPP by funding a position under the direction of Lake Simcoe’s First Nations, to identify LSPP policies that require more thorough First Nations involvement, input, and/or Traditional Ecological Knowledge.
- b. Consultation itself should be supported by providing advance notice of timelines, and by providing adequate compensation to the FN experts who are asked for their knowledge and participation, as well as travel reimbursements.
- c. In partnership with the relevant agencies identified by the relevant LSPP policies, additional time and review should be given to how Traditional Ecological Knowledge and/or First Nations priorities and perspectives will be incorporated in the implementation of the LSPP policies.”⁸

⁸ Advice from the Minister’s Advisory Committees: <https://www.ontario.ca/page/ministers-annual-report-lake-simcoe-2017#section-11>

- d. Give the Lake Simcoe Region Conservation Authority (LSRCA) the full powers they had before changes to the Conservation Authorities Act were made under Schedule 6 of Ontario's budget omnibus bill, December 2020. In particular, the LSRCA's participation in: site plan approval, providing direction for developers on the application of the LSPPs stormwater and Low Impact Development policies, and the Lake Simcoe Phosphorus Offset Program (LSPOP), is essential for managing and reducing the severe impacts of development. These changes should be specified in the LSPP and an amendment made to the Conservation Authorities Act to enable these powers, as promised in the Ministry of the Environment, Conservation and Parks' (MECP), "Modernising conservation authorities operations – Conservation Authorities Act" [ERO Number: 013-5018](#).
- e. Put the Stewardship Network in the hands of the LSRCA so stewardship activities can be well coordinated and effectiveness tracked using a consistent methodology. Amend LSPP policy 6.5-SA by clarifying that, now that the Stewardship Network has been established, the lead agency responsible for coordinating the Stewardship Network should be the LSRCA.
- f. Respect the LSPP by stopping the use of Minister's Zoning Orders (MZOs) in the watershed for development planning approvals unrelated to emergencies. There is no requirement for zoning made through Ministers Zoning Orders to conform to *Lake Simcoe Protection Act's* designated policies (those with legal effect), S. 6 (2). Thus the use of MZOs in the Lake Simcoe watershed risks undermining the implementation of LSPP policies for specific developments. This is concerning in Innisfil in particular, where the Orbit Mobility Hub development, housing up to 150,000 on greenfields, is proposed, using an MZO.

Increase Stewardship Effectiveness and Engagement

Chapter 8

- 4. Increase public engagement in restoration and invasive species control. Get the public and businesses involved in locally-driven stewardship activities.**
 - a. A dedicated provincial funding program run through the Lake Simcoe Stewardship Network should be established to support the completion of restoration projects advanced at the local level.
 - b. Put the Stewardship Network in the hands of the LSRCA (as above, 3.e.)
 - c. A renewed Lake Simcoe Stewardship Network should focus on beach water quality, and track sources of contamination. Address those sources through focused local

action, using the subwatershed approach, in partnership with municipalities, the LSRCA and interested local groups.

- d. Increase the capacity of local stewardship groups and municipalities (with financial investments and staff support) to understand their subwatershed plan and address problems in their subwatershed plan.
- e. Communicate with the public around lake health about what individuals can do.
- f. Address stewardship priorities as recommended in the Province's Lake Simcoe Climate Adaptation Strategy:
"All partners, in collaboration with the Province, should adopt practices in the watershed to minimize the flow of nutrients and other pollutants into tributaries, groundwater and/or the lake at all times.
2.4. Implement Best Management Practices (BMPs) on land use to manage urban, rural and agricultural runoff and nutrient loading.
2.5. Develop joint programs through public/private partnerships that may include cost-sharing for innovative initiatives, such as rainwater harvesting, green roofs and greywater reuse.
2.6. Integrate climate change adaptation considerations and BMPs into manuals and guidelines available to people working in agriculture, land use development and other sectors." ⁹



A flooded section of road in Innisfil in February 2018.

⁹ Lake Simcoe Climate Change Strategy. <https://www.ontario.ca/page/lake-simcoe-climate-change-adaptation-strategy>

Address Climate Change impacts

Chapters 6, 7 & 8

5. Address Climate Change impacts

Preamble: Climate change impacts on Lake Simcoe are documented and real. We now know that high levels of precipitation drive peaks in phosphorus loads, as heavy rain scours fields, roads, then riverbanks, and conveys sediment and nutrients into rivers and the lake. Indeed, the peak load of 131 tonnes of P in 2017 was attributed to extreme precipitation events.¹⁰ Remember, the target P load is 44 tonnes / year, and the current ten year average is around 90 tonnes / year.

Climate change has also contributed to fewer days of ice cover, more beach closures due to high bacteria levels, more blue green algae events, and a decline in coldwater fish survival and abundance.¹¹

We are extremely concerned that the severe reduction in Conservation Authorities powers, and the increased use of MZO's and the Minister's ability to override CA decisions on the development of natural features will result in poorer ecological outcomes for the lake and put downstream homeowners at risk.

Keeping wetlands on the landscape is a cost-effective way to mitigate climate change's heavy precipitation impacts. According to a 2017 study, leaving wetlands intact on the landscape can reduce the financial costs of floods by up to 38 per cent.¹²

- a. As stated in the Lake Simcoe Climate Change Strategy, the Province must prioritize and increase the protection of natural heritage features, in urban and non-urban settings, and focus on achieving the riparian (shoreline and riverbed) restoration and natural cover targets of the LSPP.

¹⁰ Minister's 10 year report on Lake Simcoe, July 2020. ontario.ca/page/ministers-10-year-report-lake-simcoe#section-3

¹¹ A Local Perspective on Climate Change. <https://www.lsrca.on.ca/Pages/Local-Perspective-on-Climate-Change.aspx>

¹² Moudrak, N., Hutter, A.M.; Feltmate, B. 2017. When the Big Storms Hit: The Role of Wetlands to Limit Urban and Rural Flood Damage. Prepared for Ontario's Ministry of Natural Resources and Forestry. Intact Centre on Climate Adaptation, University of Waterloo.

SIGNATORIES
YOUR GROUP HERE

Ontario Nature
North Mara Beach Residents Association
Lake Simcoe Watch

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000

Date:	17/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	Debbie V.

246/21



234-2021-813

February 17, 2021

Dear Head of Council,

RE: Consulting on growing the size of the Greenbelt

I am writing today to announce that my ministry is launching a consultation on **growing the size of the Greenbelt**.

The government has been clear that we are protecting the Greenbelt for future generations. We are committed to growing the Greenbelt and will not consider any proposals to remove any lands or changes to the existing Greenbelt Plan policies.

The Ministry of Municipal Affairs and Housing is seeking feedback on ways to grow the size and further enhance the quality of the Greenbelt, with a priority of:

- i. A study area of lands focused on the Paris Galt Moraine, which is home to critical groundwater resources.
- ii. Ideas for adding, expanding and further protecting Urban River Valleys.

The maps available for this consultation are for discussion purposes only and do not represent a proposed boundary.

For more information on this consultation, please visit <https://ero.ontario.ca/notice/019-3136> where you will find information about growing the Greenbelt:

- Proposed principles for growing the Greenbelt
- Discussion questions for consideration
- Context map of the Paris Galt Moraine area

The consultation is open for 61 days and ends on April 19th, 2021.

I look forward to receiving your input on this proposal. If you have any questions about the consultation, please contact the ministry at greenbeltconsultation@ontario.ca.

Sincerely,

Steve Clark
Minister

c: Planning Head and/or Clerks



Board of Directors
Meeting No. BOD-02-21
Friday, February 26, 2021
9:30 a.m.

Date:	26/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Agenda

Meeting Location:

To be held virtually by Zoom

Minutes and agendas are available at www.LSRCA.on.ca

Upcoming Events

Board of Directors' Meeting

Friday, March 26 at 9:00 a.m.

To be held virtually by Zoom

A full listing of events can be found at www.LSRCA.on.ca

I. Declarations of Pecuniary Interest and Conflicts of Interest

II. Approval of Agenda

Pages 1 - 6

Recommended: That the content of the Agenda for the February 26, 2021 meeting of the LSRCA Board of Directors be approved as presented.

III. Adoption of Minutes

a) Board of Directors

Pages 7 - 15

Included in the agenda is a copy of the minutes of the Board of Directors 70th Annual General Meeting, No. BOD-01-21, held on Friday, January 22, 2021.

Recommended: That the minutes of the Board of Directors 70th Annual General Meeting, No. BOD-01-21, held on Friday, January 22, 2021 be approved as circulated.

b) Conservation Ontario Council

Pages 16 - 23

Included in the agenda is a copy of the minutes of Conservation Ontario's Council Meeting held on Monday, December 14, 2020.

Recommended: That the minutes of Conservation Ontario's Council Meeting held on Monday, December 14, 2020 be received for information.

IV. Announcements

V. Presentations

a) Corporate Communications

Pages 24 - 26

Director, Corporate Communications & Engagement, Kristen Yemm, will provide an overview of the Authority's annual corporate publications and supplementary products and tools. This presentation will be provided at the meeting and will be available on our website following the meeting.

Recommended: That the presentation by Director, Corporate Communications & Engagement, Kristen Yemm, regarding an overview of the Authority's annual corporate publications and supplementary products and tools be received for information.

Included in the agenda is Staff Report No. 02-21-BOD regarding Corporate Communications.

Recommended: That Staff Report No. 02-21-BOD regarding Corporate Communications at Lake Simcoe Region Conservation Authority be received for information.

b) Investigating a land-lake phosphorus decoupling in Lake Simcoe

Pages 27 - 29

Limnologist, Dr. Brian Ginn, will provide an overview of the investigation of the land-lake phosphorus decoupling in Lake Simcoe. This presentation will be provided at the meeting and will be available on our website following the meeting.

Recommended: That the presentation by Limnologist, Dr. Brian Ginn, regarding the investigation of the land-lake phosphorus decoupling in Lake Simcoe be received for information.

Included in the agenda is Staff Report No. 03-21-BOD regarding the investigation into the possible causes of the land-lake phosphorus decoupling in Lake Simcoe.

Recommended: That Staff Report No. 03-21-BOD regarding the investigation of the land-lake phosphorus decoupling in Lake Simcoe be received for information.

VI. Hearings

There are no Hearings scheduled for this meeting.

VII. Deputations

There are no Deputations scheduled for this meeting.

VIII. Determination of Items Requiring Separate Discussion

(Reference Pages 5 and 6 of the agenda).

IX. Adoption of Items Not Requiring Separate Discussion

X. Consideration of Items Requiring Separate Discussion

XI. Closed Session

The Board will move to Closed Session to deal with confidential land matters legal and land matters.

Recommended: That the Board move to Closed Session to deal with confidential legal and land matters; and

Further that the Chief Administrative Officer, members of the Executive Management Team, the Director, Regulations, and the Coordinator BOD/CAO remain in the meeting for the discussion on Items a) and b); and

Further that the Chief Administrative Officer, members of the Executive Management Team, the Land Securement Officer, and the Coordinator BOD/CAO remain in the meeting for the discussion on Item c).

The Board will rise from Closed Session and report findings.

Recommended: That the Board rise from Closed Session and report findings.

a) Confidential Legal Matter

Recommended: That Confidential Staff Report No. 09-21-BOD regarding a confidential legal matter be received for information.

b) Confidential Legal Matter

Recommended: That Confidential Staff Report No. 10-21-BOD regarding a confidential legal matter be received for information.

c) Confidential Land Matter

A presentation regarding a confidential land matter will be provided at the meeting.

Recommended: That the presentation regarding a confidential land matter be received; and

Further that Confidential Staff Report No. 11-21-BOD regarding a confidential land matter be received; and

Further that the recommendations contained within the report be approved.

XII. Other Business

Next Meeting

The next meeting of the LSRCA Board of Directors will be held at @ 9:00 a.m. on Friday, March 26, 2021. This meeting will be held via Zoom, access details to be provided prior to the meeting.

XIII. Adjournment

Agenda Items

1. Correspondence

There are no Correspondence items for this meeting.

2. Municipal Freedom of Information and Protection of Privacy Act: Annual Statistical Report

Pages 30 - 40

Recommended: That Staff Report No. 04-21-BOD regarding the Municipal Freedom of Information and Protection of Privacy Act – 2020 Annual Statistical Report be received for information.

3. Monitoring Report – Planning and Development Applications for the Period January 1 through December 31, 2020

Pages 41 - 49

Recommended: That Staff Report No. 05-21-BOD regarding monitoring of planning and development applications for the period January 1 through December 31, 2020 be received for information.

4. Bill 229: Proclaimed Amendments to the Conservation Authorities Act

Pages 50 - 56

Recommended: That Staff Report 06-21-BOD be received; and

Further that the Chief Administrative Officer review the Authority's existing Administrative By-Laws and prepare revised by-laws for consideration in accordance with any proclaimed amendments to Conservation Authorities Act as defined under Bill 229.

5. Applications for Permission pursuant to Section 28.0.1 of the Conservation Authorities Act

Pages 57 - 61

Recommended: That Staff Report No. 07-21-BOD regarding issuing permissions under Section 28.0.1 of the Conservation Authorities Act be received; and

Further that the Chief Administrative Officer be authorized to enter into agreements and approve permissions for elements of development projects authorized by a Minister's Zoning Order that are minor in nature; and

Further that an amendment to the Authority's fee schedule to include an application fee of double the applicable existing permit fee for a permit under S.28.0.1 be approved effective immediately; and

Further that an amendment to the Authority's fees policy that all legal fees associated with the development and execution of any Agreement under Section 28.0.1 of the Conservation Authorities Act be paid in full by the proponent prior to the final execution of the Agreement be approved effective immediately.

6. Kettleby Creek Restoration Project

Pages 62 - 64

Recommended: That Staff Report No. 08-21-BOD regarding the issuance of a Purchase Order and Construction Contract to R&M Construction for a restoration project to remove a fish barrier and streambank restoration at Kettleby Creek in the Township of King at a cost of \$224,159.39 including taxes be received for information.



Lakes Simcoe and Couchiching/Black River

Source Protection Authority

Meeting No. SPA-01-21

Friday, February 26, 2021

9:00 a.m.

Agenda

Meeting Location:

To be held virtually by Zoom

Date:	26/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

I. Declarations of Pecuniary Interest

II. Approval of Agenda

Pages 1 – 3

Recommended: That the agenda for the meeting of Lakes Simcoe and Couchiching/Black River Source Protection Authority held on February 26, 2021 be approved as presented.

III. Adoption of Minutes

a. Source Protection Authority

Pages 4 – 8

Recommended: That the minutes of the Lakes Simcoe and Couchiching/Black River Source Protection Authority Meeting No. SPA-02-20 held May 22, 2020 be approved as circulated.

b. Source Protection Committee

Pages 9 – 48

Recommended: That the minutes of the South Georgian Bay Lake Simcoe Source Protection Committee meetings held on July 7, 2020 and December 1, 2020 be received for information.

IV. Correspondence

Pages 49 – 50

The following correspondence item is included in the agenda:

- a) February 22, 2021 letter from Lakes Simcoe and Couchiching/Black River Source Protection Authority to the Hon. Jeff Yurek, Minister of Environment, Conservation and Parks regarding Regulation 287/07 under the Clean Water Act – Annual Reporting Requirements.

V. General Updates

a. Source Protection Committee Chair's Report

Pages 51 - 52

Recommended: That the report by South Georgian Bay Lake Simcoe Source Protection Committee Chair Lynn Dollin regarding Source Protection Committee updates be received for information.

b. Source Protection Plan Amendment – York Region Drinking Water System

Pages 53 - 56

Recommended: That Staff Report No. 01-21-SPA regarding proposed amendments to the Source Protection Plan be endorsed; and

Further that these amendments be submitted to the Minister of the Environment, Conservation and Parks for approval.

c. Delegation of Authority

Pages 57 - 59

Recommended: That Staff Report No. 02-21-SPA Staff Report No. 02-21-SPA regarding delegation of authority to staff for the submission of proposed amendments to the Source Protection Plan be received; and

Further that Source Protection Authority staff be authorized to submit completed draft Source Protection Plan amendments for new or expanded drinking water systems, on behalf of the Source Protection Authority; and

Further that staff report annually to the Source Protection Authority Board the basis of all such submissions, and their subsequent approvals by the Ministry.

VI. Other Business

VII. Adjournment



Corporate Services Department
City Clerk Services

File: A-2100

February 26, 2021

DELIVERED BY E-MAIL
(clerks@durham.ca)

Region of Durham

Date:	26/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Re: Durham Region's Municipal Comprehensive Review: City Comments on Major Transit Station Areas - Proposed Policy Directions

Oshawa City Council considered the above matter at its meeting of February 22, 2021 and adopted the following recommendation of the Development Services Committee:

- "1. That Report DS-21-20 dated February 3, 2021 be endorsed as the City's comments on the Major Transit Station Areas Proposed Policy Directions Report dated December 2020 prepared by the Region of Durham as part of Envision Durham, the Municipal Comprehensive Review of the Durham Regional Official Plan; and,
2. That staff be authorized to forward a copy of Report DS-21-20 dated February 3, 2021 and the related Council resolution to the Region of Durham and Durham area municipalities."

Please see attached a copy of Report DS-21-20.

If you need further assistance concerning the above matter, please contact Warren Munro, Commissioner, Development Services Department at the address listed below or by telephone at 905-436-3311.

Mary Medeiros
City Clerk

/fb

c. Development Services Department
Durham Region Municipalities

The Corporation of the City of Oshawa, 50 Centre Street South, Oshawa, Ontario L1H 3Z7
Phone 905-436-3311 1-800-667-4292 Fax 905-436-5697
www.oshawa.ca

To: Development Services Committee

From: Warren Munro, HBA, RPP, Commissioner,
Development Services Department

Report Number: DS-21-20

Date of Report: February 3, 2021

Date of Meeting: February 8, 2021

Subject: Durham Region's Municipal Comprehensive Review: City
Comments on Major Transit Station Areas - Proposed Policy
Directions

File: A-2200-0023

1.0 Purpose

The purpose of this Report is to obtain Council's approval of City comments on the Region of Durham's Major Transit Station Areas Proposed Policy Directions Report (the "M.T.S.A. Policy Directions Report"). The M.T.S.A. Policy Directions Report is a key component of Envision Durham, the Municipal Comprehensive Review (M.C.R.) of the Durham Regional Official Plan (D.R.O.P.).

The Region has requested that the City provide comments on the M.T.S.A. Policy Directions Report by March 1, 2021.

Attachment 1 contains recommended City comments on the M.T.S.A. Policy Directions Report.

Attachment 2 is a copy of the M.T.S.A. Policy Directions Report, dated December 2020.

2.0 Recommendation

That the Development Services Committee recommend to City Council:

1. That Report DS-21-20 dated February 3, 2021 be endorsed as the City's comments on the Major Transit Station Areas Proposed Policy Directions Report dated December 2020 prepared by the Region of Durham as part of Envision Durham, the Municipal Comprehensive Review of the Durham Regional Official Plan.
2. That staff be authorized to forward a copy of Report DS-21-20 dated February 3, 2021 and the related Council resolution to the Region of Durham and Durham area municipalities.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following have been consulted in the preparation of this Report:

- Town of Whitby

5.0 Analysis

5.1 Envision Durham: The Municipal Comprehensive Review of the Durham Regional Official Plan

On May 2, 2018, Regional staff received authorization to proceed with Envision Durham, the M.C.R. of the D.R.O.P. Envision Durham is an opportunity to undertake a core review of the current D.R.O.P. and establish a progressive and forward-looking planning vision for the Region up to 2051.

On February 5, 2019, the Region initiated the first stage (“Discover”) of the public engagement program for Envision Durham by launching a project web page and public opinion survey. With the release of the first of a series of discussion papers on March 5, 2019, Regional staff launched the second stage (“Discuss”) of the engagement program, where participants were asked to provide input on various themes presented through the discussion papers.

To date, the following six discussion papers have been released:

- Agriculture and Rural System Discussion Paper (released March 5, 2019);
- Climate Change and Sustainability Discussion Paper (released May 7, 2019);
- Growth Management – Urban System Discussion Paper (released June 4, 2019);
- Environment and Greenlands System Discussion Paper (released September 3, 2019);
- Transportation System Discussion Paper (released October 1, 2019); and,
- Housing Policy Planning Discussion Paper (released December 3, 2019).

As previously directed by Council, the City has submitted comments to the Region on the six above-noted discussion papers.

The Region has now initiated the third stage (“Direct”) of the public engagement program. Under this stage, the first policy direction report was related to employment conversions. The Region provided a ninety (90) day submission window for the public, including the development community, to submit employment conversion requests. The final date to submit a request for consideration through Envision Durham was September 23, 2020.

As directed by Council on December 14, 2020, the City submitted comments to the Region pursuant to Report DS-20-149 dated December 4, 2020 regarding various employment conversion requests. These consisted of four (4) employment conversion requests

received from private landowners and three (3) City-initiated employment conversion requests with respect to employment lands located in Oshawa.

Most recently, again under the Direct stage of Envision Durham, the Region has requested comments on the M.T.S.A. Policy Direction Report dated December 2020. Comments on this matter have been requested by March 1, 2021. The M.T.S.A. Policy Direction Report provides an overview of the proposed M.T.S.A.s, summarizes best practices, trends and guidelines, revisits and refines certain M.T.S.A. boundary delineations, and presents a set of draft policies for review and comment.

5.2 Major Transit Station Areas Overview

M.T.S.A.s are defined in A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (the “Growth Plan”) as:

“The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.”

There are four existing M.T.S.A.s within Durham Region including the existing Oshawa GO Station M.T.S.A., centred on the station located at the southwest corner of Bloor Street West and Thornton Road South (see Figure 5 in Appendix B of Attachment 2 to this Report).

In addition, there are four new M.T.S.A.s proposed within Durham Region, including two (2) in Oshawa:

- The Thornton’s Corners GO Station M.T.S.A., centred on a proposed station located on the Canadian Pacific Rail spur line east of Thornton Road South, west of Fox Street, and north of Champlain Avenue (see Figure 6 in Appendix B of Attachment 2 to this Report); and,
- The Central Oshawa GO Station M.T.S.A., centred on a proposed station located on the Canadian Pacific mainline north of Highway 401, midway between Simcoe Street South and Ritson Road South (see Figure 7 in Appendix B of Attachment 2 to this Report).

The intent of M.T.S.A.s is to cluster a mix of high density, compact, pedestrian-oriented development in proximity to rapid transit infrastructure. M.T.S.A.s should be planned to have a mix of uses including office, residential, institutional, community, retail, and other services. M.T.S.A.s should have a focus on pedestrian-oriented streetscapes, public spaces and buildings.

The existing M.T.S.A.s in Durham Region, including the Oshawa GO Station M.T.S.A., are each located within a priority transit corridor. Provincial policy directs the intensification of priority transit corridors. The Growth Plan requires that M.T.S.A.s served by the

GO Transit rail network and located within a priority transit corridor be planned for a minimum density target of 150 residents and jobs combined per hectare.

Durham Region is responsible for delineating M.T.S.A. boundaries and setting the minimum density requirements in consultation with local municipalities.

City staff worked jointly with the Region to delineate proposed boundaries for the existing and proposed M.T.S.A.s in Oshawa. In June 2019, proposed delineations were presented by Regional staff within the Urban Systems-Growth Management Discussion Paper. The M.T.S.A. boundary delineation process involved the following approach:

- A 500 metre (1,640 ft.) and 800 metre (2,625 ft.) radius from the centre of the rail platform was applied, to identify a generalized walking distance of approximately 10 minutes from the station.
- An actual walking distance was mapped, based on applying existing and planned pedestrian infrastructure to identify a true walking distance.
- Other planning boundaries (such as Provincially Significant Employment Zones) were identified. Wherever possible, M.T.S.A. boundaries were aligned with boundaries within area municipal planning documents (including Official Plans).
- Non-developable areas were avoided, where appropriate (such as natural areas, highways, utilities, rail corridors, etc.) to identify the outer boundaries of the M.T.S.A.
- Existing and/or planned pedestrian connections across non-developable areas were identified. If a connection does not exist or is not planned, the area beyond the non-developable area was not included.
- Areas unsuitable and unplanned for significant intensification, such as stable neighbourhoods intended to remain as low density, were identified. Areas not intended to be redeveloped were excluded.
- Employment Areas were identified, and a determination was made as to (re)development potential.
 - If development potential exists, it was included in the M.T.S.A.
 - If development potential does not exist, a determination of impact on the density target would inform whether an alternative target should be requested from the Province.
- Boundaries were adjusted, and in some cases extended beyond the 800 metre (2,625 ft.) walkshed to include underutilized or vacant lands viewed as ideal for redevelopment and/or intensification.
- Logical planning boundaries were used (such as property lines, centrelines of roads, natural features, etc.) to delineate the M.T.S.A. boundary.

A subsequent delineation exercise was completed by Regional staff taking into account input received through the Urban Systems Discussion Paper, additional information and

research undertaken by the projects' consultants, discussions with area municipal staff and public and agency input.

Refinements were also made to reflect Metrolinx's announcement that they will be proceeding with future planning for the extension of all-day GO Train service along the Lakeshore East line with a connection to the Canadian Pacific Rail Line over Highway 401, including new GO Stations at Thornton's Corners, Central Oshawa, Courtice and Central Bowmanville.

5.3 Major Transit Station Areas Proposed Policy Direction

Regional Council has directed Regional staff to accelerate the review and development of policies for M.T.S.A.s through Envision Durham, the M.C.R. of the D.R.O.P.

The current D.R.O.P. contains policies pertaining to commuter stations. However, the significance of M.T.S.A.s and related intensification around transit stations has increased in recent years due to enhanced Provincial policy direction on M.T.S.A.s. Thus, there is a need for a future D.R.O.P. amendment for M.T.S.A.s.

The purpose of the future D.R.O.P amendment for M.T.S.A.s will be to delineate M.T.S.A.s, establish general land use, infrastructure and implementation policies for M.T.S.A.s and guide the development of transit oriented communities.

The Region has proposed policies to address the following matters related to M.T.S.A.s:

- Land use policies;
- Urban design and built form policies;
- Public realm and open space policies;
- Mobility and active transportation policies;
- Rail corridor policies;
- Implementation policies; and,
- Monitoring policies.

It is intended that area municipal official plans will provide detailed policies, land use designations and urban design guidelines to guide the desired land use, density, built form and the pedestrian oriented public realm within M.T.S.A.s.

5.4 Staff Comments

Staff comments on the M.T.S.A. Policy Directions Report are contained in Attachment 1 to this Report.

6.0 Financial Implications

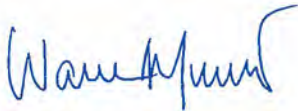
There are no financial implications associated with the comments in this Report.

7.0 Relationship to the Oshawa Strategic Plan

The Recommendations in this Report advance the Accountable Leadership and Economic Prosperity & Financial Stewardship goals of the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,
Planning Services



Warren Munro, HBA, RPP, Commissioner,
Development Services Department

Staff Comments on Durham Region's Major Transit Station Areas Proposed Policy Direction Report

1.0 Overall Comments:

- Staff support M.T.S.A.s having specific transportation-related policies to guide and support their development as transit oriented development places. However, where an M.T.S.A. is located in a predominately industrial area and a Provincially Significant Employment Zone (e.g. the existing Oshawa GO Station), staff recommend that site specific policies be developed to allow a flexible approach to the development of M.T.S.A.s that still maintains the intent of the existing land use designations. This is in recognition of potential challenges associated with applications that may be submitted seeking to convert employment lands for non-employment uses.
- Staff support balancing population and employment growth and achieving healthy and complete communities within M.T.S.A.s. Having policies in place that pertain to the land use, urban design and built form, the public realm, and mobility is important in developing healthy and complete transit oriented communities.
- Staff note that these policies should be contingent upon Metrolinx's completion of its Environmental Assessment for the Oshawa-to-Bowmanville GO Rail Extension and the proposed new stations being built. Policies need to be in place to address what happens if the stations are not constructed (similar to Policy 2.1.8.6 in the Oshawa Official Plan).

2.0 Policy Direction Comments:

- With respect to the fifth general policy direction under Section 8.3 of the M.T.S.A. Policy Directions Report, regarding the Region encouraging a reduction in minimum parking requirements, staff note that while a reduction in parking requirements may address certain site development issues and assist in achieving urban design objectives, it may also increase demand on the City's parking enforcement resources (i.e. increase in parking complaints). The reduced minimum parking standards should be encouraged but not mandatory. Staff also note that historically it has been up to municipalities to implement parking requirements based on their respective needs through municipal zoning. The Region has not commented in the past on parking matters. Parking issues can be localized in nature and it may be difficult for the Region to develop policy language equally across the municipalities. It should also be noted that the Parking Study currently being advanced for the City remains unfinished.
- The sixth general policy direction under Section 8.3 of the M.T.S.A. Policy Directions Report requires area municipalities to complete secondary plans and/or block plans to include detailed land use designations and policies consistent with the policies of the D.R.O.P. that help to achieve the objectives of transit oriented development. Staff do not support the requirement for the completion of secondary plans for M.T.S.A.s given the relatively small size of the M.T.S.A.s. However, it should be noted that Oshawa City Council approved a Mobility Hub Transportation and Land Use Planning Study (Project Number 40-0057) for the future Central Oshawa GO Station in the 2021

budget, which staff will advance contingent upon Metrolinx's completion of its Environmental Assessment of the Oshawa-to-Bowmanville GO Rail Extension along the Canadian Pacific Rail mainline.

- The third land use policy under Section 8.3.1 of the M.T.S.A. Policy Directions Report will allow places of worship within mixed use buildings and not in freestanding buildings in M.T.S.A.s. Staff are seeking clarification from the Region if they will be asking the Province to amend the D.R.O.P. to permit places of worship in Employment Areas in this regard.
- Under Section 8.3.1 of the M.T.S.A. Policy Directions Report, automobile-oriented uses, including drive-through establishments, service stations, land extensive vehicle-oriented uses, car washes, warehousing, public self-storage facilities, similar uses and lower density and land extensive uses are not permitted. Staff would like to highlight that there are existing automobile-oriented uses in the proposed M.T.S.A.s. Clarity is needed in terms of whether it is the intention of the Region to make these legal non-conforming uses or whether this land use policy will only prevent new auto-oriented land uses in M.T.S.A.s. The Region is encouraged to explore transitional policies which are flexible enough to allow drive-through establishments until such time as the M.T.S.A. develops.
- The first rail corridor policy under Section 8.3.5 of the M.T.S.A. Policy Directions Report will allow by-laws to be passed to permit development, in accordance with the policies for the M.T.S.A., involving decking over a Rail Corridor, provided that all appropriate technical studies have been undertaken and only in accordance with the policies for the MTSA, to the satisfaction of the applicable railway authority. Staff are seeking clarity as to whether the reference to a "by-law" relates to a zoning by-law or if it is in relation to a different type of by-law.

3.0 Comments Regarding Proposed M.T.S.A. Delineations:

3.1 Existing Oshawa GO Station M.T.S.A.

The minimum density target for M.T.S.A.s is 150 residents and jobs combined per hectare for those that are served by the GO Transit rail network. Staff note that although the existing Oshawa GO Station M.T.S.A is identified as an intensification area to be assessed, it will be a challenge for the City of Oshawa to achieve a minimum gross density target of 150 residents and jobs combined per hectare (as prescribed in the Growth Plan). The existing Oshawa GO Station is surrounded primarily by employment lands, which the City needs in order to achieve its current 2031 employment targets. Furthermore, the Oshawa GO Station M.T.S.A is already mostly developed and is physically constrained by infrastructure such as rail corridors and the Highway 401 corridor. Staff support having an alternative reduced density target that is reflective of jobs only for the existing Oshawa GO Station M.T.S.A. due to the lack of opportunity for transit oriented development (particularly residential development) and the nature of the existing built environment in the vicinity of this station.

3.2 Proposed Thornton's Corners GO Station M.T.S.A.:

- Staff support shifting and expanding the proposed delineation of the Thornton's Corners M.T.S.A. eastwards to reflect Metrolinx's preferred alignment as contained in

the document entitled “Bowmanville Rail Service Extension: Initial Business Case Update” dated February, 2020.

- Per Report DS-20-149 dated December 4, 2020 regarding City comments on employment conversion requests, staff requested the Region to consider the potential conversion of lands within the draft delineation of the Thornton’s Corners M.T.S.A. from employment lands to mixed-use development.
- The Region should consider through the land needs assessment process the potential for the proposed M.T.S.A. surrounding the planned future Thornton’s Corners GO Station to accommodate opportunities for appropriate residential development.
- The lands in the proposed M.T.S.A. have the ability to support change provided that it can be demonstrated that the employment and job potential is improved as a result of the re-designation, and the City’s ability to meet and accommodate forecasted employment in the City is not negatively affected. Establishing M.T.S.A. specific employment targets should be considered. Alternatively, any employment lands that are converted in the proposed Thornton’s Corners M.T.S.A. should be replaced elsewhere in the City in order that the City’s employment targets can be achieved.
- There are opportunities for prestige employment growth as the lands in the proposed M.T.S.A. are in proximity to the Trent University Durham GTA Campus and the Durham College Whitby Campus.
- Staff note that to make this M.T.S.A. more viable, the Region needs to advance an Environmental Assessment for the easterly extension of Stellar Drive from Thornton Road South to the westerly terminus of Laval Drive (shown as a Future Type “C” Arterial Road in the D.R.O.P.). Through the City’s previous comments on the Region’s Integrated Transportation Master Plan, staff noted that the City considers this future road connection to be a Regional Road, and should be constructed at the Region’s cost. To facilitate the development of the M.T.S.A., the environmental assessment for this road section should be advanced in a timely fashion so as to be appropriately coordinated with Metrolinx’s advancement of the development of the Thornton’s Corners GO Station.

3.3 Proposed Central Oshawa GO Station M.T.S.A.

- Staff recommend amending the boundaries of the Central Oshawa GO Station M.T.S.A. to include the self-storage facility on the east side of Storngo Boulevard, given that the size and location of this site makes it ideal for more intensive development in the long term.

Major Transit Station Areas

Proposed Policy Directions



December 2020

Durham Region
Planning and Economic
Development Department

Major Transit Station Areas

Table of Contents

Executive Summary	2
1. Introduction	3
2. Provincial Planning Policy Context.....	5
2.1 Growth Plan	5
2.2 Metrolinx Regional Transportation Plan, 2041	6
3. Regional Policy Context	7
3.1 Durham Region Strategic Plan	7
3.2 Current Durham Regional Official Plan.....	9
3.3 Transportation Master Plan.....	9
3.4 Long Term Transit Strategy and Transit Oriented Development Study.....	10
4. The Importance of Transit Oriented Development	11
5. Best Practices Review	12
6. Delineation Approach	12
7. What we have Heard	13
8. Proposed Policy Directions	14
8.1 Purpose.....	14
8.2 Vision	14
8.3 General Policy Directions.....	15
8.3.1 LAND USE POLICIES.....	16
8.3.2 URBAN DESIGN AND BUILT FORM.....	17
8.3.3 PUBLIC REALM & OPEN SPACE	17
8.3.4 MOBILITY AND ACTIVE TRANSPORTATION	18
8.3.5 RAIL CORRIDORS.....	18
8.3.6 IMPLEMENTATION.....	19
8.3.7 INCLUSIONARY ZONING.....	19
8.3.8 MONITORING.....	20
9. Next Steps.....	20
List of Acronyms	21

Appendices

Appendix A – Best Practices Review
Appendix B – Overview of MTSAs and Proposed Delineations
Appendix C – What We Heard

Executive Summary

Regional Council has directed staff to accelerate the review and development of policies, for Major Transit Station Areas (MTSAs) through Envision Durham - The Municipal Comprehensive Review (MCR) of the Regional Official Plan (ROP).

This document builds on the Urban System-Growth Management Discussion Paper released in June, 2019 through Envision Durham, by providing an overview of the proposed MTSAs, summarizing best practices, trends and guidelines for MTSA development and by introducing a set of draft policies for review and comment.

Commuter Stations and permissions for higher density mixed-use development within proximity of stations are provided for in the current Regional Official Plan. However, the significance of MTSAs and related intensification and densities around transit stations has increased in recent years, not only due to improved service along the GO East Rail line in Durham but also through enhanced Provincial policy direction on MTSAs.

MTSAs represent significant opportunities to curb sprawl and direct intensification and growth in a manner that maximizes the benefits of being within proximity to higher-order transit. There are eight MTSAs identified within Durham.

There are four existing MTSAs in Durham, and include:

- Pickering GO Station;
- Ajax GO Station;

- Whitby GO Station; and
- Existing Oshawa GO Station.

Four of the proposed MTSAs are located along the committed GO Transit rail line extension to Bowmanville, and include:

- Thornton's Corners;
- Central Oshawa;
- Courtice; and
- Bowmanville.

Several factors affect planning for the MTSA areas, including, density, proximity to transit and ability to improve access to transit, mixed-use development, provincial direction and changes to policies and Provincial Plans.

The Region has proposed a new set of policies for MTSAs to:

- Establish the vision, goals and objectives for MTSA areas;
- Implement provincial policy as appropriate;
- Delineate the geographic extent of MTSAs;
- Update definitions in the ROP (and associated policies) to reflect provincial plans;
- Identify housing types and built form that support intensification within MTSA areas;
- Accelerate market-driven development of the stations;
- Encourage and promote best practices for Transit-Oriented Development (TOD);
- Enable a variety of transit-oriented land uses;
- Prioritize active transportation;
- Optimize parking;

Major Transit Station Areas

- Promote an inviting and pedestrian oriented public realm, to encourage place-making, enhance connectivity and generate employment and residential growth; and,
- Provide clear policy guidance to local area municipalities for inclusion within their respective official plan updates.

A Best Practices review was undertaken to identify strategies that have been adopted by comparable municipalities. The results from this review helped to inform specific policy recommendations and principles for MTSAs in Durham.

Themes identified from the best practices review include:

Land Use

The importance of developing an appropriate mix of higher density, transit-oriented land uses is a key principle to help foster transit demand and supporting transit-oriented development.

Connections and Accessibility

Attractive transportation connections that are clear, direct and accessible by people of all ages, abilities and modes of travel must be provided.

Urban Design and Built Form

It is vital that attractive and functional environments be developed based on compact built form to help encourage active transportation connectivity across the MTSA.

Healthy Economy

Providing economic development support in these areas will help to increase employment and housing options.

The policy principles and recommendations for MTSAs will enable the development of transit supportive communities that are tailored to the current and future needs of the Region.

1. Introduction

The Region is currently undertaking “Envision Durham” - the Municipal Comprehensive Review of the Durham Regional Official Plan. Over the course of 2019, Regional staff prepared and released a series of theme-based Discussion Papers. Policy proposals will be developed in early 2021 following the receipt of public and stakeholder input.

One of the subject areas being addressed through Envision Durham is Growth Management, which deals with a broad suite of issues and requirements affecting growth that the Region must consider, including identifying and delineating and prescribing policies for Major Transit Station Areas (MTSAs).

The intent of MTSAs is to cluster a mix of high density, compact, pedestrian oriented development in proximity to rapid transit infrastructure. Major transit infrastructure such as the Lakeshore East GO Rail line attracts and supports high density urban development around station locations.

MTSAs are planned to have a mix of uses such as office, residential, institutional/ community uses, retail, services and other amenities. MTSAs leverage capital investment in transit infrastructure and strong ridership potential. To support transit ridership and place making, MTSAs will have good quality pedestrian-oriented streetscapes, public spaces and buildings.

For the most part, MTSAs build upon the Region's planned urban structure, and introduce focal points for high density mixed-use development. MTSAs are intended to:

- support viable transit;
- allow the Region to grow more sustainably;
- expand opportunities for the Region to be more economically competitive;
- help the Region provide a range of housing choice to adapt to Durham's changing demographics; and

- improve the quality of life for Durham's residents and workforce

To proactively implement land use and fiscal planning with infrastructure planning and place-making, Regional Council directed Regional Planning staff to accelerate the review and development of policies, delineations and density targets for all eight MTSAs.

Since the adoption of the current Regional Official Plan (ROP), the significance of MTSAs and related intensification and densities around transit stations has increased, in part due to enhanced direction from Provincial planning policy. Provincial policy directs the identification of priority transit corridors (PTCs) and development of specific density requirements for MTSAs located along a PTC. The identification of PTCs and density requirements for MTSAs located along a PTC only apply to existing GO Transit Stations in Durham Region.

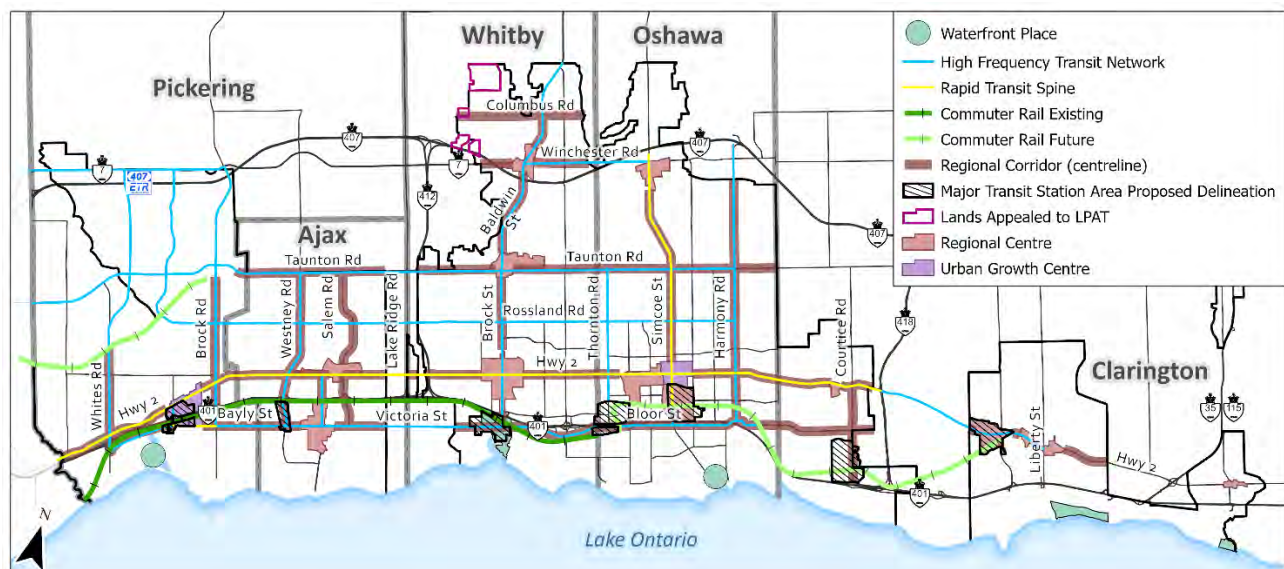


Figure 1 - Context Map of Major Transit Station Area

Major Transit Station Areas

The Lakeshore East GO Rail line to the existing Oshawa Station is the only PTC located within Durham Region.

There are four existing MTSAs along the PTC in Durham. The four existing MTSAs include:

- Pickering GO Station;
- Ajax GO Station;
- Whitby GO Station; and
- Existing Oshawa GO Station.

Four proposed MTSA delineated boundaries, located along the committed GO Transit rail line extension to Bowmanville, as well as the four existing MTSAs represent significant opportunities to direct intensification and growth in a manner that maximizes the benefits of being within proximity to higher-order transit. The four future MTSAs identified include:

- Thornton's Corners;
- Central Oshawa;
- Courtice; and
- Bowmanville.

2. Provincial Planning Policy Context

The following provincial policy documents apply to MTSAs.

2.1 Growth Plan

The Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides policies for MTSAs which are defined as “the area including and around any existing or planned high order transit station within a

settlement area...MTSAs generally are defined as the area within a 500 to 800 metre radius of a transit station, representing a 10-minute walk”.

Section 3.2.3 (“Moving People”) of the Provincial Growth Plan indicates that:

1. Public transit will be the first priority for transportation infrastructure planning and major transportation investments.
2. All decisions on transit planning and investment will be made according to the following criteria:
 - a. How they align with, and support, the priorities identified in Schedule 5 (Moving People – Transit) of the Plan.
 - b. Prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels.
 - c. Increasing the capacity of existing transit systems to support strategic growth areas (SGA).
 - d. Expanding transit service to areas that have achieved, or will be planned to achieve, transit-supportive densities and provide a mix of residential, office, institutional, and commercial development, wherever possible.
 - e. Facilitating improved linkages between and within municipalities from nearby neighbourhoods to urban growth centres, MTSAs, and other strategic growth areas.
 - f. Increasing the modal share of transit.

- g. Contributing towards the provincial greenhouse gas emissions reduction targets.

The Growth Plan requires that MTSAs on priority transit corridors (Pickering, Ajax, Whitby, and Existing Oshawa) be planned for a minimum density target of 150 residents and jobs combined per hectare for those that are served by the GO Transit rail network. The Growth Plan indicates that within all MTSAs, development will be supported, where appropriate, by:

- a. Planning for a diverse mix of uses, including second units and affordable housing, to support existing and planned transit service levels.
- b. Fostering collaboration between public and private sectors, such as joint development projects.
- c. Providing alternative development standards, such as reduced parking standards.
- d. Prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.

The Growth Plan also indicates that all MTSAs will be planned and designed to be transit-supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:

- a. Connections to local and regional transit services to support transit service integration.
- b. Infrastructure to support active transportation, including sidewalks,

bicycle lanes, and secure bicycle parking.

- c. Commuter pick-up/drop-off areas.

Subsection 16 (16) of the Planning Act indicates that the official plan of an upper-tier municipality may include policies that identify the area surrounding and including an existing or planned higher order transit station or stop as a protected MTSA and delineate the area's boundaries, and if the official plan includes such policies it must also contain policies that:

- a. identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated within the area; and
- b. require official plans of the relevant lower-tier municipality or municipalities to include policies that,
 - (i) identify the authorized uses of land in the area and of buildings or structures on lands in the area; and
 - (ii) identify the minimum densities that are authorized with respect to buildings and structures on lands in the area.

2.2 Metrolinx Regional Transportation Plan, 2041

In March 2018, the Metrolinx Board adopted the 2041 Regional Transportation Plan (RTP) for the Greater Toronto and Hamilton Area (GTHA). The RTP is a strategy centred on creating an integrated, multimodal regional

Major Transit Station Areas

transportation system that will serve the needs of residents, businesses and institutions. It sets out a broad vision for where and how the region will grow and identifies policies on transportation planning in the GTHA and supports the Provincial Growth Plan. The Goals of the RTP are to achieve strong connections, complete travel experiences, and sustainable and healthy communities.

The RTP contains actions to better integrate transportation planning and land use, especially around transit stations and Mobility Hubs. The RTP recognizes that sufficient land use density at stations is important to ensure significant two-way, all-day ridership on GO Regional Express Rail (RER).

The RTP recognizes that MTSAAs can be attractive locations for new employment, public institutions and regionally significant services, as well as prime opportunities for collaboration by public and private sectors to create transit-oriented developments that enhance transit service.

MTSAs are intended to create important transit network connections, integrate various modes of transportation and accommodate an intensive concentration of places to live, work, shop or play. They are particularly significant because of their combination of existing or planned frequent rapid transit service with an elevated development potential.

3. Regional Policy Context

The Region has a suite of policies and initiatives that support the establishment and development of MTSAAs.

3.1 Durham Region Strategic Plan

On June 24, 2020 Regional Council adopted the Durham Region Strategic Plan 2020-2024 and endorsed five broad strategic goals and twenty-three supporting priorities. Durham Region's Strategic Plan identifies five Strategic Goals to help guide and achieve its vision of a healthy, prosperous community for all. It is important that MTSA policies align with the strategic goals. The information below describes how MTSAAs and TOD policy research aligns with each Strategic Plan goal.

Goal #1: Environmental Sustainability

Objective: To protect the environment for the future by demonstrating leadership in sustainability and addressing climate change. This includes accelerating the transition to a clean energy economy through collaborations that optimize the economic, environmental, health and social benefits for our community.

Applicability of MTSA policies: Promoting sustainable transportation options within new and existing development areas around MTSAAs can help support and encourage more people to use active modes of transportation which helps to reduce pollution, energy consumption and costs. Emerging technologies should also be taken into consideration to support environmental sustainability in these areas.

Goal #2: Community Vitality

Objective: To foster an exceptional quality of life with services that contribute to strong neighbourhoods, vibrant and diverse communities, and influence our safety and well-being. Focuses on building complete communities that are walkable, well-connected and have a mix of attainable housing.

Applicability of MTSA policies: Through the promotion and integration of mixed-use developments within MTSA, new community and cultural amenities, housing, and employment opportunities can be provided for people to live, work and play. Enhancement of existing cultural amenities in MTSA is also supported. MTSA that prioritize active modes of transportation over parking and car trips support the achievement of this goal.

Goal #3: Economic Prosperity

Objective: To build a strong and resilient economy that maximizes opportunities for business and employment growth, innovation and partnership. This includes ensuring an adequate supply of serviced employment land is available in the right place, at the right time, to attract new investment and help existing businesses grow.

Applicability of MTSA policies: Encouraging mixed used development within MTSA can help attract new businesses and people to these areas to generate new employment. New development interest contributes to higher returns on investment.

Goal #4: Social Investment

Objective: To ensure a range of programs, services and supports are available and accessible to those in need, so that no individual is left behind. This includes improving housing choice, affordability and sustainability.

Applicability of MTSA policies: By providing a range of housing choices near transit including a mix of residential housing types and tenures, new development can accommodate a diverse range of ages, incomes, household sizes and stages of life.

Goal #5: Service Excellence

Objective: To provide exceptional value to Durham taxpayers through responsive, effective and fiscally sustainable service delivery. This includes efficient use of resources through coordinated service delivery and partnerships and the continuation of providing critical infrastructure services for current and future generations.

Applicability of MTSA policies: This goal is more indirectly supported than explicitly supported through MTSA and TOD guidelines and policies. Utilizing different tools and programs that can be leveraged to help implement the desired development around MTSA, such as public private partnerships, is one way that this goal is supported through MTSA and TOD.

Major Transit Station Areas

3.2 Current Durham Regional Official Plan

The current Durham Regional Official Plan provides high level policies which support the establishment of MTSAs. Policy 11.3.18 indicates that in support of existing and future transit services, development adjacent to Transportation Hubs, Commuter Stations and Transit Spines designated on Schedule 'C' – Map 'C3', Transit Priority Network, shall provide for:

- a) complementary higher density and mixed uses at an appropriate scale and context in accordance with Policy 8A.2.2 for Transportation Hubs and Commuter Stations and Policy 8A.2.9, where transit spines are within Regional Corridors;
- b) buildings oriented towards the street, to reduce walking distances to transit facilities;
- c) facilities which support non-auto modes including: drop off facilities, bus bays, bus loops, bus shelters, walkways, trails and other pedestrian and cycling facilities; and
- d) limited surface parking and the potential redevelopment of existing surface parking.

3.3 Transportation Master Plan

The Durham Transportation Master Plan (TMP) was endorsed by Regional Council in December 2017 and is a strategic planning document that defines the policies and programs needed to manage anticipated transportation demands. The TMP is a multi-modal plan focusing on walking, cycling,

public transit, autos and goods movement. The establishment and implementation of MTSA policies addresses, a number of key Directions in the TMP including:

- Strengthening the bond between land use and transportation;
- Elevating the role of integrated public transit including Rapid Transit;
- Making walking and cycling more practical and attractive;
- Promoting sustainable travel choices;
- Investing strategically in the transportation system.

It also supports key actions recommended in the TMP including:

- Working with area municipalities to adopt Transit Oriented Development (TOD) Guidelines and applying TOD principles in the planning and design of new developments in MTSAs;
- Promoting transit-supportive development in areas served by the Higher-Order Transit network;
- Supporting planning and design for walking and cycling through the development review process and the implementation of design and policy documents;
- Enhancing promotion to improve awareness and use of sustainable travel modes.
- Create a travel demand management (TDM)-supportive development strategy to help ensure that new developments are planned and designed to support transit, active transportation and carpooling.

3.4 Long Term Transit Strategy and Transit Oriented Development Study

In 2012, the Region of Durham endorsed a Long-Term Transit Strategy (LTTS) which looked at rapid transit as a component of sustainable transportation options, to help the Region address anticipated transportation demands and the role of rapid transit to 2031 and beyond. The LTTS indicated that investments in rapid transit can act as a catalyst for future land use development, can attract business and accommodate future employment growth in the Region. It noted that investments in transit can improve the quality of life by reducing automobile dependency and use which can lead to a reduction in harmful emissions and improve air quality.

As part of the LTTS, the Region developed a TOD Strategy to help inform an integrated approach to transit, land use planning and transit supportive urban form. Generally, the TOD Strategy identified the following components for successful TOD areas:

- pedestrian priority areas that surround stations, where people can move from transit vehicles to pedestrian infrastructure, and where the safe and comfortable movement of pedestrians and cyclists warrant special design treatment;
- pedestrian and cycling routes where essential connections to home, work, parks and other key destinations are provided;
- integrating transit-supportive land uses by establishing a critical mass of people and an intensive transit-

supportive mix of land uses including residential, commercial, institutional, civic, employment and community amenities;

- creating urban and inspiring built form, where attractive pedestrian-friendly street-oriented buildings exhibit transit-supportive urban design characteristics;
- managing and carefully designing parking facilities so that they do not undermine efforts to provide higher density, walkable urban places;
- ensuring that transit station design contributes to the place-making, as the transit station will be a strong focal point for the community, must promote positive transit user experience, be easily accessible, particularly by active modes of transportation (e.g. walking and cycling). The station should also be more than mobility infrastructure, but a place where people feel comfortable and safe, and want to be;
- recognizing the distinct character of each place in light of their location, surrounding context and potential future character.

While the Regional Official Plan already includes policies related to higher intensity development in the vicinity of commuter stations, an update to these policies is required to conform to the Growth Plan policies regarding MTSAs and advance the Region's direction for Transit Oriented Development TOD.

Major Transit Station Areas

4. The Importance of Transit Oriented Development

In December 2019, the firm of N. Barry Lyon Consulting (NBLC) presented its findings regarding how Higher Order Transit (such as heavy rail [GO Rail]) and Light Rail Transit (LRT) stations tend to generate greater interest for developing surrounding lands than typical surface transit stops, as they represent high capital investments, permanent commitments to service, stronger transit ridership potential, and can serve as focal points for other transit routes and modes of transportation.

NBLC found that TOD provides high density, compact development close to Higher Order Transit stations, and includes an integrated mix of uses such as office, residential, retail, community uses, and other uses that support transit ridership. The benefits of TOD include:

- Building on the significant place-making opportunities surrounding transit stations, where pedestrian-oriented streets, parks, squares and buildings become comfortable and desirable gathering places.
- Enhancing housing choice and affordability through higher density housing types, where seniors, students and lower-income earners can benefit from access to transit as a priority mode of travel.
- Providing focal points for density, where there is a reduced need to drive, and where parking requirements for new developments

can be lessened so they may develop more efficiently.

- Providing opportunities for strong connections to local transit service and supporting their evolution into major transit hubs.
- Providing opportunities for developing focal points for bicycle and active transportation, with facilities and amenities that support these non-automobile forms of travel.
- Optimizing the value of transit and infrastructure investment around transit nodes.

Several attributes are required for transit to have a positive impact:

- There must be frequent, reliable and affordable transit service.
- There must be strong market fundamentals, including strong population growth potential and a positive economic context, including a favourable debt and job environment.
- There must be a positive market context (i.e. the type and quality of community and the associated commercial and public amenities), such as employment opportunities, retail, parks, community centres and schools will affect the marketability of an area to different market segments.
- There must be positive development economics, such that the costs of development are in line with market pricing.
- There must be a supportive planning framework, such that official plan policies and supportive zoning requirements remove unnecessary

obstacles and provide greater certainty regarding acceptable built form and densities.

- Adequate infrastructure and development fees (parkland, development charges, etc.) that must not be prohibitive.
- There must be available vacant or underutilized development sites.

Transit can improve market demand and positively impact residential, office, and retail/service uses through:

- Increasing the value of existing land uses.
- Stimulating land use changes and capturing associated market demand.
- Creating market demand to support land uses that may otherwise not occur (i.e. office uses).

5. Best Practices Review

In support of the principles and policy recommendations that shape growth and development around Durham's proposed MTSA's, a Best Practices review was undertaken. Five municipalities were examined:

1. **York Region** – Transit Oriented Development Guidelines
2. **City of Hamilton** – Transit Oriented Development Guidelines
3. **Region of Waterloo** – Regional Official Plan
4. **City of Coquitlam** – Transit-Oriented Development Strategy
5. **City of Winnipeg** – Transit Oriented Development Handbook

Three key themes emerged from the review. These include:

- Density Typologies;
- Tools and Programs; and
- Incentives and Regulations.

Appendix A includes a detailed summary of the Best Practices Review.

6. Delineation Approach

In June 2019, proposed delineations of MTSA's were presented within the Urban Systems Discussion Paper for Envision Durham, based on extensive consultation with area municipal planning staff. The following approach was taken:

- A 500- and 800-metre radius from the centre of the rail platform was applied, to identify a generalized walking distance of approximately 10 minutes.
- An actual walking distance was mapped, based on applying existing and planned pedestrian infrastructure to identify a true walking distance.
- Other planning boundaries (such as other SGAs and Secondary Plans) were identified. Wherever possible, MTSA boundaries were aligned with boundaries within area municipal planning documents (including Official Plans and Secondary Plans).
- Non-developable areas were avoided, where appropriate (such as natural areas, highways, utilities, rail corridors, etc.) to form the outer boundaries of the MTSA.

Major Transit Station Areas

- Existing and/or planned pedestrian connections across non-developable areas were identified. If a connection does not exist or is not planned, the area beyond the non-developable area was not included.
- Areas unsuitable and unplanned for significant intensification, such as stable neighbourhoods intended to remain as low density, were identified. Areas not intended to be redeveloped were excluded.
- Employment Areas were identified, and a determination was made as to (re)development potential.
 - If development potential exists, it was included in the MTSA.
 - If development potential does not exist, a determination of impact on the density target would inform whether an alternative target should be requested from the Province.
- Boundaries were adjusted, and in some cases extended beyond the 800-metre walkshed to include underutilized or vacant lands viewed as ideal for redevelopment and/or intensification.
- Logical planning boundaries were used (such as property lines, centrelines of roads, natural features, etc.) to delineate the MTSA boundary.

A subsequent delineation exercise was completed taking into account input received through the Urban Systems Discussion Paper, additional information and research undertaken by the projects' consultants,

discussions with area municipal staff and public and agency input.

In addition, due to the February 2020 Metrolinx announcement that "Option 2" was preferred (utilizing the existing CP Rail [CPR] spur over Highway 401) and that it would proceed to the Preliminary Design Business Case process, the station location and the associated MTSA delineation area for Thornton's Corners has been shifted eastward.

The proposed delineations and underlying land use assumptions for each proposed MTSA is included in Appendix B.

7. What we have Heard

Comments have been received from area municipal staff, local agencies, as well as members of the public pertaining to MTSA delineations and potential policies. Stakeholders are generally supportive of the proposed delineations and overall densities.

Specific requests were received for additions to the MTSA boundaries, some of which have been accommodated, as well as considerations for phasing of development within MTSA's.

Input was also received on how certain stakeholders believe MTSA conversions should be treated.

A summary of the stakeholder input is provided in Appendix C.

The input received from various stakeholders has informed and shaped the refinements to

the MTSA delineations first proposed in June 2019 through the Urban Systems Discussion Paper, and the proposed policies directions detailed below.

8. Proposed Policy Directions

The following policy directions are proposed for discussion to serve as a guide for the planning and development of MTSA in Durham Region.

8.1 Purpose

The purpose of a future Regional Official Plan Amendment for MTSA will be to establish the land use and policy framework to guide the development of identified lands within MTSA along the Lakeshore East GO Rail line, and the approved easterly extension within the Region of Durham. The amendment would:

- delineate MTSA;
- establish general land use, infrastructure and implementation policies;
- guide their development as Transit Oriented Communities (TOC).

The foundations of the Amendment include the Growth Plan, the Durham Transportation Master Plan Update 2017, the Durham Region Strategic Plan 2020-2024, area municipal official plans and studies, a review of best practices as well as public, agency, landowner and stakeholder submissions through Envision Durham. The amendment will establish a vision for MTSA based on the principles of TOD.

8.2 Vision

MTSA represent unparalleled opportunities to create TOCs anchored by a Rapid Transit Stations, each with its own identity, containing a wide range of housing opportunities, including affordable housing, office uses, street-oriented commercial uses, institutional uses, a wide range of recreational uses and public amenities so as to establish new destinations and introduce a sense of place. MTSA will be areas to support and foster innovation and entrepreneurship.

MTSA will be integrated mixed-use development offering convenient, direct, sheltered pedestrian access from high-density development sites to Station amenities and access points.

Development within MTSA will require new road improvements, pedestrian and cycling connections to Rapid Transit Stations, and other improvements to the surrounding Regional and/or local road infrastructure to support their development as TOCs.

Access from MTSA to their respective GO Stations will be planned and developed to prioritize pedestrians and cyclists. MTSA will accommodate a variety of transportation modes, developed with active streetscapes and built form that places priority on pedestrian comfort and connectivity, well connected cycling facilities and amenities, and the establishment of destinations for people to live, work, shop and play.

Policies are intended to ensure that densities are appropriately transitioned to

Major Transit Station Areas

neighbouring lower density areas to ensure compatibility. Generally, the highest densities within MTSAs are intended to be concentrated on the station property and in close proximity to GO Stations to integrate the stations with development. Densities will transition to lower density areas in a manner appropriate to the context of each site.

Policies will ensure that required transportation, servicing and other infrastructure is in place prior to, or coincident with new development within MTSAs.

It is intended that area municipal official plans will provide detailed policies, land use designations and Urban Design Guidelines to guide the desired land use, density, built form and the pedestrian oriented public realm within MTSAs. New development will be substantially based on the provision of structured parking and encouragement of new technologies and approaches to shared parking.

Since each of the MTSAs have unique characteristics, policies account for their unique character, scope and context.

8.3 General Policy Directions

1. MTSAs will be delineated on the applicable Schedules of the Durham Regional Official Plan and area municipal official plans.
2. Each MTSA will be planned to achieve a minimum density of 150 people and jobs per hectare. This will be a minimum density requirement that will be measured within all of the

lands in each MTSA. The Region and the applicable area municipalities will monitor the achievement of required densities over time. However, the existing Oshawa GO Rail/VIA Rail station will require an alternative density target, due to the lack of opportunity for TOD and the built context of this station.

3. In cases where an MTSA and a designated Urban Growth Centre or Regional Centre overlap, the higher density requirements shall apply.
4. The Region will encourage area municipalities to establish minimum job requirements in MTSA's within their respective Official Plans.
5. The Region will encourage the provision of alternative development standards to support TOD, including reduced minimum parking requirements and the establishment maximum parking requirements for both privately-initiated development applications and area municipal zoning by-laws.
6. The Region will require area municipalities to complete secondary plans and/or block plans to included detailed land use designations and policies consistent with the policies of the Durham Regional Official Plan that help to achieve the objectives of Transit Oriented Development.
7. Boundaries to MTSAs may be refined by the area municipality, in consultation with the Region, without the need for an amendment to the Regional Official Plan, except where such boundaries coincide with roads, rail corridors or defined

environmental features. Minor refinements may include the addition of additional parcels adjacent to an MTSAs boundary, or to account for refinement of environmental features as a result of detailed study.

8. MTSAs will consist of both higher intensity employment uses and residential uses that support the use of transit and achieve the strategic growth objectives of the Regional Official Plan.
9. Development within MTSAs will be based on the principle of complete communities, informed by innovation, technology and entrepreneurship, where compact mixed-use development is provided, and active modes of transportation are developed, so people can live, work, shop and have access to a wide range of services.
10. The Region, in consultation with the Province and applicable area municipalities, may designate additional MTSAs coincident with planning for future rapid transit facilities or stations.

8.3.1 LAND USE POLICIES

MTSAs will support a broad mix of compatible uses at high densities, so that vibrant, active places are created and emerge as focal points within their respective communities. MTSAs will be planned on the basis of providing active places and streetscapes, allowing a wide range and mix of high-density transit-oriented uses, based on pedestrian oriented built form.

The following land uses will be permitted within MTSAs:

1. Higher density residential uses including mid-rise and high-rise apartments, stacked townhouses, and live-work units;
2. Compatible employment uses, institutional uses, educational facilities and post-secondary institutions;
3. Places of worship within mixed-use buildings rather than in freestanding buildings;
4. Commercial uses including retail, both convenience retail and small-scale retail uses, restaurants, personal and professional service shops, and day care uses;
5. Cultural, art and entertainment uses;
6. Mixed use buildings that integrate community and commercial uses with upper-storey apartment and/or office uses to ensure amenities are provided in close proximity population and employment growth within MTSAs;
7. Home occupations;
8. Public uses including infrastructure, parks, libraries, recreation/community centres, urban squares, trails and conservation uses.

Automobile-oriented uses, including drive-through establishments, service stations, land extensive vehicle-oriented uses, car washes, warehousing, public self-storage facilities, similar uses and lower density and land extensive uses are not permitted.

Major Transit Station Areas

8.3.2 URBAN DESIGN AND BUILT FORM

Within MTSAs, the following urban design and built form policies will apply:

1. Areas within, adjacent, and in close proximity to Commuter Stations and Transportation Hubs, will be reserved for the highest development densities that showcase building heights to create focal points within the MTSAs;
2. All development will be designed to be compact in form and pedestrian-oriented;
3. Buildings will frame streets, with frequent pedestrian entrances;
4. Vehicular access to private property will generally be along local roads;
5. Rear lanes will be encouraged in MTSAs to serve development loading, servicing and vehicular parking access rather than along streets, where appropriate;
6. Vehicular parking will be located below grade or located in a manner to minimize the visual impact on streets, parks, open spaces, pedestrian walkways and other land uses. With the exception of bus parking, surface parking will be minimized.
7. Higher density buildings will be designed in manner to be compatible with its local context. Design approaches will be applied to support appropriate transitions to surrounding areas and public spaces;
8. Developments within the MTSAs will conform to the land use designations and the Urban Design requirements specified within area municipal official plans and urban design guidelines.

9. Local road and private access spacing and access to Regional arterial roads will be addressed on a case-by-case basis.
10. Requiring the incorporation of design elements to assist with wayfinding within and defining gateways/entrances into MTSAs.
11. Connections to the station area will be provided to enhance the customer experience, including weather protection and station way-finding.

8.3.3 PUBLIC REALM & OPEN SPACE

Within MTSAs, the Region will:

1. Encourage place-making that provides active gathering spaces and a destination within the MTSAs.
2. Encourage and support an integrated trail system and park system for various levels of use year-round;
3. Encourage area municipal policies to require high quality, compact streetscape design form with suitable pedestrian and cycling amenities that complement the establishment of TOCs, including sidewalks or multi-use paths on both sides of all roads, appropriate landscaping, the provision of cycling lanes where appropriate, pedestrian-scaled lighting, and consideration for pedestrian amenities.
4. Encourage streets and boulevards to be designed to allow for patios, sitting areas, adequate space for pedestrians and streetscape plantings for shade and beautification.
5. Encourage sustainable technologies, permeable pavers, low impact

development techniques, and designs which support the use of renewable energy in the design of new development, the public realm and streetscapes.

8.3.4 MOBILITY AND ACTIVE TRANSPORTATION

Future residents and workers will be provided with convenient, safe and comfortable pedestrian and cycling access to facilitate an approximate 10-minute walk from anywhere in an MTSA to the rapid transit station.

Within MTSA:

1. Road networks will be designed to support transit use, pedestrian travel, and cycling while accommodating automobile travel.
2. Planning and development will be based on the principle of establishing transit-oriented places, where active transportation is supported through safe, well-designed and direct connections between and amongst component uses and transit stations.
3. Trail networks will be planned and developed to facilitate direct connections while creating recreational opportunities.
4. Adequate and secure long-term and short-term bicycle parking and end-of-trip facilities will be provided;
5. A highly permeable road network with shorter blocks and frequent controlled crossings will be provided to optimize opportunities for safe and flexible pedestrian travel options.

6. The provision of appropriate pedestrian, cycling and vehicular connections will be included as a condition of development approval as appropriate.
7. The design of roadways will include measures to control traffic speeds while promoting safe, attractive environments for pedestrians and cyclists. Measures such as best practice geometric design standards, enhanced streetscaping, on-street parking, and other features are encouraged.
8. Pedestrian areas will be designed to ensure that wind and thermal comfort conditions are not adversely affected.

8.3.5 RAIL CORRIDORS

Rail Corridors provide passenger rail services, regional commuter rail services and freight rail services. New development must be compatible with rail services. In this respect, within MTSA:

1. By-laws may be passed to permit development, in accordance with the policies for the MTSA, involving decking over a Rail Corridor, provided that all appropriate technical studies have been undertaken and only in accordance with the policies for the MTSA, to the satisfaction of the applicable railway authority, provided:
 - a. existing and future capacity and safety of train operations in the Rail Corridor would not be compromised;
 - b. flexibility for future expansion to rail operations and modifications and improvements to the track and signal system will not be reduced;

Major Transit Station Areas

- c. all environmental, safety and mitigation concerns associated with such development, including noise, vibration, air quality, parking, snow and ice accumulation, servicing, pedestrian access and vehicle access, and the capacity of the transportation system serving such development have been satisfactorily addressed to the satisfaction of the rail authority, the Region and the applicable area municipality.

8.3.6 IMPLEMENTATION

The Region will ensure conformity to the policies of this Plan. Through the review of development applications, the Region will identify complete application requirements, and may require agreements and/or development approval conditions as appropriate and as authorized under the Planning Act.

The Region is considering the appropriateness and suitability of a Regional Community Improvement Plan to establish incentives or otherwise utilize the powers under Part IV of the Planning Act, to support the principles and policies of the ROP, including measures to support affordable housing, high-density mixed-use development, sustainability, and energy efficiency, as permissible under the *Planning Act*.

Within MTSAs:

1. Approval of development will be contingent on the availability of services and transportation facilities. The Region and the area

municipalities may require phasing of development on the basis of the capacity of the transportation system and/or servicing availability, and/or the timing of required infrastructure. The Region and the area municipalities may require the coordination of development applications through measures such as Master Development Agreements or other similar approaches, to ensure an orderly, coordinated and phased approach to the provision of transportation, servicing and other infrastructure requirements are provided prior to or coincident with development.

2. Prior to approval of development, the Region may require cost-sharing agreements, front-ending agreements or other measures as appropriate to ensure the timely delivery of infrastructure and the equitable distribution of development and infrastructure costs.
3. Area municipal official plans will include land use designations, minimum density requirements, built form and urban design policies, and implementation policies, consistent with this plan for implementation through zoning by-laws and/or conditions of development approval.

8.3.7 INCLUSIONARY ZONING

Inclusionary zoning is a land-use planning tool that enables municipalities to require through the passage of a zoning by-law, affordable housing units be included in new residential developments.

Ontario Regulation 232/18 enables municipalities to implement inclusionary zoning. Prior to the passage of an inclusionary zoning by-law, an assessment report is required as part of the development of Official Plan policies. The assessment report must include an analysis of demographics, income, housing supply, and housing need and demand; current average market prices and rents; and analysis of the potential impacts of inclusionary zoning on the housing market.

On September 3, 2019, the Province of Ontario made changes to the legislation for inclusionary zoning through Bill 108 (More Homes, More Choice Act). The changes limit where municipalities can implement inclusionary zoning to Protected Major Transit Station Areas (areas surrounding and including an existing or planned higher order transit station that have a detailed implementation framework in accordance with Section 16(15) of the Planning Act), a Development Permit System Area, or areas as ordered by the Minister of Municipal Affairs and Housing.

In Durham, the existing GO Stations would be considered Protected MTSA's. To extend inclusionary zoning to the four MTSA's along the GO East Extension to Bowmanville, an Order from the Minister of Municipal Affairs and Housing would be required.

There is an opportunity to develop an inclusionary zoning approach for MTSA's in Durham. Subject to the interest of the area municipalities on such an approach, the Region could prepare the required

assessment report and enabling policies for implementation by the local area municipalities, outside of the MTSA ROPA process.

8.3.8 MONITORING

The effect of new policies, implementing by-laws and projects within MTSA's will be monitored in consultation with the area municipalities, based on the following metrics:

- a. the amount, type and pace of development;
- b. the mix and diversity of land uses in the area;
- c. the re-use and demolition of existing buildings, including heritage buildings;
- d. the amount and type of employment;
- e. the overall population;
- f. the unit count and mix of unit types;
- g. the population to job ratio; and
- h. parking spaces, loading facilities, transit improvements and active transportation infrastructure.

9. Next Steps

This Paper provides policy proposals and delineations for proposed Major Transit Station Areas along the Lakeshore East GO Rail line in Durham, from Pickering to Bowmanville. Proposed MTSA delineations and policies within this Paper have been developed by Regional staff as a result of staff to staff discussions, public and agency input, best practices research, and detailed analysis undertaken by the Envision Durham project consultants.

Major Transit Station Areas

This paper will be circulated for public and agency comment and to the Ministry of Municipal Affairs and Housing for its review, for a 90-day period. Following this review period, a recommended Regional Official Plan Amendment will be presented for consideration by Regional Council.

This amendment will then require the approval of the Ministry of Municipal Affairs and Housing in accordance with the *Planning Act*.

List of Acronyms

CPR – Canadian Pacific Rail

LRT – Light Rail Transit

LTTS – Long-Term Transit Strategy

MCR – Municipal Comprehensive Review

MTSA – Major Transit Station Areas

PTC – Priority Transit Corridors

RER – Regional Express Rail

ROP – Regional Official Plan

ROPA – Regional Official Plan Amendment

SGA – Strategic Growth Area

TDM – Travel Demand Management

TOC – Transit Oriented Communities

TOD – Transit-Oriented Development

TMP – Transportation Master Plan

Major Transit Station Areas

Appendix A: Best Practices Review

In support of the principles and policy recommendations that shape growth and development around Durham's proposed MTSAs, a Best Practices review was undertaken. Five municipalities were examined:

1. **York Region** – Transit Oriented Development Guidelines
2. **City of Hamilton** – Transit Oriented Development Guidelines
3. **Region of Waterloo** – Regional Official Plan
4. **City of Coquitlam** – Transit-Oriented Development Strategy
5. **City of Winnipeg** – Transit Oriented Development Handbook

Three key themes emerged from the review. These include:

- Density Typologies;
- Tools and Programs; and
- Incentives and Regulations.

A description of these themes demonstrate how various TOD elements and characteristics are applied in these municipalities.

DENSITY TYPOLOGIES

Different typologies that illustrate how TOD guidelines and principles can be applied in different contexts were examined through these municipalities. These typologies offer insights into context specific standards pertaining to each area in order to implement TOD.

The typologies include guidelines specific to different intensities and proximity to transit stations and stops. They offer a range of densities with highest densities and land use mix located in the urban centres and immediate proximity to MTSAs.



TOOLS & PROGRAMS

Each document identifies different tools and programs that can be leveraged to help implement the desired development around MTSAs. These tools can include:

- Recommendations from Corridor Studies
- Station Area Plans
- Tax Increment Financing (TIF)
- Site Plan Guidelines
- The promotion of partnerships such as Public / Private Partnerships to help maximize the benefits of TOD in MTSAs.

Other tools such as TOD Assessment tools and checklists are also identified and can be implemented following the approval of the Regional Official Plan Amendment to help achieve desired development outcomes.



Major Transit Station Areas

INCENTIVES & REGULATIONS



Several documents recognize and identify existing regulations such as policies and zoning bylaws as well as incentives to encourage successful outcomes of TOD around MTSAs.

Some jurisdictions, including the City of Winnipeg, have developed specific TOD zoning while others have ensured that zoning applied to TOD areas is consistent with the principles and design features identified in the TOD guidelines and other related planning and policy documents.

Examples of incentives include waiving development charges on certain lands that include affordable housing or community benefits, incentives for reducing automobile parking on site and using zoning bylaws to help support the desired growth, development and character of MTSAs.

Common Elements and Principles:

The documents identify TOD policies that contribute to successful implementation and outcomes.

Land Use



It is important to encourage transit supportive land uses around transit station areas. All the documents reviewed identify land use as a key principle and provide different ranges and intensities of density and mixed use as land use characteristics to help generate the highest transit trip generation for these areas.

Density

The scale and intensity of density varies between documents based on the proximity to transit stations and stops. The majority of the documents identify a range of residential, commercial and employment densities for lands around MTSAs based on proximity to each MTSA.

Generally, medium and higher density residential, retail and employment growth ranges are identified around areas immediately adjacent to transit stations and stops to support investment in transportation infrastructure and increase ridership in these areas.

Lower density ranges and mix of use are identified in areas farther away from station areas or areas such as suburban neighbourhoods.

Mix of Uses

The documents emphasize the importance of providing a mix of land uses like residential, commercial services, employment and public uses around transit station areas to help support transit trip generation.

Servicing

Development is to be adequately serviced with water, sanitary sewer, and stormwater management. Servicing strategies are helpful in identifying how servicing will be accommodated and potential impacts and capacity implications to the area of the development. Equitable financial contributions towards infrastructure improvements is also a key consideration for ensuring adequate servicing of developments in proximity to MTSAs.

Major Transit Station Areas

Connections and Accessibility



It is critical to provide attractive connections that offer clear, direct connections that are accessible by people of all ages, abilities and modes of travel when developing and designing areas around MTSAs.

Sustainable Transportation

Providing safe, direct and convenient ways for all users to navigate around MTSAs is identified in majority of the documents reviewed. There is a strong emphasis on prominent connections to public transit and provision of pedestrian and cycling access around MTSAs.

Parking

Reducing vehicular traffic and parking around MTSAs to help ensure an appropriate balance between automobiles and other modes of transportation.

Pedestrian-friendly priority

Prioritizing pedestrian activity over other less sustainable options to encourage higher volumes of pedestrian foot traffic around MTSAs.

Urban Design and Built Form



Developing attractive and functional environments that support compact built form and encourage easy pedestrian connectivity within and between developments is discussed in each document.

Public Realm

The majority of the documents address the importance of designing the public realm to

establish direct and seamless connections to station entrances and areas and enhance building design and the connection between surrounding streets and stations.

Open Spaces

Including additional public open spaces that provide access to community amenities around MTSAs. These guidelines and strategies emphasize the integration of open spaces and greenspaces can help achieve more equitable access to the public realm.

Mix of Housing Type and Tenure:

Providing increased and more affordable housing choices near transit including a mix of residential housing types to support both rental and home ownership for a diverse range of ages, incomes, household sizes and stages of life.

Healthy Economy



Providing economic development support in these areas will help increase employment and housing options.

. MTSA policies can help encourage revitalization of main streets and mature neighbourhoods through increased employment opportunities and housing options in these areas.

Employment

Development around MTSAs can help attract new businesses and people to these areas to help generate population-serving employment.

Major Transit Station Areas

5.3 Best Practices Summary

The table below summarizes elements in selected Best Practices documents, broken down into five broad categories as a way of identifying common approaches the Region could adopt.

Table 1: Best Practices Summary

Elements	BEST PRACTICES				
	York Region	City of Hamilton	Region of Waterloo	City of Coquitlam	City of Winnipeg
LAND USE					
General	<ul style="list-style-type: none"> Concentrate new employment opportunities within 200 metres of transit stops 	<ul style="list-style-type: none"> Locate within 400 metres of transit in TOD areas and urban areas 	<ul style="list-style-type: none"> Creation of complete communities with development patterns, densities and an appropriate mix of land uses that encourage the use of transit. 	<ul style="list-style-type: none"> Promote mixed-use high-residential and midrise development. Locate highest densities and uses adjacent to stations. 	<ul style="list-style-type: none"> Concentrate land use mix in core areas with reduced mix further away from transit stations.
Mixed Use	Mix of: <ul style="list-style-type: none"> Residential Office Retail 	Mix of: <ul style="list-style-type: none"> Residential Commercial Employment Retail 	Mix of: <ul style="list-style-type: none"> Residential Non-residential Employment Institutional Recreational opportunities 	Mix of: <ul style="list-style-type: none"> Residential Commercial Employment 	Mix of: <ul style="list-style-type: none"> Residential Office Retail Entertainment
Affordable Housing	Not specified	<ul style="list-style-type: none"> Support increased supply and diversity in housing types/tenures around transit, specifically in urban areas and those with higher density targets. 	<ul style="list-style-type: none"> Promotes the provision of a full and diverse range and mix of permanent housing that is safe, affordable, of adequate size and meets the accessibility requirements Recognizes that affordable housing plays a key role in 	<ul style="list-style-type: none"> Promotes increase in affordable housing choices in close proximity to transit. Encourages density bonusing for development that provides affordable housing. 	<ul style="list-style-type: none"> Supports greater affordable housing options and choice including type and tenure.

Major Transit Station Areas

Elements	BEST PRACTICES				
	York Region	City of Hamilton	Region of Waterloo	City of Coquitlam	City of Winnipeg
			attracting and supporting a diversified and stable business environment.		
DENSITY					
General	<ul style="list-style-type: none"> Concentrates highest densities around transit stations 	<ul style="list-style-type: none"> Clusters highest density within 400m of the transit station 	<ul style="list-style-type: none"> Concentrates increased densities 600 to 800 m from rapid transit station to support and ensure the viability of existing and planned rapid transit service levels. 	<ul style="list-style-type: none"> 2.5x lot area in urban areas, decreases density as distance from transit station increases 	<ul style="list-style-type: none"> Concentrates highest densities around transit stations in the core/urban areas
Residential	Not specified	Low: < 60 units per hectare Medium: 60-100 units per hectare High: 100 -200 units per hectare	Not specified. <ul style="list-style-type: none"> Area municipalities to develop station area plans. 	Not specified	Low: 24-49 units per hectare Medium: 62-247 units per hectare High: 99-371 units per hectare
Commercial	Long term goal of 2.5 Floor Space Index (FSI)	0.5-1.5 Floor Area Ratio (FAR)	Not specified.	Not specified	Not specified
Employment	<ul style="list-style-type: none"> Concentrates new employment within 200 metres of transit hubs 	<ul style="list-style-type: none"> 120-150 people and jobs per hectare in Urban Areas 	<ul style="list-style-type: none"> Compact urban form around transit stations with a greater mix of employment, housing and services in close proximity to each other. 	Not specified	Not specified

Major Transit Station Areas

Elements	BEST PRACTICES				
	York Region	City of Hamilton	Region of Waterloo	City of Coquitlam	City of Winnipeg
BUILT FORM					
Scale	Not specified	Suburban and Urban Corridors: 2-6 storeys Urban: 6-12 storeys	Not specified.	Not specified	Low to medium density areas: 2-5 storeys Urban neighbourhoods: 3 to 12 storeys Urban Centre: 4 - 30 storeys
CONNECTIVITY					
Walking distance to transit station or stop	• 200 to 500 metres (about a 5 to 10-minute walk)	• 150-300 metres walking distance to access work and 400-800 metres for residential areas	600 to 800 m metres radius of a rapid transit station.	• 400 metres to 800 metres of transit area	• 400 metres of transit stations
PARKING					
General	<ul style="list-style-type: none"> • Reduced parking standards, provide priority parking for carpooling, shared parking etc. 	<ul style="list-style-type: none"> • Discourages new auto related uses within 400m of a transit station area. • Discourage surface lots, preference for underground or structure parking, where feasible. 	<ul style="list-style-type: none"> • Encourages the minimization of surface parking areas and reduced parking standards through completion of a parking management strategy. 	<ul style="list-style-type: none"> • Surface parking is to be minimized. • On site parking stalls in the core areas shall be in the form of structured parking. 	<ul style="list-style-type: none"> • Structured parking integrated into development. Parking ratio minimums based on proximity to station.
Parking Standards & Strategies	✓ Includes: <ul style="list-style-type: none"> • Locating parking areas in rear or side yards • Provision of carpool priority parking spaces • Discourages on-street parking adjacent to major transit station 	✓ Includes: <ul style="list-style-type: none"> • Controlling the amount and location of parking • Ensuring appropriate balance between automobiles and other modes of transportation. • Inclusion of 	✓ Includes: <ul style="list-style-type: none"> • Encouraging van and carpooling, preferential parking for car and van pools, shared parking • Encourages reduced parking standards where TDM Strategies 	✓ Includes: <ul style="list-style-type: none"> • Parking on site should be concealed or below grade. • Limit the provision of on street parking in Transit-Oriented Development study areas and 	✓ Includes: <ul style="list-style-type: none"> • Parking should be integrated into development and below grade or behind development. • Reduce on-street parking around urban areas and high

Major Transit Station Areas

Elements	BEST PRACTICES				
	York Region	City of Hamilton	Region of Waterloo	City of Coquitlam	City of Winnipeg
	<p>areas or corridors.</p> <ul style="list-style-type: none"> • Site plan and building placement should discourage surface parking and allow for them to be phased out over time. • Parking facilities shared with adjoining properties. • Supports cash-in-lieu of parking. 	<p>use of shared parking area spaces, offer transit passes, allow for carpool parking, promote car-sharing programs, and restricted parking hours.</p> <ul style="list-style-type: none"> • Provide park and ride areas to encourage • Does not permit on-street parking on TOD corridors and limit parking on streets adjacent to TOD stations. • Supports cash-in-lieu of parking <p>Residential: <u>Urban Areas:</u> <ul style="list-style-type: none"> • 0.75-1.2 /300 m² <u>Suburban:</u> <ul style="list-style-type: none"> • 1-2 per unit Commercial/Retail: <u>Urban Areas:</u> <ul style="list-style-type: none"> • 1-2/300m² <u>Suburban Areas:</u> <ul style="list-style-type: none"> • 1-4/100m² </p>	<p>are incorporated into development application.</p> <ul style="list-style-type: none"> • Area Municipal parking strategies encouraged to support existing and planned transit service levels and Transit Oriented Development. 	<p>core station areas.</p> <ul style="list-style-type: none"> • Reductions to on-street parking requirements within core and shoulder station areas will be considered if a TDM plan and strategy is developed. • Supports cash-in-lieu of parking. • Encourages development to provide EV charging stations • Supports cash-in-lieu of parking • Encourages use of parking time limits, pricing and other management strategies to encourage parking turnover. 	<p>transit frequency areas.</p> <ul style="list-style-type: none"> • Encourages shared parking within a TOD area instead of per building. • Encourages paid parking or time-limited to discourage automobile use.

Major Transit Station Areas

Appendix B: Overview of MTSAs and Proposed Delineations

There are four existing stations within Durham. These include:

- Pickering GO Station;
- Ajax GO Station;
- Whitby GO Station; and
- Existing Oshawa GO Station.

These station areas (except Existing Oshawa GO Station) are expected to meet the requirements of the Growth Plan, which emphasizes the significance of MTSAs and the prioritization of intensification and increased densities within these areas which are located along Priority Transit Corridors (PTC).

In order to support the expansion of the GO Lakeshore line to Bowmanville, four additional MTSAs have been proposed along the CP Rail line. These include:

- Thornton's Corners;
- Central Oshawa;
- Courtice; and
- Bowmanville.

Figure 1 illustrates all eight of the MTSAs.



Figure 1 - Context Map of Major Transit Station Areas

Major Transit Station Areas

Pickering GO Station MTSA

The Pickering GO Station MTSA is meant to provide a foundation for urbanization of the downtown area in Pickering to support a range of uses and enhances connectivity within the area. The Downtown Pickering UGC aims to decrease reliance on the automobile by making it easier for people to use more active and sustainable modes of transportation through compact street network and sustainable development patterns.

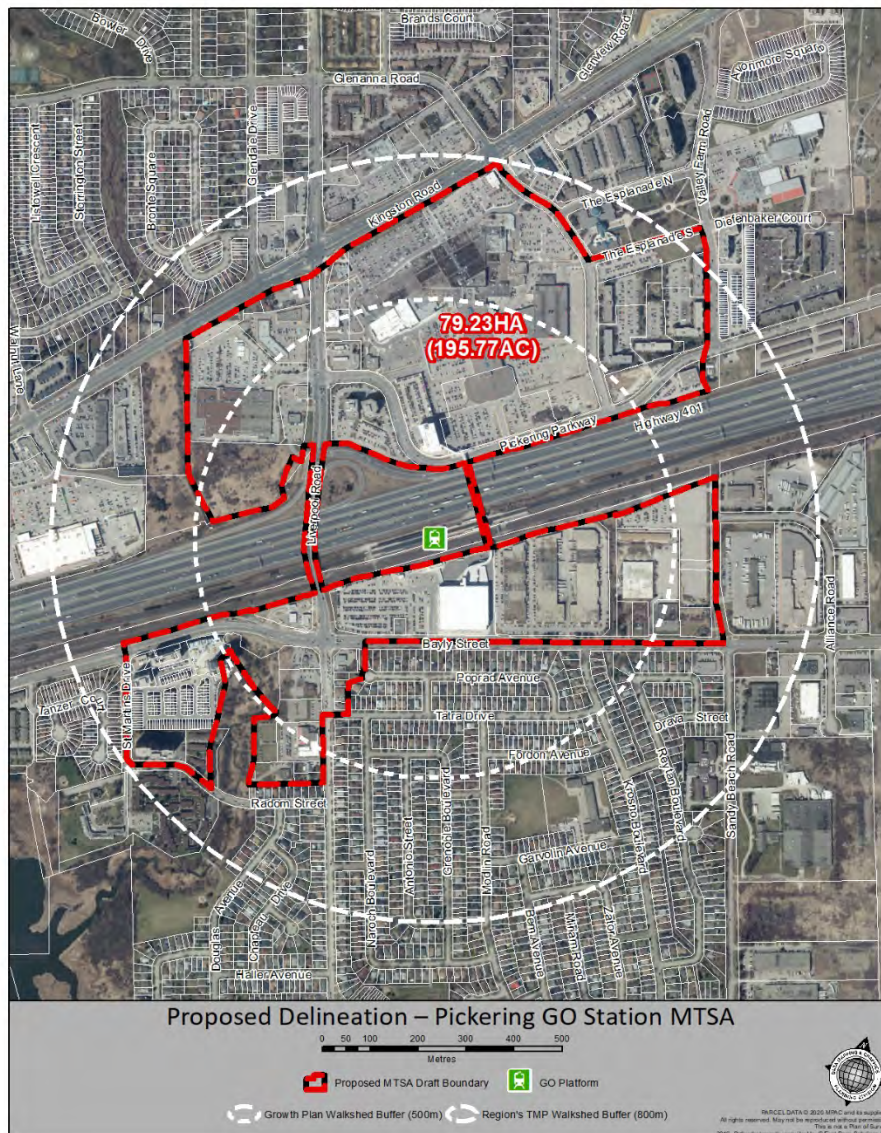


Figure 2 – Proposed Delineation – Pickering GO Station MTSA.

Major Transit Station Areas

Ajax GO Station MTSA

The Ajax GO Station MTSA aims to provide a mix of uses to take advantage of transit accessibility and to the surrounding employment lands. A portion of this area is identified in the Town's Official Plan as an area that will facilitate high density mixed use that supports commuters while also providing places to live and work in proximity to transit while minimizing car use and promoting pedestrian connectivity.



Figure 3 – Proposed Delineation – Ajax GO Station MTSA

Major Transit Station Areas

Whitby GO Station MTSA

The Whitby GO Station area is located on Brock Street just south of the 401. This area is a key hub for transportation that supports medium to high density development and better transit, cycling and pedestrian connections to major transit stations and surrounding neighbourhoods and the waterfront. It seeks to maximize the potential of the GO Station lands for mixed use development to support a variety of amenities and activities.



Figure 4 – Proposed Delineation – Whitby GO Station MTSA.

Major Transit Station Areas

Existing Oshawa GO Station MTSA

The existing Oshawa GO station is located at the southwest corner of Thornton Road South and Bloor Street West within employment lands. This area supports and encourages the enhancement of connectivity within this area to support more sustainable modes of transportation. The existing Oshawa GO Station is currently not an area of focus for growth and TOD.



Figure 5 – Proposed Delineation – Existing Oshawa GO Station MTSA.

Major Transit Station Areas

Thornton's Corners GO Station MTSA

Thornton's Corners is located in an area that is currently designated for employment and commercial uses. The Thornton's Corners GO Station site location was shifted to its proposed location along the CP Rail spur through the February 2020 Bowmanville Rail Service Extension: Initial Business Case Update'. The MTSA includes lands in both Oshawa and Whitby, is in close proximity to Durham College and Trent University Durham, and presents the opportunity to bring mixed use to the area. The transit station has the potential to act as a catalyst for growth, investment, and future market demand.



Figure 6 – Proposed Delineation – Thornton’s Corners GO Station MTSA.

Major Transit Station Areas

Central Oshawa

The Central Oshawa MTSA is located south of Downtown Oshawa, at the Central Oshawa GO Station north of Highway 401. The MTSA abuts the Downtown Oshawa Regional Centre/Urban Growth Centre. The proposed MTSA delineation includes a variety of uses, including low and high-density residential uses, commercial uses along Simcoe Street and Ritson Road, and access to greenspace and trails like the Michael Starr Trail. Simcoe Street is planned as a future rapid transit corridor, with a terminus at the Central Oshawa station, with the intent to improve connections between the GO station, Downtown, and North Oshawa. Connectivity and proximity to Higher Order Transit, as well as opportunities to redevelop existing underutilized areas, advances provincial planning policy for TOD in this location.



Figure 7 – Proposed Delineation – Central Oshawa GO Station MTSA

Major Transit Station Areas

Courtice

The Courtice MTSA is currently designated as industrial / employment lands. The vision for the area is a mixed-use TOD community. The station area would support an array of residential uses, standalone and ground floor retail space, and major office development, in addition to parks and other community uses. There may also be opportunities to provide affordable housing around this station area by creating policy requirements early in the planning process. Further, the greenfield land provides a blank canvas to create a new mixed-use community with focus on TOD principles. The Courtice MTSA has the potential to be a unique, intensified centre.



Figure 8 – Proposed Delineation – Courtice GO Station MTSA.

Major Transit Station Areas

Bowmanville GO Station MTSA

The Bowmanville MTSA is the eastern terminus of the GO East Rail extension and is located within the Bowmanville West Regional Centre. The MTSA is located within an already established market area, a short distance west of Downtown Bowmanville. The vision for the area is to grow its potential as a TOD community. This area has seen increased densities and intensification and the existing plazas and big box sites, located in proximity the proposed station area, present an opportunity for more urban style mixed-use development that retains the retail and commercial uses, which could generate employment and economic growth for the community.



Figure 9 – Proposed Delineation – Bowmanville MTSA

Major Transit Station Areas

Appendix C: What we have Heard

A summary of the stakeholder input on the proposed MTSA delineations and policies is provided below. Input was provided by area municipal staff, agencies, as well as members of the public. Two questions were identified in the Municipal Comprehensive Review (MCR) Urban System Discussion Paper related to MTSA's. A comprehensive list of all questions is provided at the end of this document.

MTSA Specific Questions:

Question 11: Is the proposed approach for delineating and assigning density targets to existing and future Major Transit Station Areas appropriate?

Question 12: Do you have any feedback or input on the propose draft Major Transit Station Area delineations?

Major Transit Station Areas

Table 1: MCR Urban Systems Discussion Paper MTSA Comments

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
1	Municipal (Clarington)	<ul style="list-style-type: none"> Yes (they agree) 	Comment noted. The response confirms that Clarington staff agree with the proposed approach.	11
2	Municipal (Ajax)	<ul style="list-style-type: none"> Agree with the proposed approach as presented in the discussion paper. 	Comment noted. The Response confirms that Ajax staff agrees with the proposed approach.	11
3	Municipal (Oshawa)	<ul style="list-style-type: none"> The proposed approach for delineating existing and proposed Major Transit Station Areas (MTSAs) is appropriate. The proposed approach for assigning density targets to both existing and proposed MTSAs is not appropriate. Further analysis is required to determine if employment areas within MTSAs should be protected, or alternatively, allowed to convert to permit residential uses. 	<p>Comment noted. Response confirms that Oshawa staff agrees with the proposed delineation approach.</p> <p>The MTSA density targets are consistent with those identified in the Growth Plan and are meant to encourage and support the use of transit and achieve strategic growth</p>	11

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		<ul style="list-style-type: none"> An alternative density target may be required for MTSAs that are located wholly within Provincially Significant Employment Areas. Further assessment should be conducted as part of the Region's Land Needs Assessment. 	<p>objectives of the Regional Official Plan.</p> <p>Regarding MTSAs located in Employment Areas, Employment Areas were identified, and a determination was made as to (re)development potential.</p> <ul style="list-style-type: none"> If development potential exists, it was included in the MTSA. If development potential does not exist, a determination of impact on the density target would inform whether an alternative target should be requested from the Province. <p>A key principle for development within MTSAs is to enhance connectivity and</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			<p>generate employment and residential growth that supports transit use. Development within MTSA areas is also expected to help achieve the strategic growth objectives of the Regional Official Plan (ROP).</p> <p>It should also be noted that an alternative density target for the Existing Oshawa Station along the CN Rail line is being proposed, due to the lack of opportunity for TOD and the built context of this station.</p>	
4	Municipal (Whitby)	<ul style="list-style-type: none"> The proposed approach to MTSAs is appropriate, provided certain flexibility for lower-tier implementation is maintained. 	Comment noted. Response confirms that Whitby staff agrees with the proposed approach.	11
5	Municipal (Pickering)	<ul style="list-style-type: none"> The approach developed by the Region, in consultation with each of the local municipalities is appropriate, 	Comment noted. Response confirms that Pickering staff	11 & 12

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		<p>providing defensible and rational boundaries for these Major Transit Station Areas, as opposed to an arbitrary 500 metre or 800 metre radius from the centre of a station.</p> <ul style="list-style-type: none"> The proposed boundaries of the MTSAs in Pickering, shown in Attachment #1 of Appendix D of the Region's Growth Management Paper, are consistent with those discussed with Regional staff. 	agree with the proposed approach.	
6	Municipal (Brock)	<ul style="list-style-type: none"> No comment. No MTSAs are identified in Brock. 	Comment noted.	11
7	Agency (Oshawa Environmental Advisory Committee)	<ul style="list-style-type: none"> The proposed approach seems appropriate. 	Comment noted. Response confirms that the Oshawa Environmental Advisory Committee agrees with the proposed approach.	11
8	Municipal (Ajax)	<ul style="list-style-type: none"> Town staff have and will continue to work closely with Regional staff on the delineation of the Ajax Major Transit Station Area. 	Comment noted. Response confirms that Ajax is supportive of working with the Region on confirming delineation of MTSAs and	12

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
9	Municipal (Clarington)	<ul style="list-style-type: none"> No - no further input on the draft Major Transit Station Area delineations is noted. 	<p>generally supportive of their proposed delineation.</p> <p>Comment noted. Response confirms that Clarington agrees with the proposed delineations.</p>	12
10	Municipal (Oshawa)	<ul style="list-style-type: none"> Staff support the proposed draft Major Transit Station Area delineations. 	<p>Comment noted. Response confirms that Oshawa staff support the proposed MTSA delineations.</p>	12
11	Municipal (Brock)	<ul style="list-style-type: none"> An assessment of connectivity between Brock Township and MTSAs would be helpful for future transit planning. Response: On Demand transit is available in Brock Township. This service connects with scheduled transit routes that connect into the urban area, including to MTSAs. 	<p>Comment noted. This comment has been shared with Durham Region Transit to examine future connections between existing and potential transit and MTSAs within Brock Township.</p>	12
12	Municipal (Whitby)	<ul style="list-style-type: none"> Discussion will be needed at a later date (i.e. draft policy direction stage) regarding inclusion of ROP designated Employment Areas within MTSA's. 	<p>Comment noted. Employment Areas within MTSAs is a key consideration within this work. The proposed policy directions note that MTSAs</p>	12

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			will consist of both employment uses and residential uses (as defined in the area municipal official plan) that support the use of transit and achieve the strategic growth objectives of the Regional Official Plan.	
13	Municipal (Ajax)	<ul style="list-style-type: none"> The ROP should require a five year supply of serviced land at all times to meet market needs for population and employment growth within Major Transit Station Areas. 	Comment noted. As part of the proposed implementation policies, specific policy directions have been drafted which state that "Approval of development would be contingent on the availability of services and transportation facilities. The Region may require the phasing of development on the basis of servicing availability or timing of infrastructure."	4
14	Municipal (Oshawa)	<ul style="list-style-type: none"> Further guidance is required within MTSAs where the lands are designated as Provincially Significant 	The proposed policy directions for MTSAs acknowledge that the existing	6

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		Employment Zones, yet also required to achieve a density target of 150 residents and jobs per gross hectare.	Oshawa GO Rail/VIA Rail station will require an alternative density target, due to the lack of opportunity for TOD and the built context of this station. The draft policy directions also identify that if development potential does not exist [within a specific employment area], a determination of impact on the density target would inform whether an alternative target should be requested from the Province.	
15	Municipal (City of Pickering)	<ul style="list-style-type: none"> The methodology for delineating Major Transit Station Areas (MTSA), and the resultant draft boundary delineation for Pickering's MTSA, are supported 	Comment noted. Response confirms that Pickering supports the proposed MTSA delineations.	
16	Municipal (Oshawa)	<ul style="list-style-type: none"> The Region, in consultation with area municipal staff, should consider a go-forward approach to assessing 	A key goal of the ROP is to delineate the MTSA; establish general land use,	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		employment area conversions within Major Transit Station Areas that would then necessitate a settlement area boundary expansion.	infrastructure and implementation policies. A Settlement Area boundary expansion would not automatically occur through the MTSA ROPA to offset any lands that were previously designated Employment Area and are now proposed to a part an MTSA delineation . Any expansion to the settlement area boundary will be considered through the Land Needs Assessment as part of the overall Growth Management Study/Envision Durham process.	
17	Agency Toronto and Region Conservation Authority Staff	<ul style="list-style-type: none"> Toronto and Region Conservation Authority Staff Achieving density targets within MTSA's must account for natural hazards, natural heritage features, and 	Comment noted. Through the delineation process non-developable areas were avoided, where appropriate (such as natural areas,	11

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		<p>stormwater management, whether identified outside or inside of an MCR process.</p> <ul style="list-style-type: none"> Amendments to the DROP should specify policy requirements for natural hazards, stormwater management and natural heritage to inform the delineation of MTSA. 	highways, utilities, rail corridors, etc.) to form the outer boundaries of the MTSA.	
18	Agency Toronto and Region Conservation Authority Staff	<ul style="list-style-type: none"> It is critical that MTSA boundaries be subject to meeting criteria for addressing natural hazard management, natural heritage and water resource protection. 	Comment noted. Through the delineation process non-developable areas were avoided, where appropriate (such as natural areas, highways, utilities, rail corridors, etc.) to form the outer boundaries of the MTSA.	12
19	Agency Toronto and Region Conservation Authority Staff	<ul style="list-style-type: none"> Should adopt policies to promote the use of, and develop a terms of reference for an “urban master environmental servicing plan” (Urban MESP) to coordinate major 	The Region may require the coordination of development applications through measures such as Master Development Agreements and Block Plans, to ensure an	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		<p>redevelopment proposals within the urban envelop.</p> <ul style="list-style-type: none"> Response: Consider Secondary Plan and MESP for MTSA. 	<p>orderly, coordinated and phased approach to the provision of transportation, servicing and other requirements.</p>	
20	<p>Public Weston Consulting regarding subject lands of 275 Westney Road South</p>	<ul style="list-style-type: none"> Request to consider the subject lands (275 Westney Road South, Town of Ajax) for conversion through the Municipal Comprehensive Review process in accordance with Section 2.2.5.9 of the Growth Plan to permit residential mixed-use development. A follow-up letter was received on January 14, 2020 to acknowledge that the subject property has been included in the Major Transit Station Areas (MTSAs); and the Westney Developments Inc. has completed the preparation of an Official Plan Amendment and Zoning By-Law Amendment for submission to the Town of Ajax 	<p>The Ajax GO Station area site aims to provide a mix of uses to take advantage of transit accessibility and to the surrounding employment lands. This area is identified in the Town's Official Plan as an area that will facilitate high density mixed use that supports commuters while also providing places to live and work in proximity to transit while minimizing car use and promoting pedestrian connectivity.</p> <p>The subject property falls within the proposed MTSA boundary.</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			The desire for the subject property to provide residential mixed-use seems to support and align with the overall vision for the MTSA area.	
21	Public GHD on behalf of Holloway Developments and the 21st Company Inc.	<ul style="list-style-type: none"> Agree that the Region's MCR should delineate and assign boundaries to Major Transit Station Areas (MTSAs). MTSAs should also permit a wide range of mixed uses. Agree with the methodology used by Regional and Area Municipal staff in delineating the Draft Boundary of the proposed MTSAs. Request reconsideration of boundary where environmental features may not actually exist (lands abutting Canadian Pacific Railway, parcels abutting Stellar Drive near Corbett Creek) 	The draft delineation of the Thornton's Corners MTSA has been released. The delineations currently take into account a variety of factors including mixed-use development proximity to transit and other considerations of highest and best use for these areas.	
22	Public	<ul style="list-style-type: none"> The vision for Northeast Pickering of 60,000 residents and 45,000 jobs 	Comment noted. MTSAs are currently being considered	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
	Dorsay Development Corporation	would support a Major Transit Station Area. This will be elaborated on further in a future submission.	along the PTC and future PTC (GO Lakeshore) at this time. However, policy directions have included for future consideration of new MTSAs are being included.	
23	Public Ledim Development Ltd. Lands south of CP rail and North of Stellar Drive	<ul style="list-style-type: none"> In accordance with A Place to Grow, 2019, density targets for Urban Growth Centres and Major Transit Station Areas should be considered as minimum targets. Policies that reference Growth Plan intensification and density targets should include the word minimum where appropriate. The Thornton's Corners Major Transit Station Area Boundary should be expanded to the northwest to include lands that are currently outside (specifically lands at Laval Drive and Stevenson Road South in Oshawa). The lands located adjacent to the Canadian Pacific Railway just beyond 	<p>Comment noted. The MTSA density targets have been identified as minimum targets and are consistent with those identified in the Growth Plan.</p> <p>The delineation of the Thornton's Corners GO Station MTSA has been updated to reflect the revised station location along the CP Rail spur. Please see Appendix B for details.</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		the north west limit of the proposed Major Transit Station Area Boundary should be included within the delineated MTSA area.		
24	Public IBI Group on behalf of David and Steve Lovisek for 0 Courtice Road, Clarington	<ul style="list-style-type: none"> Request that the subject lands (0 Courtice Road, Clarington) be included within the Urban Area Boundary and the MTSA. Support the recommendation by the Municipality of Clarington to extend the MTSA/Urban Area Boundary to include the subject land and requests clarification position on Clarington's request to include the subject lands into the urban boundary and the Courtice MTSA. The future Courtice GO Station is an opportunity to accommodate growth and create a complete community in the surrounding area. The Courtice MTSA should include conversion of employment lands to ensure a true 	<p>Comment noted. While the request for an expansion of the MTSA /settlement area boundary may be recognized through this process, the MTSA ROPA will not be formalizing any settlement area boundary expansions. Consideration of this request will be in the context of the future Land Needs Assessment through the overall Growth Management Study/Envision Durham process.</p> <p>MTSAs will be delineated in the ROP and detailed land use designations are directed to</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		mixed-use complete community is achieved.	be included in the area municipal OPs.	
25	Public IBI Group on behalf of David and Steve Lovisek for 0 Courtice Road, Clarington	<ul style="list-style-type: none"> MTSAs should maximize the size of the area and number of potential transit users that are within walking distance to the station. Areas that include natural features should not be precluded from Settlement Area Boundary Expansion should be considered if natural features and areas are protected. Prime agricultural areas should similarly be considered for expansion. 	<p>The delineation of MTSAs was informed by other planning boundaries such as SGAs and Secondary Plans, and those identified in local area municipal plans. Non-developable areas such as natural areas were avoided and generally fit within the 500 to 800 metre radius of a transit station.</p> <p>A subsequent delineation exercise was completed taking into account input received through the Urban Systems Discussion Paper, additional information and research undertaken by the projects consultants, discussions with area</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			<p>municipal staff and public and agency input.</p> <p>Delineation of MTSAs has taken into account potential transit users and walkshed. Refer to delineation process and Appendix B – Overview of MTSAs for more details as well as Section 6 – Delineation Approach.</p>	
26	<p>Public</p> <p>IBI Group on behalf of David and Steve Lovisek for 0 Courtice Road, Clarington</p>	<ul style="list-style-type: none"> • Is the Region considering an alternative density target for the Courtice MTSA? • Is the Region going to develop a phasing plan or Secondary Plan for the MTSA? 	<p>The Region is aiming for at least the minimum density target of 150 people and jobs/ha for the Courtice MTSA. Areas where development potential does not exist, a determination of impact on the density target would inform whether an alternative target should be requested from the Province. The Region may require phasing of development on</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
27	Public IBI Group on behalf of 1766 Baseline Road, Clarington	<ul style="list-style-type: none"> Request the subject lands (1766 Baseline Road, Clarington) be redesignated from Employment Areas to Living Areas / Courtyce Major Transit Station Area to allow for a development concept that includes a mix of residential and employment uses (office, retail, commercial, personal service). The subject site is also located within a PSEZ (Zone 1) and proposed MTSA boundary. The proponent is supportive of Clarington's recommendation to remove the GO Station MTSA from the PSEZ. 	<p>the basis of transportation or servicing availability, and/or the timing of required infrastructure.</p> <p>The subject lands are included in the proposed MTSA boundary. Detailed land use designations will be proposed through area municipal OPs. Comment noted. The delineation and density requirements for MTSAs has taken into account potential transit users and walkshed. The MTSA designation can be overlaid on the identification of the PSEZ.</p> <p>For more information on the delineation process/rationale refer to Section 6 – Delineation Approach and Appendix B - Overview of MTSAs.</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
28	Public Brookfield Residential Whitby Harbour site	<ul style="list-style-type: none"> Intensification boundaries around proposed MTSAs are useful, but final delineation should involve local stakeholder engagement. Brookfield would like to be engaged in final delineation of the MTSA boundary at Whitby Harbour. 	<p>The proposed delineation for the Whitby MTSA has been provided in this Paper, and input is welcomed prior to the finalization of the ROPA. The Brookfield site is over 1 km away from the station platform.</p> <p>For more information on the delineation process/rationale refer to Section 6 – Delineation Approach and Appendix B – Overview of MTSAs.</p>	
29	Public Optus Capital Corporation	<ul style="list-style-type: none"> The draft Major Transit Station Area Boundary for Ajax should be extended 1,000 metres eastbound along Fairall Street to Harwood Avenue South to allow for greater intensification and increased density. 	<p>The MTSA boundary has been proposed. The area in question is part of the Regional Centre and subject to another set of policies in the ROP, however, it is acknowledged the need for linkages easterly to the Regional Centre.</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			<p>For more information on the delineation process/rationale refer to Section 6 – Delineation Approach and Appendix B.</p> <p>A 1 km easterly extension of the MTSA boundary would not meet the Provincial definition of a 10 min walk to the station.</p>	
30	Public Bousfields Inc. on behalf of Nordeagle Developments Inc.	<ul style="list-style-type: none"> Request to include the entirety of the Nordeagle Lands within the proposed Major Transit Station Area. 	<p>The Whitby GO MTSA seeks to maximize the potential of the GO Station lands for mixed use development to support a variety of amenities and activities. The MTSA delineation has been revised to include a portion of the Nordeagle property subject to Policy 8C.3.1 in the current ROP. Please refer to Section 6 – Delineation Approach and</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
31	Public Bousfields Inc. on behalf of Nordeagle Developments Inc.	<ul style="list-style-type: none"> Recommended that gross density be used as the measurement for intensification and for major transit station areas as a minimum target. 	<p>Appendix B for the delineation process in more detail</p> <p>Each MTSA will be planned to achieve a minimum density of 150 people and jobs per hectare. This will be a minimum density requirement that will be measured within all of the lands in each MTSA (measured as gross density).</p>	

Legend of Discussion Questions

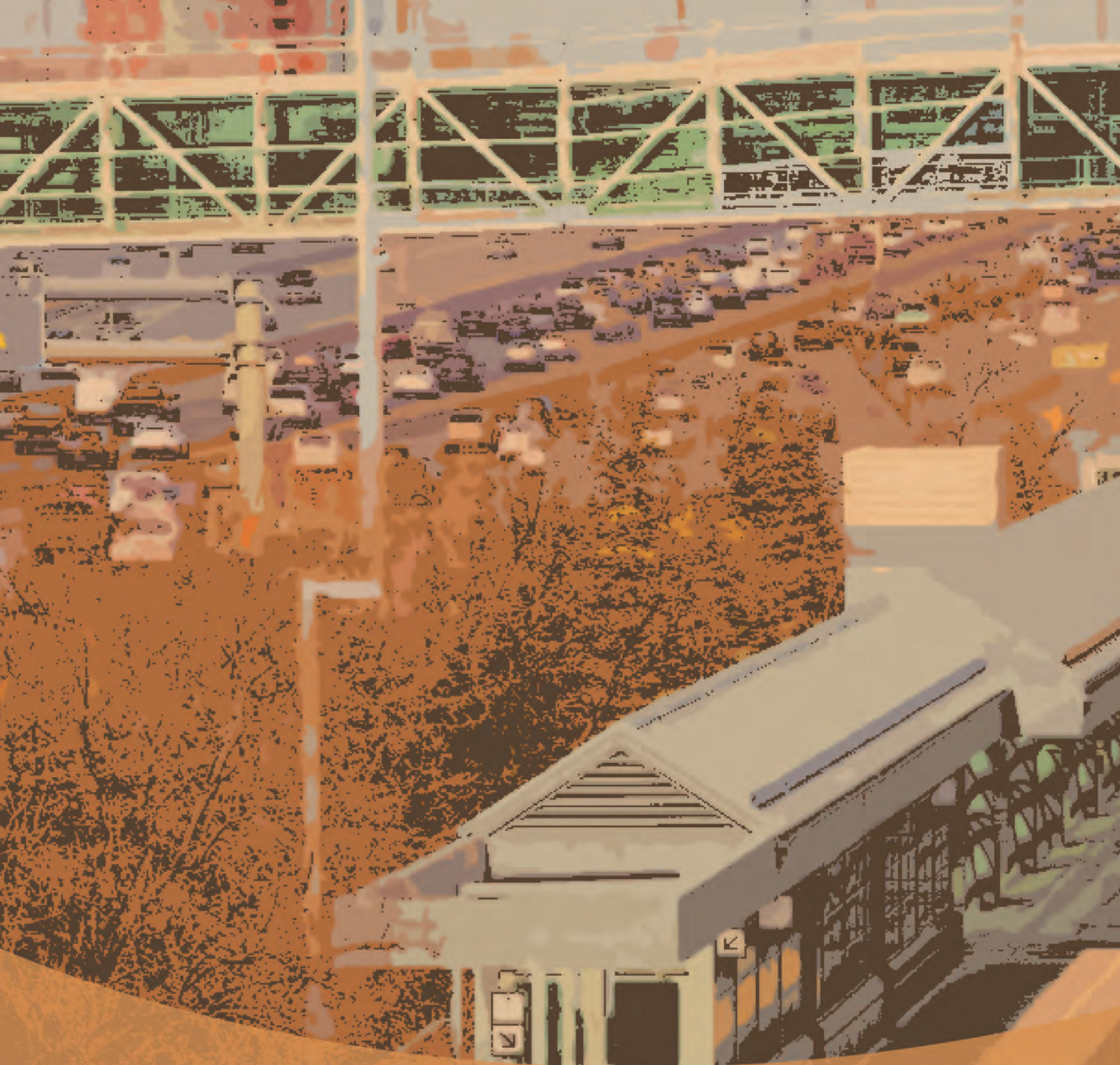
Question Number	Discussion Question
1.	Is the Urban System achieving the Regional Official Plan vision of creating distinct Urban Areas, balancing population and employment growth, and achieving health and complete communities?
2.	Are there any additional goals for the Urban System that should be included in the Regional Official Plan?

Major Transit Station Areas

Question Number	Discussion Question
3.	How can Regional Official Plan Policies support the needs of an aging population?
4.	Are there specific policies or other measures that are needed to enable the achievement of employment forecasts and/or the Regional Council target of one job for every two persons?
5.	How can Regional Official Plan policies recognize and support the changing pattern of where and how people work?
6.	What Regional policies and approaches could assist in achieving the Regional Official Plan target that 50 per cent of all jobs be in designated Employment Areas?
7.	How should density (gross or net) be measured in the Regional Official Plan?
8.	Should the Region delineate only those corridors with significant intensification potential that are also within the Higher Order Transit Network?
9.	Should Regional Corridors that are intended to be priority areas for the highest level of transit service (Highway 2 and Simcoe Street) be delineated in the ROP and assigned an increased minimum density target?
10.	Should Waterfront Places be specifically designated in the Regional Official Plan?
11.	In the proposed approach for delineating and assigning density targets to existing and future Major Transit Station Areas appropriate?
12.	Do you have any feedback or input on the proposed draft Major Transit Station Area delineations?

Major Transit Station Areas

Question Number	Discussion Question
13.	Are there any other criteria that should be considered when evaluating Settlement Boundary Expansions?
14.	Are there other criteria that should be considered when evaluating Employment Area conversions?
15.	Are there additional strategies or solutions required to support development in Strategic Growth Areas?
16.	Should a Regional structure, consisting of appropriate Regional land use designations be applied to lands located within the Central Pickering Development Plan Area?
17.	What type of Regional Official Plan policies should be provided to support the deployment of broadband infrastructure?
18.	How can Regional Official Plan policies support the achievement of strong, vibrant, and healthy downtowns?
19.	Should places of worship be permitted in Employment Areas?
20.	Are there any other trends or topics you feel should be reviewed and considered as part of the review of the Urban System and the Growth Management Study component of the MCR?



The Regional Municipality of Durham
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Page 365 of 466



Corporate Services Department
City Clerk Services

File: A-2100

February 26, 2021

DELIVERED BY E-MAIL
(clerks@durham.ca)

Region of Durham

Date:	26/02/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Re: Durham Region's Municipal Comprehensive Review: City Comments on Major Transit Station Areas - Proposed Policy Directions

Oshawa City Council considered the above matter at its meeting of February 22, 2021 and adopted the following recommendation of the Development Services Committee:

- "1. That Report DS-21-20 dated February 3, 2021 be endorsed as the City's comments on the Major Transit Station Areas Proposed Policy Directions Report dated December 2020 prepared by the Region of Durham as part of Envision Durham, the Municipal Comprehensive Review of the Durham Regional Official Plan; and,
2. That staff be authorized to forward a copy of Report DS-21-20 dated February 3, 2021 and the related Council resolution to the Region of Durham and Durham area municipalities."

Please see attached a copy of Report DS-21-20.

If you need further assistance concerning the above matter, please contact Warren Munro, Commissioner, Development Services Department at the address listed below or by telephone at 905-436-3311.

Mary Medeiros
City Clerk

/fb

c. Development Services Department
Durham Region Municipalities

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To: Development Services Committee

From: Warren Munro, HBA, RPP, Commissioner,
Development Services Department

Report Number: DS-21-20

Date of Report: February 3, 2021

Date of Meeting: February 8, 2021

Subject: Durham Region's Municipal Comprehensive Review: City
Comments on Major Transit Station Areas - Proposed Policy
Directions

File: A-2200-0023

1.0 Purpose

The purpose of this Report is to obtain Council's approval of City comments on the Region of Durham's Major Transit Station Areas Proposed Policy Directions Report (the "M.T.S.A. Policy Directions Report"). The M.T.S.A. Policy Directions Report is a key component of Envision Durham, the Municipal Comprehensive Review (M.C.R.) of the Durham Regional Official Plan (D.R.O.P.).

The Region has requested that the City provide comments on the M.T.S.A. Policy Directions Report by March 1, 2021.

Attachment 1 contains recommended City comments on the M.T.S.A. Policy Directions Report.

Attachment 2 is a copy of the M.T.S.A. Policy Directions Report, dated December 2020.

2.0 Recommendation

That the Development Services Committee recommend to City Council:

1. That Report DS-21-20 dated February 3, 2021 be endorsed as the City's comments on the Major Transit Station Areas Proposed Policy Directions Report dated December 2020 prepared by the Region of Durham as part of Envision Durham, the Municipal Comprehensive Review of the Durham Regional Official Plan.
2. That staff be authorized to forward a copy of Report DS-21-20 dated February 3, 2021 and the related Council resolution to the Region of Durham and Durham area municipalities.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following have been consulted in the preparation of this Report:

- Town of Whitby

5.0 Analysis

5.1 Envision Durham: The Municipal Comprehensive Review of the Durham Regional Official Plan

On May 2, 2018, Regional staff received authorization to proceed with Envision Durham, the M.C.R. of the D.R.O.P. Envision Durham is an opportunity to undertake a core review of the current D.R.O.P. and establish a progressive and forward-looking planning vision for the Region up to 2051.

On February 5, 2019, the Region initiated the first stage (“Discover”) of the public engagement program for Envision Durham by launching a project web page and public opinion survey. With the release of the first of a series of discussion papers on March 5, 2019, Regional staff launched the second stage (“Discuss”) of the engagement program, where participants were asked to provide input on various themes presented through the discussion papers.

To date, the following six discussion papers have been released:

- Agriculture and Rural System Discussion Paper (released March 5, 2019);
- Climate Change and Sustainability Discussion Paper (released May 7, 2019);
- Growth Management – Urban System Discussion Paper (released June 4, 2019);
- Environment and Greenlands System Discussion Paper (released September 3, 2019);
- Transportation System Discussion Paper (released October 1, 2019); and,
- Housing Policy Planning Discussion paper (released December 3, 2019).

As previously directed by Council, the City has submitted comments to the Region on the six above-noted discussion papers.

The Region has now initiated the third stage (“Direct”) of the public engagement program. Under this stage, the first policy direction report was related to employment conversions. The Region provided a ninety (90) day submission window for the public, including the development community, to submit employment conversion requests. The final date to submit a request for consideration through Envision Durham was September 23, 2020.

As directed by Council on December 14, 2020, the City submitted comments to the Region pursuant to Report DS-20-149 dated December 4, 2020 regarding various employment conversion requests. These consisted of four (4) employment conversion requests

received from private landowners and three (3) City-initiated employment conversion requests with respect to employment lands located in Oshawa.

Most recently, again under the Direct stage of Envision Durham, the Region has requested comments on the M.T.S.A. Policy Direction Report dated December 2020. Comments on this matter have been requested by March 1, 2021. The M.T.S.A. Policy Direction Report provides an overview of the proposed M.T.S.A.s, summarizes best practices, trends and guidelines, revisits and refines certain M.T.S.A. boundary delineations, and presents a set of draft policies for review and comment.

5.2 Major Transit Station Areas Overview

M.T.S.A.s are defined in A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (the “Growth Plan”) as:

“The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.”

There are four existing M.T.S.A.s within Durham Region including the existing Oshawa GO Station M.T.S.A., centred on the station located at the southwest corner of Bloor Street West and Thornton Road South (see Figure 5 in Appendix B of Attachment 2 to this Report).

In addition, there are four new M.T.S.A.s proposed within Durham Region, including two (2) in Oshawa:

- The Thornton’s Corners GO Station M.T.S.A., centred on a proposed station located on the Canadian Pacific Rail spur line east of Thornton Road South, west of Fox Street, and north of Champlain Avenue (see Figure 6 in Appendix B of Attachment 2 to this Report); and,
- The Central Oshawa GO Station M.T.S.A., centred on a proposed station located on the Canadian Pacific mainline north of Highway 401, midway between Simcoe Street South and Ritson Road South (see Figure 7 in Appendix B of Attachment 2 to this Report).

The intent of M.T.S.A.s is to cluster a mix of high density, compact, pedestrian-oriented development in proximity to rapid transit infrastructure. M.T.S.A.s should be planned to have a mix of uses including office, residential, institutional, community, retail, and other services. M.T.S.A.s should have a focus on pedestrian-oriented streetscapes, public spaces and buildings.

The existing M.T.S.A.s in Durham Region, including the Oshawa GO Station M.T.S.A., are each located within a priority transit corridor. Provincial policy directs the intensification of priority transit corridors. The Growth Plan requires that M.T.S.A.s served by the

GO Transit rail network and located within a priority transit corridor be planned for a minimum density target of 150 residents and jobs combined per hectare.

Durham Region is responsible for delineating M.T.S.A. boundaries and setting the minimum density requirements in consultation with local municipalities.

City staff worked jointly with the Region to delineate proposed boundaries for the existing and proposed M.T.S.A.s in Oshawa. In June 2019, proposed delineations were presented by Regional staff within the Urban Systems-Growth Management Discussion Paper. The M.T.S.A. boundary delineation process involved the following approach:

- A 500 metre (1,640 ft.) and 800 metre (2,625 ft.) radius from the centre of the rail platform was applied, to identify a generalized walking distance of approximately 10 minutes from the station.
- An actual walking distance was mapped, based on applying existing and planned pedestrian infrastructure to identify a true walking distance.
- Other planning boundaries (such as Provincially Significant Employment Zones) were identified. Wherever possible, M.T.S.A. boundaries were aligned with boundaries within area municipal planning documents (including Official Plans).
- Non-developable areas were avoided, where appropriate (such as natural areas, highways, utilities, rail corridors, etc.) to identify the outer boundaries of the M.T.S.A.
- Existing and/or planned pedestrian connections across non-developable areas were identified. If a connection does not exist or is not planned, the area beyond the non-developable area was not included.
- Areas unsuitable and unplanned for significant intensification, such as stable neighbourhoods intended to remain as low density, were identified. Areas not intended to be redeveloped were excluded.
- Employment Areas were identified, and a determination was made as to (re)development potential.
 - If development potential exists, it was included in the M.T.S.A.
 - If development potential does not exist, a determination of impact on the density target would inform whether an alternative target should be requested from the Province.
- Boundaries were adjusted, and in some cases extended beyond the 800 metre (2,625 ft.) walkshed to include underutilized or vacant lands viewed as ideal for redevelopment and/or intensification.
- Logical planning boundaries were used (such as property lines, centrelines of roads, natural features, etc.) to delineate the M.T.S.A. boundary.

A subsequent delineation exercise was completed by Regional staff taking into account input received through the Urban Systems Discussion Paper, additional information and

research undertaken by the projects' consultants, discussions with area municipal staff and public and agency input.

Refinements were also made to reflect Metrolinx's announcement that they will be proceeding with future planning for the extension of all-day GO Train service along the Lakeshore East line with a connection to the Canadian Pacific Rail Line over Highway 401, including new GO Stations at Thornton's Corners, Central Oshawa, Courtice and Central Bowmanville.

5.3 Major Transit Station Areas Proposed Policy Direction

Regional Council has directed Regional staff to accelerate the review and development of policies for M.T.S.A.s through Envision Durham, the M.C.R. of the D.R.O.P.

The current D.R.O.P. contains policies pertaining to commuter stations. However, the significance of M.T.S.A.s and related intensification around transit stations has increased in recent years due to enhanced Provincial policy direction on M.T.S.A.s. Thus, there is a need for a future D.R.O.P. amendment for M.T.S.A.s.

The purpose of the future D.R.O.P amendment for M.T.S.A.s will be to delineate M.T.S.A.s, establish general land use, infrastructure and implementation policies for M.T.S.A.s and guide the development of transit oriented communities.

The Region has proposed policies to address the following matters related to M.T.S.A.s:

- Land use policies;
- Urban design and built form policies;
- Public realm and open space policies;
- Mobility and active transportation policies;
- Rail corridor policies;
- Implementation policies; and,
- Monitoring policies.

It is intended that area municipal official plans will provide detailed policies, land use designations and urban design guidelines to guide the desired land use, density, built form and the pedestrian oriented public realm within M.T.S.A.s.

5.4 Staff Comments

Staff comments on the M.T.S.A. Policy Directions Report are contained in Attachment 1 to this Report.

6.0 Financial Implications

There are no financial implications associated with the comments in this Report.

7.0 Relationship to the Oshawa Strategic Plan

The Recommendations in this Report advance the Accountable Leadership and Economic Prosperity & Financial Stewardship goals of the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,
Planning Services



Warren Munro, HBA, RPP, Commissioner,
Development Services Department

Staff Comments on Durham Region's Major Transit Station Areas Proposed Policy Direction Report

1.0 Overall Comments:

- Staff support M.T.S.A.s having specific transportation-related policies to guide and support their development as transit oriented development places. However, where an M.T.S.A. is located in a predominately industrial area and a Provincially Significant Employment Zone (e.g. the existing Oshawa GO Station), staff recommend that site specific policies be developed to allow a flexible approach to the development of M.T.S.A.s that still maintains the intent of the existing land use designations. This is in recognition of potential challenges associated with applications that may be submitted seeking to convert employment lands for non-employment uses.
- Staff support balancing population and employment growth and achieving healthy and complete communities within M.T.S.A.s. Having policies in place that pertain to the land use, urban design and built form, the public realm, and mobility is important in developing healthy and complete transit oriented communities.
- Staff note that these policies should be contingent upon Metrolinx's completion of its Environmental Assessment for the Oshawa-to-Bowmanville GO Rail Extension and the proposed new stations being built. Policies need to be in place to address what happens if the stations are not constructed (similar to Policy 2.1.8.6 in the Oshawa Official Plan).

2.0 Policy Direction Comments:

- With respect to the fifth general policy direction under Section 8.3 of the M.T.S.A. Policy Directions Report, regarding the Region encouraging a reduction in minimum parking requirements, staff note that while a reduction in parking requirements may address certain site development issues and assist in achieving urban design objectives, it may also increase demand on the City's parking enforcement resources (i.e. increase in parking complaints). The reduced minimum parking standards should be encouraged but not mandatory. Staff also note that historically it has been up to municipalities to implement parking requirements based on their respective needs through municipal zoning. The Region has not commented in the past on parking matters. Parking issues can be localized in nature and it may be difficult for the Region to develop policy language equally across the municipalities. It should also be noted that the Parking Study currently being advanced for the City remains unfinished.
- The sixth general policy direction under Section 8.3 of the M.T.S.A. Policy Directions Report requires area municipalities to complete secondary plans and/or block plans to include detailed land use designations and policies consistent with the policies of the D.R.O.P. that help to achieve the objectives of transit oriented development. Staff do not support the requirement for the completion of secondary plans for M.T.S.A.s given the relatively small size of the M.T.S.A.s. However, it should be noted that Oshawa City Council approved a Mobility Hub Transportation and Land Use Planning Study (Project Number 40-0057) for the future Central Oshawa GO Station in the 2021

budget, which staff will advance contingent upon Metrolinx's completion of its Environmental Assessment of the Oshawa-to-Bowmanville GO Rail Extension along the Canadian Pacific Rail mainline.

- The third land use policy under Section 8.3.1 of the M.T.S.A. Policy Directions Report will allow places of worship within mixed use buildings and not in freestanding buildings in M.T.S.A.s. Staff are seeking clarification from the Region if they will be asking the Province to amend the D.R.O.P. to permit places of worship in Employment Areas in this regard.
- Under Section 8.3.1 of the M.T.S.A. Policy Directions Report, automobile-oriented uses, including drive-through establishments, service stations, land extensive vehicle-oriented uses, car washes, warehousing, public self-storage facilities, similar uses and lower density and land extensive uses are not permitted. Staff would like to highlight that there are existing automobile-oriented uses in the proposed M.T.S.A.s. Clarity is needed in terms of whether it is the intention of the Region to make these legal non-conforming uses or whether this land use policy will only prevent new auto-oriented land uses in M.T.S.A.s. The Region is encouraged to explore transitional policies which are flexible enough to allow drive-through establishments until such time as the M.T.S.A. develops.
- The first rail corridor policy under Section 8.3.5 of the M.T.S.A. Policy Directions Report will allow by-laws to be passed to permit development, in accordance with the policies for the M.T.S.A., involving decking over a Rail Corridor, provided that all appropriate technical studies have been undertaken and only in accordance with the policies for the MTSA, to the satisfaction of the applicable railway authority. Staff are seeking clarity as to whether the reference to a "by-law" relates to a zoning by-law or if it is in relation to a different type of by-law.

3.0 Comments Regarding Proposed M.T.S.A. Delineations:

3.1 Existing Oshawa GO Station M.T.S.A.

The minimum density target for M.T.S.A.s is 150 residents and jobs combined per hectare for those that are served by the GO Transit rail network. Staff note that although the existing Oshawa GO Station M.T.S.A is identified as an intensification area to be assessed, it will be a challenge for the City of Oshawa to achieve a minimum gross density target of 150 residents and jobs combined per hectare (as prescribed in the Growth Plan). The existing Oshawa GO Station is surrounded primarily by employment lands, which the City needs in order to achieve its current 2031 employment targets. Furthermore, the Oshawa GO Station M.T.S.A is already mostly developed and is physically constrained by infrastructure such as rail corridors and the Highway 401 corridor. Staff support having an alternative reduced density target that is reflective of jobs only for the existing Oshawa GO Station M.T.S.A. due to the lack of opportunity for transit oriented development (particularly residential development) and the nature of the existing built environment in the vicinity of this station.

3.2 Proposed Thornton's Corners GO Station M.T.S.A.:

- Staff support shifting and expanding the proposed delineation of the Thornton's Corners M.T.S.A. eastwards to reflect Metrolinx's preferred alignment as contained in

the document entitled “Bowmanville Rail Service Extension: Initial Business Case Update” dated February, 2020.

- Per Report DS-20-149 dated December 4, 2020 regarding City comments on employment conversion requests, staff requested the Region to consider the potential conversion of lands within the draft delineation of the Thornton’s Corners M.T.S.A. from employment lands to mixed-use development.
- The Region should consider through the land needs assessment process the potential for the proposed M.T.S.A. surrounding the planned future Thornton’s Corners GO Station to accommodate opportunities for appropriate residential development.
- The lands in the proposed M.T.S.A. have the ability to support change provided that it can be demonstrated that the employment and job potential is improved as a result of the re-designation, and the City’s ability to meet and accommodate forecasted employment in the City is not negatively affected. Establishing M.T.S.A. specific employment targets should be considered. Alternatively, any employment lands that are converted in the proposed Thornton’s Corners M.T.S.A. should be replaced elsewhere in the City in order that the City’s employment targets can be achieved.
- There are opportunities for prestige employment growth as the lands in the proposed M.T.S.A. are in proximity to the Trent University Durham GTA Campus and the Durham College Whitby Campus.
- Staff note that to make this M.T.S.A. more viable, the Region needs to advance an Environmental Assessment for the easterly extension of Stellar Drive from Thornton Road South to the westerly terminus of Laval Drive (shown as a Future Type “C” Arterial Road in the D.R.O.P.). Through the City’s previous comments on the Region’s Integrated Transportation Master Plan, staff noted that the City considers this future road connection to be a Regional Road, and should be constructed at the Region’s cost. To facilitate the development of the M.T.S.A., the environmental assessment for this road section should be advanced in a timely fashion so as to be appropriately coordinated with Metrolinx’s advancement of the development of the Thornton’s Corners GO Station.

3.3 Proposed Central Oshawa GO Station M.T.S.A.

- Staff recommend amending the boundaries of the Central Oshawa GO Station M.T.S.A. to include the self-storage facility on the east side of Storngo Boulevard, given that the size and location of this site makes it ideal for more intensive development in the long term.

Major Transit Station Areas

Proposed Policy Directions



December 2020

Durham Region
Planning and Economic
Development Department

Major Transit Station Areas

Table of Contents

Executive Summary	2
1. Introduction	3
2. Provincial Planning Policy Context.....	5
2.1 Growth Plan	5
2.2 Metrolinx Regional Transportation Plan, 2041	6
3. Regional Policy Context	7
3.1 Durham Region Strategic Plan	7
3.2 Current Durham Regional Official Plan.....	9
3.3 Transportation Master Plan.....	9
3.4 Long Term Transit Strategy and Transit Oriented Development Study.....	10
4. The Importance of Transit Oriented Development	11
5. Best Practices Review	12
6. Delineation Approach	12
7. What we have Heard	13
8. Proposed Policy Directions	14
8.1 Purpose.....	14
8.2 Vision	14
8.3 General Policy Directions.....	15
8.3.1 LAND USE POLICIES.....	16
8.3.2 URBAN DESIGN AND BUILT FORM.....	17
8.3.3 PUBLIC REALM & OPEN SPACE	17
8.3.4 MOBILITY AND ACTIVE TRANSPORTATION	18
8.3.5 RAIL CORRIDORS.....	18
8.3.6 IMPLEMENTATION.....	19
8.3.7 INCLUSIONARY ZONING.....	19
8.3.8 MONITORING.....	20
9. Next Steps.....	20
List of Acronyms	21

Appendices

Appendix A – Best Practices Review
Appendix B – Overview of MTSAs and Proposed Delineations
Appendix C – What We Heard

Executive Summary

Regional Council has directed staff to accelerate the review and development of policies, for Major Transit Station Areas (MTSAs) through Envision Durham - The Municipal Comprehensive Review (MCR) of the Regional Official Plan (ROP).

This document builds on the Urban System-Growth Management Discussion Paper released in June, 2019 through Envision Durham, by providing an overview of the proposed MTSAs, summarizing best practices, trends and guidelines for MTSA development and by introducing a set of draft policies for review and comment.

Commuter Stations and permissions for higher density mixed-use development within proximity of stations are provided for in the current Regional Official Plan. However, the significance of MTSAs and related intensification and densities around transit stations has increased in recent years, not only due to improved service along the GO East Rail line in Durham but also through enhanced Provincial policy direction on MTSAs.

MTSAs represent significant opportunities to curb sprawl and direct intensification and growth in a manner that maximizes the benefits of being within proximity to higher-order transit. There are eight MTSAs identified within Durham.

There are four existing MTSAs in Durham, and include:

- Pickering GO Station;
- Ajax GO Station;

- Whitby GO Station; and
- Existing Oshawa GO Station.

Four of the proposed MTSAs are located along the committed GO Transit rail line extension to Bowmanville, and include:

- Thornton's Corners;
- Central Oshawa;
- Courtice; and
- Bowmanville.

Several factors affect planning for the MTSA areas, including, density, proximity to transit and ability to improve access to transit, mixed-use development, provincial direction and changes to policies and Provincial Plans.

The Region has proposed a new set of policies for MTSAs to:

- Establish the vision, goals and objectives for MTSA areas;
- Implement provincial policy as appropriate;
- Delineate the geographic extent of MTSAs;
- Update definitions in the ROP (and associated policies) to reflect provincial plans;
- Identify housing types and built form that support intensification within MTSA areas;
- Accelerate market-driven development of the stations;
- Encourage and promote best practices for Transit-Oriented Development (TOD);
- Enable a variety of transit-oriented land uses;
- Prioritize active transportation;
- Optimize parking;

Major Transit Station Areas

- Promote an inviting and pedestrian oriented public realm, to encourage place-making, enhance connectivity and generate employment and residential growth; and,
- Provide clear policy guidance to local area municipalities for inclusion within their respective official plan updates.

A Best Practices review was undertaken to identify strategies that have been adopted by comparable municipalities. The results from this review helped to inform specific policy recommendations and principles for MTSAs in Durham.

Themes identified from the best practices review include:

Land Use

The importance of developing an appropriate mix of higher density, transit-oriented land uses is a key principle to help foster transit demand and supporting transit-oriented development.

Connections and Accessibility

Attractive transportation connections that are clear, direct and accessible by people of all ages, abilities and modes of travel must be provided.

Urban Design and Built Form

It is vital that attractive and functional environments be developed based on compact built form to help encourage active transportation connectivity across the MTSA.

Healthy Economy

Providing economic development support in these areas will help to increase employment and housing options.

The policy principles and recommendations for MTSAs will enable the development of transit supportive communities that are tailored to the current and future needs of the Region.

1. Introduction

The Region is currently undertaking “Envision Durham” - the Municipal Comprehensive Review of the Durham Regional Official Plan. Over the course of 2019, Regional staff prepared and released a series of theme-based Discussion Papers. Policy proposals will be developed in early 2021 following the receipt of public and stakeholder input.

One of the subject areas being addressed through Envision Durham is Growth Management, which deals with a broad suite of issues and requirements affecting growth that the Region must consider, including identifying and delineating and prescribing policies for Major Transit Station Areas (MTSAs).

The intent of MTSAs is to cluster a mix of high density, compact, pedestrian oriented development in proximity to rapid transit infrastructure. Major transit infrastructure such as the Lakeshore East GO Rail line attracts and supports high density urban development around station locations.

MTSAs are planned to have a mix of uses such as office, residential, institutional/ community uses, retail, services and other amenities. MTSAs leverage capital investment in transit infrastructure and strong ridership potential. To support transit ridership and place making, MTSAs will have good quality pedestrian-oriented streetscapes, public spaces and buildings.

For the most part, MTSAs build upon the Region's planned urban structure, and introduce focal points for high density mixed-use development. MTSAs are intended to:

- support viable transit;
- allow the Region to grow more sustainably;
- expand opportunities for the Region to be more economically competitive;
- help the Region provide a range of housing choice to adapt to Durham's changing demographics; and

- improve the quality of life for Durham's residents and workforce

To proactively implement land use and fiscal planning with infrastructure planning and place-making, Regional Council directed Regional Planning staff to accelerate the review and development of policies, delineations and density targets for all eight MTSAs.

Since the adoption of the current Regional Official Plan (ROP), the significance of MTSAs and related intensification and densities around transit stations has increased, in part due to enhanced direction from Provincial planning policy. Provincial policy directs the identification of priority transit corridors (PTCs) and development of specific density requirements for MTSAs located along a PTC. The identification of PTCs and density requirements for MTSAs located along a PTC only apply to existing GO Transit Stations in Durham Region.

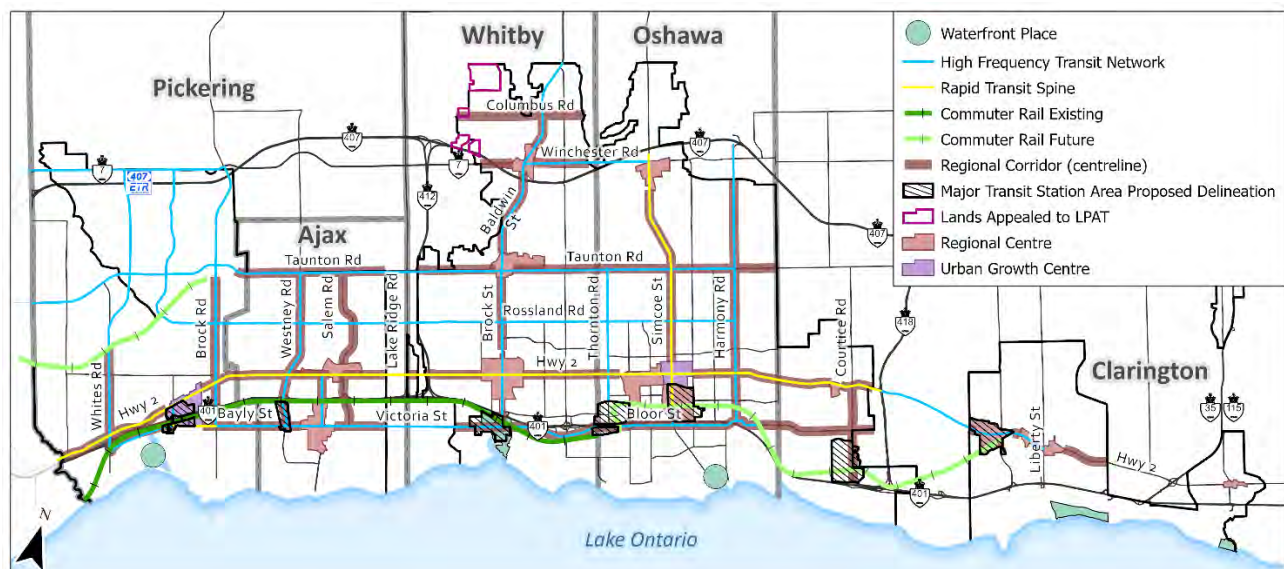


Figure 1 - Context Map of Major Transit Station Area

Major Transit Station Areas

The Lakeshore East GO Rail line to the existing Oshawa Station is the only PTC located within Durham Region.

There are four existing MTSA along the PTC in Durham. The four existing MTSA include:

- Pickering GO Station;
- Ajax GO Station;
- Whitby GO Station; and
- Existing Oshawa GO Station.

Four proposed MTSA delineated boundaries, located along the committed GO Transit rail line extension to Bowmanville, as well as the four existing MTSA represent significant opportunities to direct intensification and growth in a manner that maximizes the benefits of being within proximity to higher-order transit. The four future MTSA identified include:

- Thornton's Corners;
- Central Oshawa;
- Courtice; and
- Bowmanville.

2. Provincial Planning Policy Context

The following provincial policy documents apply to MTSA.

2.1 Growth Plan

The Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides policies for MTSA which are defined as “the area including and around any existing or planned high order transit station within a

settlement area...MTSA generally are defined as the area within a 500 to 800 metre radius of a transit station, representing a 10-minute walk”.

Section 3.2.3 (“Moving People”) of the Provincial Growth Plan indicates that:

1. Public transit will be the first priority for transportation infrastructure planning and major transportation investments.
2. All decisions on transit planning and investment will be made according to the following criteria:
 - a. How they align with, and support, the priorities identified in Schedule 5 (Moving People – Transit) of the Plan.
 - b. Prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels.
 - c. Increasing the capacity of existing transit systems to support strategic growth areas (SGA).
 - d. Expanding transit service to areas that have achieved, or will be planned to achieve, transit-supportive densities and provide a mix of residential, office, institutional, and commercial development, wherever possible.
 - e. Facilitating improved linkages between and within municipalities from nearby neighbourhoods to urban growth centres, MTSA, and other strategic growth areas.
 - f. Increasing the modal share of transit.

- g. Contributing towards the provincial greenhouse gas emissions reduction targets.

The Growth Plan requires that MTSAs on priority transit corridors (Pickering, Ajax, Whitby, and Existing Oshawa) be planned for a minimum density target of 150 residents and jobs combined per hectare for those that are served by the GO Transit rail network. The Growth Plan indicates that within all MTSAs, development will be supported, where appropriate, by:

- a. Planning for a diverse mix of uses, including second units and affordable housing, to support existing and planned transit service levels.
- b. Fostering collaboration between public and private sectors, such as joint development projects.
- c. Providing alternative development standards, such as reduced parking standards.
- d. Prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.

The Growth Plan also indicates that all MTSAs will be planned and designed to be transit-supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:

- a. Connections to local and regional transit services to support transit service integration.
- b. Infrastructure to support active transportation, including sidewalks,

bicycle lanes, and secure bicycle parking.

- c. Commuter pick-up/drop-off areas.

Subsection 16 (16) of the Planning Act indicates that the official plan of an upper-tier municipality may include policies that identify the area surrounding and including an existing or planned higher order transit station or stop as a protected MTSA and delineate the area's boundaries, and if the official plan includes such policies it must also contain policies that:

- a. identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated within the area; and
- b. require official plans of the relevant lower-tier municipality or municipalities to include policies that,
 - (i) identify the authorized uses of land in the area and of buildings or structures on lands in the area; and
 - (ii) identify the minimum densities that are authorized with respect to buildings and structures on lands in the area.

2.2 Metrolinx Regional Transportation Plan, 2041

In March 2018, the Metrolinx Board adopted the 2041 Regional Transportation Plan (RTP) for the Greater Toronto and Hamilton Area (GTHA). The RTP is a strategy centred on creating an integrated, multimodal regional

Major Transit Station Areas

transportation system that will serve the needs of residents, businesses and institutions. It sets out a broad vision for where and how the region will grow and identifies policies on transportation planning in the GTHA and supports the Provincial Growth Plan. The Goals of the RTP are to achieve strong connections, complete travel experiences, and sustainable and healthy communities.

The RTP contains actions to better integrate transportation planning and land use, especially around transit stations and Mobility Hubs. The RTP recognizes that sufficient land use density at stations is important to ensure significant two-way, all-day ridership on GO Regional Express Rail (RER).

The RTP recognizes that MTSAs can be attractive locations for new employment, public institutions and regionally significant services, as well as prime opportunities for collaboration by public and private sectors to create transit-oriented developments that enhance transit service.

MTSAs are intended to create important transit network connections, integrate various modes of transportation and accommodate an intensive concentration of places to live, work, shop or play. They are particularly significant because of their combination of existing or planned frequent rapid transit service with an elevated development potential.

3. Regional Policy Context

The Region has a suite of policies and initiatives that support the establishment and development of MTSAs.

3.1 Durham Region Strategic Plan

On June 24, 2020 Regional Council adopted the Durham Region Strategic Plan 2020-2024 and endorsed five broad strategic goals and twenty-three supporting priorities. Durham Region's Strategic Plan identifies five Strategic Goals to help guide and achieve its vision of a healthy, prosperous community for all. It is important that MTSA policies align with the strategic goals. The information below describes how MTSAs and TOD policy research aligns with each Strategic Plan goal.

Goal #1: Environmental Sustainability

Objective: To protect the environment for the future by demonstrating leadership in sustainability and addressing climate change. This includes accelerating the transition to a clean energy economy through collaborations that optimize the economic, environmental, health and social benefits for our community.

Applicability of MTSA policies: Promoting sustainable transportation options within new and existing development areas around MTSAs can help support and encourage more people to use active modes of transportation which helps to reduce pollution, energy consumption and costs. Emerging technologies should also be taken into consideration to support environmental sustainability in these areas.

Goal #2: Community Vitality

Objective: To foster an exceptional quality of life with services that contribute to strong neighbourhoods, vibrant and diverse communities, and influence our safety and well-being. Focuses on building complete communities that are walkable, well-connected and have a mix of attainable housing.

Applicability of MTSA policies: Through the promotion and integration of mixed-use developments within MTSA, new community and cultural amenities, housing, and employment opportunities can be provided for people to live, work and play. Enhancement of existing cultural amenities in MTSA is also supported. MTSA that prioritize active modes of transportation over parking and car trips support the achievement of this goal.

Goal #3: Economic Prosperity

Objective: To build a strong and resilient economy that maximizes opportunities for business and employment growth, innovation and partnership. This includes ensuring an adequate supply of serviced employment land is available in the right place, at the right time, to attract new investment and help existing businesses grow.

Applicability of MTSA policies: Encouraging mixed used development within MTSA can help attract new businesses and people to these areas to generate new employment. New development interest contributes to higher returns on investment.

Goal #4: Social Investment

Objective: To ensure a range of programs, services and supports are available and accessible to those in need, so that no individual is left behind. This includes improving housing choice, affordability and sustainability.

Applicability of MTSA policies: By providing a range of housing choices near transit including a mix of residential housing types and tenures, new development can accommodate a diverse range of ages, incomes, household sizes and stages of life.

Goal #5: Service Excellence

Objective: To provide exceptional value to Durham taxpayers through responsive, effective and fiscally sustainable service delivery. This includes efficient use of resources through coordinated service delivery and partnerships and the continuation of providing critical infrastructure services for current and future generations.

Applicability of MTSA policies: This goal is more indirectly supported than explicitly supported through MTSA and TOD guidelines and policies. Utilizing different tools and programs that can be leveraged to help implement the desired development around MTSA, such as public private partnerships, is one way that this goal is supported through MTSA and TOD.

Major Transit Station Areas

3.2 Current Durham Regional Official Plan

The current Durham Regional Official Plan provides high level policies which support the establishment of MTSAs. Policy 11.3.18 indicates that in support of existing and future transit services, development adjacent to Transportation Hubs, Commuter Stations and Transit Spines designated on Schedule 'C' – Map 'C3', Transit Priority Network, shall provide for:

- a) complementary higher density and mixed uses at an appropriate scale and context in accordance with Policy 8A.2.2 for Transportation Hubs and Commuter Stations and Policy 8A.2.9, where transit spines are within Regional Corridors;
- b) buildings oriented towards the street, to reduce walking distances to transit facilities;
- c) facilities which support non-auto modes including: drop off facilities, bus bays, bus loops, bus shelters, walkways, trails and other pedestrian and cycling facilities; and
- d) limited surface parking and the potential redevelopment of existing surface parking.

3.3 Transportation Master Plan

The Durham Transportation Master Plan (TMP) was endorsed by Regional Council in December 2017 and is a strategic planning document that defines the policies and programs needed to manage anticipated transportation demands. The TMP is a multi-modal plan focusing on walking, cycling,

public transit, autos and goods movement. The establishment and implementation of MTSA policies addresses, a number of key Directions in the TMP including:

- Strengthening the bond between land use and transportation;
- Elevating the role of integrated public transit including Rapid Transit;
- Making walking and cycling more practical and attractive;
- Promoting sustainable travel choices;
- Investing strategically in the transportation system.

It also supports key actions recommended in the TMP including:

- Working with area municipalities to adopt Transit Oriented Development (TOD) Guidelines and applying TOD principles in the planning and design of new developments in MTSAs;
- Promoting transit-supportive development in areas served by the Higher-Order Transit network;
- Supporting planning and design for walking and cycling through the development review process and the implementation of design and policy documents;
- Enhancing promotion to improve awareness and use of sustainable travel modes.
- Create a travel demand management (TDM)-supportive development strategy to help ensure that new developments are planned and designed to support transit, active transportation and carpooling.

3.4 Long Term Transit Strategy and Transit Oriented Development Study

In 2012, the Region of Durham endorsed a Long-Term Transit Strategy (LTTS) which looked at rapid transit as a component of sustainable transportation options, to help the Region address anticipated transportation demands and the role of rapid transit to 2031 and beyond. The LTTS indicated that investments in rapid transit can act as a catalyst for future land use development, can attract business and accommodate future employment growth in the Region. It noted that investments in transit can improve the quality of life by reducing automobile dependency and use which can lead to a reduction in harmful emissions and improve air quality.

As part of the LTTS, the Region developed a TOD Strategy to help inform an integrated approach to transit, land use planning and transit supportive urban form. Generally, the TOD Strategy identified the following components for successful TOD areas:

- pedestrian priority areas that surround stations, where people can move from transit vehicles to pedestrian infrastructure, and where the safe and comfortable movement of pedestrians and cyclists warrant special design treatment;
- pedestrian and cycling routes where essential connections to home, work, parks and other key destinations are provided;
- integrating transit-supportive land uses by establishing a critical mass of people and an intensive transit-

supportive mix of land uses including residential, commercial, institutional, civic, employment and community amenities;

- creating urban and inspiring built form, where attractive pedestrian-friendly street-oriented buildings exhibit transit-supportive urban design characteristics;
- managing and carefully designing parking facilities so that they do not undermine efforts to provide higher density, walkable urban places;
- ensuring that transit station design contributes to the place-making, as the transit station will be a strong focal point for the community, must promote positive transit user experience, be easily accessible, particularly by active modes of transportation (e.g. walking and cycling). The station should also be more than mobility infrastructure, but a place where people feel comfortable and safe, and want to be;
- recognizing the distinct character of each place in light of their location, surrounding context and potential future character.

While the Regional Official Plan already includes policies related to higher intensity development in the vicinity of commuter stations, an update to these policies is required to conform to the Growth Plan policies regarding MTSAs and advance the Region's direction for Transit Oriented Development TOD.

Major Transit Station Areas

4. The Importance of Transit Oriented Development

In December 2019, the firm of N. Barry Lyon Consulting (NBLC) presented its findings regarding how Higher Order Transit (such as heavy rail [GO Rail]) and Light Rail Transit (LRT) stations tend to generate greater interest for developing surrounding lands than typical surface transit stops, as they represent high capital investments, permanent commitments to service, stronger transit ridership potential, and can serve as focal points for other transit routes and modes of transportation.

NBLC found that TOD provides high density, compact development close to Higher Order Transit stations, and includes an integrated mix of uses such as office, residential, retail, community uses, and other uses that support transit ridership. The benefits of TOD include:

- Building on the significant place-making opportunities surrounding transit stations, where pedestrian-oriented streets, parks, squares and buildings become comfortable and desirable gathering places.
- Enhancing housing choice and affordability through higher density housing types, where seniors, students and lower-income earners can benefit from access to transit as a priority mode of travel.
- Providing focal points for density, where there is a reduced need to drive, and where parking requirements for new developments

can be lessened so they may develop more efficiently.

- Providing opportunities for strong connections to local transit service and supporting their evolution into major transit hubs.
- Providing opportunities for developing focal points for bicycle and active transportation, with facilities and amenities that support these non-automobile forms of travel.
- Optimizing the value of transit and infrastructure investment around transit nodes.

Several attributes are required for transit to have a positive impact:

- There must be frequent, reliable and affordable transit service.
- There must be strong market fundamentals, including strong population growth potential and a positive economic context, including a favourable debt and job environment.
- There must be a positive market context (i.e. the type and quality of community and the associated commercial and public amenities), such as employment opportunities, retail, parks, community centres and schools will affect the marketability of an area to different market segments.
- There must be positive development economics, such that the costs of development are in line with market pricing.
- There must be a supportive planning framework, such that official plan policies and supportive zoning requirements remove unnecessary

obstacles and provide greater certainty regarding acceptable built form and densities.

- Adequate infrastructure and development fees (parkland, development charges, etc.) that must not be prohibitive.
- There must be available vacant or underutilized development sites.

Transit can improve market demand and positively impact residential, office, and retail/service uses through:

- Increasing the value of existing land uses.
- Stimulating land use changes and capturing associated market demand.
- Creating market demand to support land uses that may otherwise not occur (i.e. office uses).

5. Best Practices Review

In support of the principles and policy recommendations that shape growth and development around Durham's proposed MTSA's, a Best Practices review was undertaken. Five municipalities were examined:

1. **York Region** – Transit Oriented Development Guidelines
2. **City of Hamilton** – Transit Oriented Development Guidelines
3. **Region of Waterloo** – Regional Official Plan
4. **City of Coquitlam** – Transit-Oriented Development Strategy
5. **City of Winnipeg** – Transit Oriented Development Handbook

Three key themes emerged from the review. These include:

- Density Typologies;
- Tools and Programs; and
- Incentives and Regulations.

Appendix A includes a detailed summary of the Best Practices Review.

6. Delineation Approach

In June 2019, proposed delineations of MTSA's were presented within the Urban Systems Discussion Paper for Envision Durham, based on extensive consultation with area municipal planning staff. The following approach was taken:

- A 500- and 800-metre radius from the centre of the rail platform was applied, to identify a generalized walking distance of approximately 10 minutes.
- An actual walking distance was mapped, based on applying existing and planned pedestrian infrastructure to identify a true walking distance.
- Other planning boundaries (such as other SGAs and Secondary Plans) were identified. Wherever possible, MTSA boundaries were aligned with boundaries within area municipal planning documents (including Official Plans and Secondary Plans).
- Non-developable areas were avoided, where appropriate (such as natural areas, highways, utilities, rail corridors, etc.) to form the outer boundaries of the MTSA.

Major Transit Station Areas

- Existing and/or planned pedestrian connections across non-developable areas were identified. If a connection does not exist or is not planned, the area beyond the non-developable area was not included.
- Areas unsuitable and unplanned for significant intensification, such as stable neighbourhoods intended to remain as low density, were identified. Areas not intended to be redeveloped were excluded.
- Employment Areas were identified, and a determination was made as to (re)development potential.
 - If development potential exists, it was included in the MTSA.
 - If development potential does not exist, a determination of impact on the density target would inform whether an alternative target should be requested from the Province.
- Boundaries were adjusted, and in some cases extended beyond the 800-metre walkshed to include underutilized or vacant lands viewed as ideal for redevelopment and/or intensification.
- Logical planning boundaries were used (such as property lines, centrelines of roads, natural features, etc.) to delineate the MTSA boundary.

A subsequent delineation exercise was completed taking into account input received through the Urban Systems Discussion Paper, additional information and research undertaken by the projects' consultants,

discussions with area municipal staff and public and agency input.

In addition, due to the February 2020 Metrolinx announcement that "Option 2" was preferred (utilizing the existing CP Rail [CPR] spur over Highway 401) and that it would proceed to the Preliminary Design Business Case process, the station location and the associated MTSA delineation area for Thornton's Corners has been shifted eastward.

The proposed delineations and underlying land use assumptions for each proposed MTSA is included in Appendix B.

7. What we have Heard

Comments have been received from area municipal staff, local agencies, as well as members of the public pertaining to MTSA delineations and potential policies. Stakeholders are generally supportive of the proposed delineations and overall densities.

Specific requests were received for additions to the MTSA boundaries, some of which have been accommodated, as well as considerations for phasing of development within MTSA's.

Input was also received on how certain stakeholders believe MTSA conversions should be treated.

A summary of the stakeholder input is provided in Appendix C.

The input received from various stakeholders has informed and shaped the refinements to

the MTSA delineations first proposed in June 2019 through the Urban Systems Discussion Paper, and the proposed policies directions detailed below.

8. Proposed Policy Directions

The following policy directions are proposed for discussion to serve as a guide for the planning and development of MTSA in Durham Region.

8.1 Purpose

The purpose of a future Regional Official Plan Amendment for MTSA will be to establish the land use and policy framework to guide the development of identified lands within MTSA along the Lakeshore East GO Rail line, and the approved easterly extension within the Region of Durham. The amendment would:

- delineate MTSA;
- establish general land use, infrastructure and implementation policies;
- guide their development as Transit Oriented Communities (TOC).

The foundations of the Amendment include the Growth Plan, the Durham Transportation Master Plan Update 2017, the Durham Region Strategic Plan 2020-2024, area municipal official plans and studies, a review of best practices as well as public, agency, landowner and stakeholder submissions through Envision Durham. The amendment will establish a vision for MTSA based on the principles of TOD.

8.2 Vision

MTSA represent unparalleled opportunities to create TOCs anchored by a Rapid Transit Stations, each with its own identity, containing a wide range of housing opportunities, including affordable housing, office uses, street-oriented commercial uses, institutional uses, a wide range of recreational uses and public amenities so as to establish new destinations and introduce a sense of place. MTSA will be areas to support and foster innovation and entrepreneurship.

MTSA will be integrated mixed-use development offering convenient, direct, sheltered pedestrian access from high-density development sites to Station amenities and access points.

Development within MTSA will require new road improvements, pedestrian and cycling connections to Rapid Transit Stations, and other improvements to the surrounding Regional and/or local road infrastructure to support their development as TOCs.

Access from MTSA to their respective GO Stations will be planned and developed to prioritize pedestrians and cyclists. MTSA will accommodate a variety of transportation modes, developed with active streetscapes and built form that places priority on pedestrian comfort and connectivity, well connected cycling facilities and amenities, and the establishment of destinations for people to live, work, shop and play.

Policies are intended to ensure that densities are appropriately transitioned to

Major Transit Station Areas

neighbouring lower density areas to ensure compatibility. Generally, the highest densities within MTSAs are intended to be concentrated on the station property and in close proximity to GO Stations to integrate the stations with development. Densities will transition to lower density areas in a manner appropriate to the context of each site.

Policies will ensure that required transportation, servicing and other infrastructure is in place prior to, or coincident with new development within MTSAs.

It is intended that area municipal official plans will provide detailed policies, land use designations and Urban Design Guidelines to guide the desired land use, density, built form and the pedestrian oriented public realm within MTSAs. New development will be substantially based on the provision of structured parking and encouragement of new technologies and approaches to shared parking.

Since each of the MTSAs have unique characteristics, policies account for their unique character, scope and context.

8.3 General Policy Directions

1. MTSAs will be delineated on the applicable Schedules of the Durham Regional Official Plan and area municipal official plans.
2. Each MTSA will be planned to achieve a minimum density of 150 people and jobs per hectare. This will be a minimum density requirement that will be measured within all of the

lands in each MTSA. The Region and the applicable area municipalities will monitor the achievement of required densities over time. However, the existing Oshawa GO Rail/VIA Rail station will require an alternative density target, due to the lack of opportunity for TOD and the built context of this station.

3. In cases where an MTSA and a designated Urban Growth Centre or Regional Centre overlap, the higher density requirements shall apply.
4. The Region will encourage area municipalities to establish minimum job requirements in MTSA's within their respective Official Plans.
5. The Region will encourage the provision of alternative development standards to support TOD, including reduced minimum parking requirements and the establishment maximum parking requirements for both privately-initiated development applications and area municipal zoning by-laws.
6. The Region will require area municipalities to complete secondary plans and/or block plans to included detailed land use designations and policies consistent with the policies of the Durham Regional Official Plan that help to achieve the objectives of Transit Oriented Development.
7. Boundaries to MTSAs may be refined by the area municipality, in consultation with the Region, without the need for an amendment to the Regional Official Plan, except where such boundaries coincide with roads, rail corridors or defined

environmental features. Minor refinements may include the addition of additional parcels adjacent to an M TSA boundary, or to account for refinement of environmental features as a result of detailed study.

8. M TSAs will consist of both higher intensity employment uses and residential uses that support the use of transit and achieve the strategic growth objectives of the Regional Official Plan.
9. Development within M TSAs will be based on the principle of complete communities, informed by innovation, technology and entrepreneurship, where compact mixed-use development is provided, and active modes of transportation are developed, so people can live, work, shop and have access to a wide range of services.
10. The Region, in consultation with the Province and applicable area municipalities, may designate additional M TSAs coincident with planning for future rapid transit facilities or stations.

8.3.1 LAND USE POLICIES

M TSAs will support a broad mix of compatible uses at high densities, so that vibrant, active places are created and emerge as focal points within their respective communities. M TSAs will be planned on the basis of providing active places and streetscapes, allowing a wide range and mix of high-density transit-oriented uses, based on pedestrian oriented built form.

The following land uses will be permitted within M TSAs:

1. Higher density residential uses including mid-rise and high-rise apartments, stacked townhouses, and live-work units;
2. Compatible employment uses, institutional uses, educational facilities and post-secondary institutions;
3. Places of worship within mixed-use buildings rather than in freestanding buildings;
4. Commercial uses including retail, both convenience retail and small-scale retail uses, restaurants, personal and professional service shops, and day care uses;
5. Cultural, art and entertainment uses;
6. Mixed use buildings that integrate community and commercial uses with upper-storey apartment and/or office uses to ensure amenities are provided in close proximity population and employment growth within M TSAs;
7. Home occupations;
8. Public uses including infrastructure, parks, libraries, recreation/community centres, urban squares, trails and conservation uses.

Automobile-oriented uses, including drive-through establishments, service stations, land extensive vehicle-oriented uses, car washes, warehousing, public self-storage facilities, similar uses and lower density and land extensive uses are not permitted.

Major Transit Station Areas

8.3.2 URBAN DESIGN AND BUILT FORM

Within MTSAs, the following urban design and built form policies will apply:

1. Areas within, adjacent, and in close proximity to Commuter Stations and Transportation Hubs, will be reserved for the highest development densities that showcase building heights to create focal points within the MTSAs;
2. All development will be designed to be compact in form and pedestrian-oriented;
3. Buildings will frame streets, with frequent pedestrian entrances;
4. Vehicular access to private property will generally be along local roads;
5. Rear lanes will be encouraged in MTSAs to serve development loading, servicing and vehicular parking access rather than along streets, where appropriate;
6. Vehicular parking will be located below grade or located in a manner to minimize the visual impact on streets, parks, open spaces, pedestrian walkways and other land uses. With the exception of bus parking, surface parking will be minimized.
7. Higher density buildings will be designed in manner to be compatible with its local context. Design approaches will be applied to support appropriate transitions to surrounding areas and public spaces;
8. Developments within the MTSAs will conform to the land use designations and the Urban Design requirements specified within area municipal official plans and urban design guidelines.

9. Local road and private access spacing and access to Regional arterial roads will be addressed on a case-by-case basis.
10. Requiring the incorporation of design elements to assist with wayfinding within and defining gateways/entrances into MTSAs.
11. Connections to the station area will be provided to enhance the customer experience, including weather protection and station way-finding.

8.3.3 PUBLIC REALM & OPEN SPACE

Within MTSAs, the Region will:

1. Encourage place-making that provides active gathering spaces and a destination within the MTSAs.
2. Encourage and support an integrated trail system and park system for various levels of use year-round;
3. Encourage area municipal policies to require high quality, compact streetscape design form with suitable pedestrian and cycling amenities that complement the establishment of TOCs, including sidewalks or multi-use paths on both sides of all roads, appropriate landscaping, the provision of cycling lanes where appropriate, pedestrian-scaled lighting, and consideration for pedestrian amenities.
4. Encourage streets and boulevards to be designed to allow for patios, sitting areas, adequate space for pedestrians and streetscape plantings for shade and beautification.
5. Encourage sustainable technologies, permeable pavers, low impact

development techniques, and designs which support the use of renewable energy in the design of new development, the public realm and streetscapes.

8.3.4 MOBILITY AND ACTIVE TRANSPORTATION

Future residents and workers will be provided with convenient, safe and comfortable pedestrian and cycling access to facilitate an approximate 10-minute walk from anywhere in an MTSA to the rapid transit station.

Within MTSA:

1. Road networks will be designed to support transit use, pedestrian travel, and cycling while accommodating automobile travel.
2. Planning and development will be based on the principle of establishing transit-oriented places, where active transportation is supported through safe, well-designed and direct connections between and amongst component uses and transit stations.
3. Trail networks will be planned and developed to facilitate direct connections while creating recreational opportunities.
4. Adequate and secure long-term and short-term bicycle parking and end-of-trip facilities will be provided;
5. A highly permeable road network with shorter blocks and frequent controlled crossings will be provided to optimize opportunities for safe and flexible pedestrian travel options.

6. The provision of appropriate pedestrian, cycling and vehicular connections will be included as a condition of development approval as appropriate.
7. The design of roadways will include measures to control traffic speeds while promoting safe, attractive environments for pedestrians and cyclists. Measures such as best practice geometric design standards, enhanced streetscaping, on-street parking, and other features are encouraged.
8. Pedestrian areas will be designed to ensure that wind and thermal comfort conditions are not adversely affected.

8.3.5 RAIL CORRIDORS

Rail Corridors provide passenger rail services, regional commuter rail services and freight rail services. New development must be compatible with rail services. In this respect, within MTSA:

1. By-laws may be passed to permit development, in accordance with the policies for the MTSA, involving decking over a Rail Corridor, provided that all appropriate technical studies have been undertaken and only in accordance with the policies for the MTSA, to the satisfaction of the applicable railway authority, provided:
 - a. existing and future capacity and safety of train operations in the Rail Corridor would not be compromised;
 - b. flexibility for future expansion to rail operations and modifications and improvements to the track and signal system will not be reduced;

Major Transit Station Areas

- c. all environmental, safety and mitigation concerns associated with such development, including noise, vibration, air quality, parking, snow and ice accumulation, servicing, pedestrian access and vehicle access, and the capacity of the transportation system serving such development have been satisfactorily addressed to the satisfaction of the rail authority, the Region and the applicable area municipality.

8.3.6 IMPLEMENTATION

The Region will ensure conformity to the policies of this Plan. Through the review of development applications, the Region will identify complete application requirements, and may require agreements and/or development approval conditions as appropriate and as authorized under the Planning Act.

The Region is considering the appropriateness and suitability of a Regional Community Improvement Plan to establish incentives or otherwise utilize the powers under Part IV of the Planning Act, to support the principles and policies of the ROP, including measures to support affordable housing, high-density mixed-use development, sustainability, and energy efficiency, as permissible under the *Planning Act*.

Within MTSAs:

1. Approval of development will be contingent on the availability of services and transportation facilities. The Region and the area

municipalities may require phasing of development on the basis of the capacity of the transportation system and/or servicing availability, and/or the timing of required infrastructure. The Region and the area municipalities may require the coordination of development applications through measures such as Master Development Agreements or other similar approaches, to ensure an orderly, coordinated and phased approach to the provision of transportation, servicing and other infrastructure requirements are provided prior to or coincident with development.

2. Prior to approval of development, the Region may require cost-sharing agreements, front-ending agreements or other measures as appropriate to ensure the timely delivery of infrastructure and the equitable distribution of development and infrastructure costs.
3. Area municipal official plans will include land use designations, minimum density requirements, built form and urban design policies, and implementation policies, consistent with this plan for implementation through zoning by-laws and/or conditions of development approval.

8.3.7 INCLUSIONARY ZONING

Inclusionary zoning is a land-use planning tool that enables municipalities to require through the passage of a zoning by-law, affordable housing units be included in new residential developments.

Ontario Regulation 232/18 enables municipalities to implement inclusionary zoning. Prior to the passage of an inclusionary zoning by-law, an assessment report is required as part of the development of Official Plan policies. The assessment report must include an analysis of demographics, income, housing supply, and housing need and demand; current average market prices and rents; and analysis of the potential impacts of inclusionary zoning on the housing market.

On September 3, 2019, the Province of Ontario made changes to the legislation for inclusionary zoning through Bill 108 (More Homes, More Choice Act). The changes limit where municipalities can implement inclusionary zoning to Protected Major Transit Station Areas (areas surrounding and including an existing or planned higher order transit station that have a detailed implementation framework in accordance with Section 16(15) of the Planning Act), a Development Permit System Area, or areas as ordered by the Minister of Municipal Affairs and Housing.

In Durham, the existing GO Stations would be considered Protected MTSA's. To extend inclusionary zoning to the four MTSA's along the GO East Extension to Bowmanville, an Order from the Minister of Municipal Affairs and Housing would be required.

There is an opportunity to develop an inclusionary zoning approach for MTSA's in Durham. Subject to the interest of the area municipalities on such an approach, the Region could prepare the required

assessment report and enabling policies for implementation by the local area municipalities, outside of the MTSA ROPA process.

8.3.8 MONITORING

The effect of new policies, implementing by-laws and projects within MTSA's will be monitored in consultation with the area municipalities, based on the following metrics:

- a. the amount, type and pace of development;
- b. the mix and diversity of land uses in the area;
- c. the re-use and demolition of existing buildings, including heritage buildings;
- d. the amount and type of employment;
- e. the overall population;
- f. the unit count and mix of unit types;
- g. the population to job ratio; and
- h. parking spaces, loading facilities, transit improvements and active transportation infrastructure.

9. Next Steps

This Paper provides policy proposals and delineations for proposed Major Transit Station Areas along the Lakeshore East GO Rail line in Durham, from Pickering to Bowmanville. Proposed MTSA delineations and policies within this Paper have been developed by Regional staff as a result of staff to staff discussions, public and agency input, best practices research, and detailed analysis undertaken by the Envision Durham project consultants.

Major Transit Station Areas

This paper will be circulated for public and agency comment and to the Ministry of Municipal Affairs and Housing for its review, for a 90-day period. Following this review period, a recommended Regional Official Plan Amendment will be presented for consideration by Regional Council.

This amendment will then require the approval of the Ministry of Municipal Affairs and Housing in accordance with the *Planning Act*.

List of Acronyms

CPR – Canadian Pacific Rail

LRT – Light Rail Transit

LTTS – Long-Term Transit Strategy

MCR – Municipal Comprehensive Review

MTSA – Major Transit Station Areas

PTC – Priority Transit Corridors

RER – Regional Express Rail

ROP – Regional Official Plan

ROPA – Regional Official Plan Amendment

SGA – Strategic Growth Area

TDM – Travel Demand Management

TOC – Transit Oriented Communities

TOD – Transit-Oriented Development

TMP – Transportation Master Plan

Major Transit Station Areas

Appendix A: Best Practices Review

In support of the principles and policy recommendations that shape growth and development around Durham's proposed MTSAs, a Best Practices review was undertaken. Five municipalities were examined:

1. **York Region** – Transit Oriented Development Guidelines
2. **City of Hamilton** – Transit Oriented Development Guidelines
3. **Region of Waterloo** – Regional Official Plan
4. **City of Coquitlam** – Transit-Oriented Development Strategy
5. **City of Winnipeg** – Transit Oriented Development Handbook

Three key themes emerged from the review. These include:

- Density Typologies;
- Tools and Programs; and
- Incentives and Regulations.

A description of these themes demonstrate how various TOD elements and characteristics are applied in these municipalities.

DENSITY TYPOLOGIES

Different typologies that illustrate how TOD guidelines and principles can be applied in different contexts were examined through these municipalities. These typologies offer insights into context specific standards pertaining to each area in order to implement TOD.

The typologies include guidelines specific to different intensities and proximity to transit stations and stops. They offer a range of densities with highest densities and land use mix located in the urban centres and immediate proximity to MTSAs.



TOOLS & PROGRAMS

Each document identifies different tools and programs that can be leveraged to help implement the desired development around MTSAs. These tools can include:

- Recommendations from Corridor Studies
- Station Area Plans
- Tax Increment Financing (TIF)
- Site Plan Guidelines
- The promotion of partnerships such as Public / Private Partnerships to help maximize the benefits of TOD in MTSAs.

Other tools such as TOD Assessment tools and checklists are also identified and can be implemented following the approval of the Regional Official Plan Amendment to help achieve desired development outcomes.



Major Transit Station Areas

INCENTIVES & REGULATIONS



Several documents recognize and identify existing regulations such as policies and zoning bylaws as well as incentives to encourage successful outcomes of TOD around MTSAs.

Some jurisdictions, including the City of Winnipeg, have developed specific TOD zoning while others have ensured that zoning applied to TOD areas is consistent with the principles and design features identified in the TOD guidelines and other related planning and policy documents.

Examples of incentives include waiving development charges on certain lands that include affordable housing or community benefits, incentives for reducing automobile parking on site and using zoning bylaws to help support the desired growth, development and character of MTSAs.

Common Elements and Principles:

The documents identify TOD policies that contribute to successful implementation and outcomes.

Land Use



It is important to encourage transit supportive land uses around transit station areas. All the documents reviewed identify land use as a key principle and provide different ranges and intensities of density and mixed use as land use characteristics to help generate the highest transit trip generation for these areas.

Density

The scale and intensity of density varies between documents based on the proximity to transit stations and stops. The majority of the documents identify a range of residential, commercial and employment densities for lands around MTSAs based on proximity to each MTSA.

Generally, medium and higher density residential, retail and employment growth ranges are identified around areas immediately adjacent to transit stations and stops to support investment in transportation infrastructure and increase ridership in these areas.

Lower density ranges and mix of use are identified in areas farther away from station areas or areas such as suburban neighbourhoods.

Mix of Uses

The documents emphasize the importance of providing a mix of land uses like residential, commercial services, employment and public uses around transit station areas to help support transit trip generation.

Servicing

Development is to be adequately serviced with water, sanitary sewer, and stormwater management. Servicing strategies are helpful in identifying how servicing will be accommodated and potential impacts and capacity implications to the area of the development. Equitable financial contributions towards infrastructure improvements is also a key consideration for ensuring adequate servicing of developments in proximity to MTSAs.

Major Transit Station Areas

Connections and Accessibility



It is critical to provide attractive connections that offer clear, direct connections that are accessible by people of all ages, abilities and modes of travel when developing and designing areas around MTSAs.

Sustainable Transportation

Providing safe, direct and convenient ways for all users to navigate around MTSAs is identified in majority of the documents reviewed. There is a strong emphasis on prominent connections to public transit and provision of pedestrian and cycling access around MTSAs.

Parking

Reducing vehicular traffic and parking around MTSAs to help ensure an appropriate balance between automobiles and other modes of transportation.

Pedestrian-friendly priority

Prioritizing pedestrian activity over other less sustainable options to encourage higher volumes of pedestrian foot traffic around MTSAs.

Urban Design and Built Form



Developing attractive and functional environments that support compact built form and encourage easy pedestrian connectivity within and between developments is discussed in each document.

Public Realm

The majority of the documents address the importance of designing the public realm to

establish direct and seamless connections to station entrances and areas and enhance building design and the connection between surrounding streets and stations.

Open Spaces

Including additional public open spaces that provide access to community amenities around MTSAs. These guidelines and strategies emphasize the integration of open spaces and greenspaces can help achieve more equitable access to the public realm.

Mix of Housing Type and Tenure:

Providing increased and more affordable housing choices near transit including a mix of residential housing types to support both rental and home ownership for a diverse range of ages, incomes, household sizes and stages of life.

Healthy Economy



Providing economic development support in these areas will help increase employment and housing options.

. MTSA policies can help encourage revitalization of main streets and mature neighbourhoods through increased employment opportunities and housing options in these areas.

Employment

Development around MTSAs can help attract new businesses and people to these areas to help generate population-serving employment.

Major Transit Station Areas

5.3 Best Practices Summary

The table below summarizes elements in selected Best Practices documents, broken down into five broad categories as a way of identifying common approaches the Region could adopt.

Table 1: Best Practices Summary

Elements	BEST PRACTICES				
	York Region	City of Hamilton	Region of Waterloo	City of Coquitlam	City of Winnipeg
LAND USE					
General	<ul style="list-style-type: none"> Concentrate new employment opportunities within 200 metres of transit stops 	<ul style="list-style-type: none"> Locate within 400 metres of transit in TOD areas and urban areas 	<ul style="list-style-type: none"> Creation of complete communities with development patterns, densities and an appropriate mix of land uses that encourage the use of transit. 	<ul style="list-style-type: none"> Promote mixed-use high-residential and midrise development. Locate highest densities and uses adjacent to stations. 	<ul style="list-style-type: none"> Concentrate land use mix in core areas with reduced mix further away from transit stations.
Mixed Use	Mix of: <ul style="list-style-type: none"> Residential Office Retail 	Mix of: <ul style="list-style-type: none"> Residential Commercial Employment Retail 	Mix of: <ul style="list-style-type: none"> Residential Non-residential Employment Institutional Recreational opportunities 	Mix of: <ul style="list-style-type: none"> Residential Commercial Employment 	Mix of: <ul style="list-style-type: none"> Residential Office Retail Entertainment
Affordable Housing	Not specified	<ul style="list-style-type: none"> Support increased supply and diversity in housing types/tenures around transit, specifically in urban areas and those with higher density targets. 	<ul style="list-style-type: none"> Promotes the provision of a full and diverse range and mix of permanent housing that is safe, affordable, of adequate size and meets the accessibility requirements Recognizes that affordable housing plays a key role in 	<ul style="list-style-type: none"> Promotes increase in affordable housing choices in close proximity to transit. Encourages density bonusing for development that provides affordable housing. 	<ul style="list-style-type: none"> Supports greater affordable housing options and choice including type and tenure.

Major Transit Station Areas

Elements	BEST PRACTICES				
	York Region	City of Hamilton	Region of Waterloo	City of Coquitlam	City of Winnipeg
			attracting and supporting a diversified and stable business environment.		
DENSITY					
General	<ul style="list-style-type: none"> Concentrates highest densities around transit stations 	<ul style="list-style-type: none"> Clusters highest density within 400m of the transit station 	<ul style="list-style-type: none"> Concentrates increased densities 600 to 800 m from rapid transit station to support and ensure the viability of existing and planned rapid transit service levels. 	<ul style="list-style-type: none"> 2.5x lot area in urban areas, decreases density as distance from transit station increases 	<ul style="list-style-type: none"> Concentrates highest densities around transit stations in the core/urban areas
Residential	Not specified	Low: < 60 units per hectare Medium: 60-100 units per hectare High: 100 -200 units per hectare	Not specified. <ul style="list-style-type: none"> Area municipalities to develop station area plans. 	Not specified	Low: 24-49 units per hectare Medium: 62-247 units per hectare High: 99-371 units per hectare
Commercial	Long term goal of 2.5 Floor Space Index (FSI)	0.5-1.5 Floor Area Ratio (FAR)	Not specified.	Not specified	Not specified
Employment	<ul style="list-style-type: none"> Concentrates new employment within 200 metres of transit hubs 	<ul style="list-style-type: none"> 120-150 people and jobs per hectare in Urban Areas 	<ul style="list-style-type: none"> Compact urban form around transit stations with a greater mix of employment, housing and services in close proximity to each other. 	Not specified	Not specified

Major Transit Station Areas

Elements	BEST PRACTICES				
	York Region	City of Hamilton	Region of Waterloo	City of Coquitlam	City of Winnipeg
BUILT FORM					
Scale	Not specified	Suburban and Urban Corridors: 2-6 storeys Urban: 6-12 storeys	Not specified.	Not specified	Low to medium density areas: 2-5 storeys Urban neighbourhoods: 3 to 12 storeys Urban Centre: 4 - 30 storeys
CONNECTIVITY					
Walking distance to transit station or stop	• 200 to 500 metres (about a 5 to 10-minute walk)	• 150-300 metres walking distance to access work and 400-800 metres for residential areas	600 to 800 m metres radius of a rapid transit station.	• 400 metres to 800 metres of transit area	• 400 metres of transit stations
PARKING					
General	<ul style="list-style-type: none"> • Reduced parking standards, provide priority parking for carpooling, shared parking etc. 	<ul style="list-style-type: none"> • Discourages new auto related uses within 400m of a transit station area. • Discourage surface lots, preference for underground or structure parking, where feasible. 	<ul style="list-style-type: none"> • Encourages the minimization of surface parking areas and reduced parking standards through completion of a parking management strategy. 	<ul style="list-style-type: none"> • Surface parking is to be minimized. • On site parking stalls in the core areas shall be in the form of structured parking. 	<ul style="list-style-type: none"> • Structured parking integrated into development. Parking ratio minimums based on proximity to station.
Parking Standards & Strategies	✓ Includes: <ul style="list-style-type: none"> • Locating parking areas in rear or side yards • Provision of carpool priority parking spaces • Discourages on-street parking adjacent to major transit station 	✓ Includes: <ul style="list-style-type: none"> • Controlling the amount and location of parking • Ensuring appropriate balance between automobiles and other modes of transportation. • Inclusion of 	✓ Includes: <ul style="list-style-type: none"> • Encouraging van and carpooling, preferential parking for car and van pools, shared parking • Encourages reduced parking standards where TDM Strategies 	✓ Includes: <ul style="list-style-type: none"> • Parking on site should be concealed or below grade. • Limit the provision of on street parking in Transit-Oriented Development study areas and 	✓ Includes: <ul style="list-style-type: none"> • Parking should be integrated into development and below grade or behind development. • Reduce on-street parking around urban areas and high

Major Transit Station Areas

Elements	BEST PRACTICES				
	York Region	City of Hamilton	Region of Waterloo	City of Coquitlam	City of Winnipeg
	<p>areas or corridors.</p> <ul style="list-style-type: none"> • Site plan and building placement should discourage surface parking and allow for them to be phased out over time. • Parking facilities shared with adjoining properties. • Supports cash-in-lieu of parking. 	<p>use of shared parking area spaces, offer transit passes, allow for carpool parking, promote car-sharing programs, and restricted parking hours.</p> <ul style="list-style-type: none"> • Provide park and ride areas to encourage • Does not permit on-street parking on TOD corridors and limit parking on streets adjacent to TOD stations. • Supports cash-in-lieu of parking <p>Residential: <u>Urban Areas:</u> <ul style="list-style-type: none"> • 0.75-1.2 /300 m² <u>Suburban:</u> <ul style="list-style-type: none"> • 1-2 per unit Commercial/Retail: <u>Urban Areas:</u> <ul style="list-style-type: none"> • 1-2/300m² <u>Suburban Areas:</u> <ul style="list-style-type: none"> • 1-4/100m² </p>	<p>are incorporated into development application.</p> <ul style="list-style-type: none"> • Area Municipal parking strategies encouraged to support existing and planned transit service levels and Transit Oriented Development. 	<p>core station areas.</p> <ul style="list-style-type: none"> • Reductions to on-street parking requirements within core and shoulder station areas will be considered if a TDM plan and strategy is developed. • Supports cash-in-lieu of parking. • Encourages development to provide EV charging stations • Supports cash-in-lieu of parking • Encourages use of parking time limits, pricing and other management strategies to encourage parking turnover. 	<p>transit frequency areas.</p> <ul style="list-style-type: none"> • Encourages shared parking within a TOD area instead of per building. • Encourages paid parking or time-limited to discourage automobile use.

Major Transit Station Areas

Appendix B: Overview of MTSAs and Proposed Delineations

There are four existing stations within Durham. These include:

- Pickering GO Station;
- Ajax GO Station;
- Whitby GO Station; and
- Existing Oshawa GO Station.

These station areas (except Existing Oshawa GO Station) are expected to meet the requirements of the Growth Plan, which emphasizes the significance of MTSAs and the prioritization of intensification and increased densities within these areas which are located along Priority Transit Corridors (PTC).

In order to support the expansion of the GO Lakeshore line to Bowmanville, four additional MTSAs have been proposed along the CP Rail line. These include:

- Thornton's Corners;
- Central Oshawa;
- Courtice; and
- Bowmanville.

Figure 1 illustrates all eight of the MTSAs.



Figure 1 - Context Map of Major Transit Station Areas

Major Transit Station Areas

Pickering GO Station MTSA

The Pickering GO Station MTSA is meant to provide a foundation for urbanization of the downtown area in Pickering to support a range of uses and enhances connectivity within the area. The Downtown Pickering UGC aims to decrease reliance on the automobile by making it easier for people to use more active and sustainable modes of transportation through compact street network and sustainable development patterns.

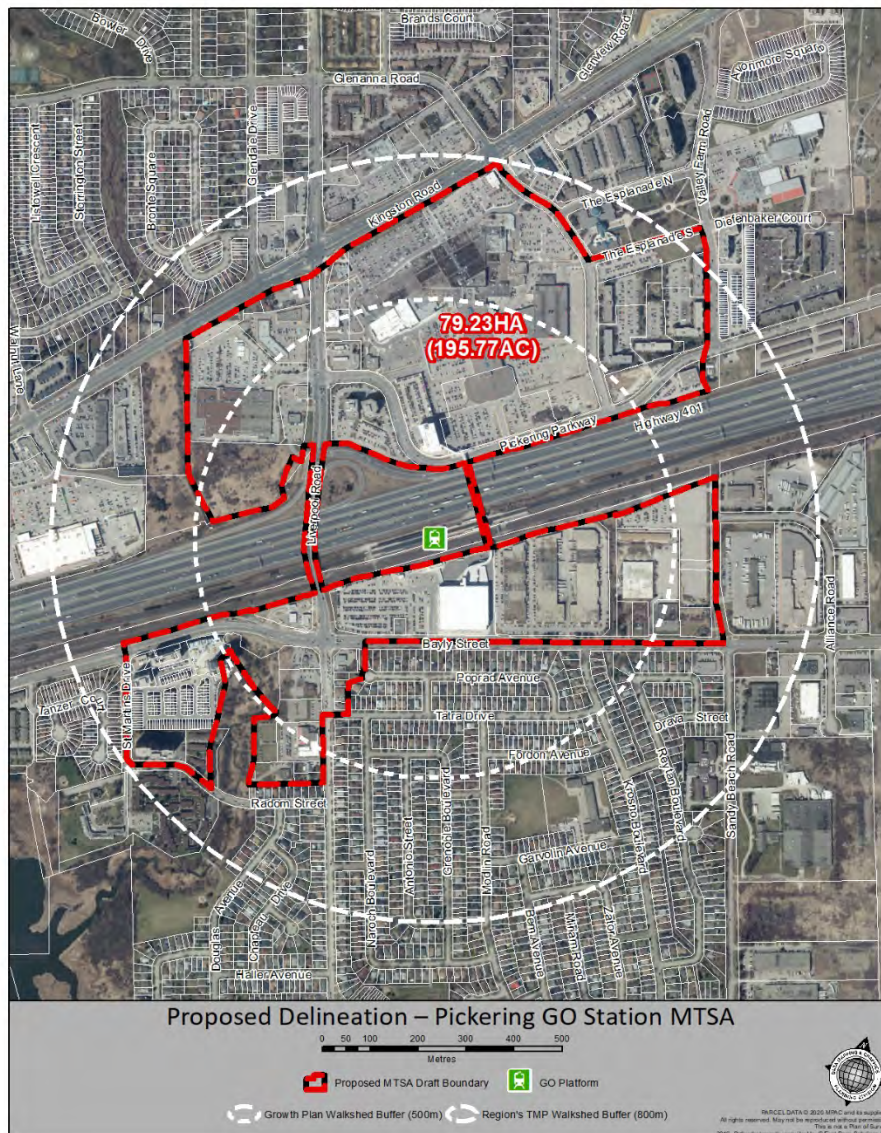


Figure 2 – Proposed Delineation – Pickering GO Station MTSA.

Major Transit Station Areas

Ajax GO Station MTSA

The Ajax GO Station MTSA aims to provide a mix of uses to take advantage of transit accessibility and to the surrounding employment lands. A portion of this area is identified in the Town's Official Plan as an area that will facilitate high density mixed use that supports commuters while also providing places to live and work in proximity to transit while minimizing car use and promoting pedestrian connectivity.



Figure 3 – Proposed Delineation – Ajax GO Station MTSA

Major Transit Station Areas

Whitby GO Station MTSA

The Whitby GO Station area is located on Brock Street just south of the 401. This area is a key hub for transportation that supports medium to high density development and better transit, cycling and pedestrian connections to major transit stations and surrounding neighbourhoods and the waterfront. It seeks to maximize the potential of the GO Station lands for mixed use development to support a variety of amenities and activities.



Figure 4 – Proposed Delineation – Whitby GO Station MTSA.

Major Transit Station Areas

Existing Oshawa GO Station MTSA

The existing Oshawa GO station is located at the southwest corner of Thornton Road South and Bloor Street West within employment lands. This area supports and encourages the enhancement of connectivity within this area to support more sustainable modes of transportation. The existing Oshawa GO Station is currently not an area of focus for growth and TOD.



Figure 5 – Proposed Delineation – Existing Oshawa GO Station MTSA.

Major Transit Station Areas

Thornton's Corners GO Station MTSA

Thornton's Corners is located in an area that is currently designated for employment and commercial uses. The Thornton's Corners GO Station site location was shifted to its proposed location along the CP Rail spur through the February 2020 Bowmanville Rail Service Extension: Initial Business Case Update'. The MTSA includes lands in both Oshawa and Whitby, is in close proximity to Durham College and Trent University Durham, and presents the opportunity to bring mixed use to the area. The transit station has the potential to act as a catalyst for growth, investment, and future market demand.



Figure 6 – Proposed Delineation – Thornton’s Corners GO Station MTSA.

Major Transit Station Areas

Central Oshawa

The Central Oshawa MTSA is located south of Downtown Oshawa, at the Central Oshawa GO Station north of Highway 401. The MTSA abuts the Downtown Oshawa Regional Centre/Urban Growth Centre. The proposed MTSA delineation includes a variety of uses, including low and high-density residential uses, commercial uses along Simcoe Street and Ritson Road, and access to greenspace and trails like the Michael Starr Trail. Simcoe Street is planned as a future rapid transit corridor, with a terminus at the Central Oshawa station, with the intent to improve connections between the GO station, Downtown, and North Oshawa. Connectivity and proximity to Higher Order Transit, as well as opportunities to redevelop existing underutilized areas, advances provincial planning policy for TOD in this location.



Figure 7 – Proposed Delineation – Central Oshawa GO Station MTSA

Major Transit Station Areas

Courtice

The Courtice MTSA is currently designated as industrial / employment lands. The vision for the area is a mixed-use TOD community. The station area would support an array of residential uses, standalone and ground floor retail space, and major office development, in addition to parks and other community uses. There may also be opportunities to provide affordable housing around this station area by creating policy requirements early in the planning process. Further, the greenfield land provides a blank canvas to create a new mixed-use community with focus on TOD principles. The Courtice MTSA has the potential to be a unique, intensified centre.



Figure 8 – Proposed Delineation – Courtice GO Station MTSA.

Major Transit Station Areas

Bowmanville GO Station MTSA

The Bowmanville MTSA is the eastern terminus of the GO East Rail extension and is located within the Bowmanville West Regional Centre. The MTSA is located within an already established market area, a short distance west of Downtown Bowmanville. The vision for the area is to grow its potential as a TOD community. This area has seen increased densities and intensification and the existing plazas and big box sites, located in proximity the proposed station area, present an opportunity for more urban style mixed-use development that retains the retail and commercial uses, which could generate employment and economic growth for the community.



Figure 9 – Proposed Delineation – Bowmanville MTSA

Major Transit Station Areas

Appendix C: What we have Heard

A summary of the stakeholder input on the proposed MTSA delineations and policies is provided below. Input was provided by area municipal staff, agencies, as well as members of the public. Two questions were identified in the Municipal Comprehensive Review (MCR) Urban System Discussion Paper related to MTSA's. A comprehensive list of all questions is provided at the end of this document.

MTSA Specific Questions:

Question 11: Is the proposed approach for delineating and assigning density targets to existing and future Major Transit Station Areas appropriate?

Question 12: Do you have any feedback or input on the propose draft Major Transit Station Area delineations?

Major Transit Station Areas

Table 1: MCR Urban Systems Discussion Paper MTSA Comments

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
1	Municipal (Clarington)	<ul style="list-style-type: none"> Yes (they agree) 	Comment noted. The response confirms that Clarington staff agree with the proposed approach.	11
2	Municipal (Ajax)	<ul style="list-style-type: none"> Agree with the proposed approach as presented in the discussion paper. 	Comment noted. The Response confirms that Ajax staff agrees with the proposed approach.	11
3	Municipal (Oshawa)	<ul style="list-style-type: none"> The proposed approach for delineating existing and proposed Major Transit Station Areas (MTSAs) is appropriate. The proposed approach for assigning density targets to both existing and proposed MTSAs is not appropriate. Further analysis is required to determine if employment areas within MTSAs should be protected, or alternatively, allowed to convert to permit residential uses. 	<p>Comment noted. Response confirms that Oshawa staff agrees with the proposed delineation approach.</p> <p>The MTSA density targets are consistent with those identified in the Growth Plan and are meant to encourage and support the use of transit and achieve strategic growth</p>	11

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		<ul style="list-style-type: none"> An alternative density target may be required for MTSAs that are located wholly within Provincially Significant Employment Areas. Further assessment should be conducted as part of the Region's Land Needs Assessment. 	<p>objectives of the Regional Official Plan.</p> <p>Regarding MTSAs located in Employment Areas, Employment Areas were identified, and a determination was made as to (re)development potential.</p> <ul style="list-style-type: none"> If development potential exists, it was included in the MTSA. If development potential does not exist, a determination of impact on the density target would inform whether an alternative target should be requested from the Province. <p>A key principle for development within MTSAs is to enhance connectivity and</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			<p>generate employment and residential growth that supports transit use. Development within MTSA areas is also expected to help achieve the strategic growth objectives of the Regional Official Plan (ROP).</p> <p>It should also be noted that an alternative density target for the Existing Oshawa Station along the CN Rail line is being proposed, due to the lack of opportunity for TOD and the built context of this station.</p>	
4	Municipal (Whitby)	<ul style="list-style-type: none"> The proposed approach to MTSAs is appropriate, provided certain flexibility for lower-tier implementation is maintained. 	Comment noted. Response confirms that Whitby staff agrees with the proposed approach.	11
5	Municipal (Pickering)	<ul style="list-style-type: none"> The approach developed by the Region, in consultation with each of the local municipalities is appropriate, 	Comment noted. Response confirms that Pickering staff	11 & 12

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		<p>providing defensible and rational boundaries for these Major Transit Station Areas, as opposed to an arbitrary 500 metre or 800 metre radius from the centre of a station.</p> <ul style="list-style-type: none"> The proposed boundaries of the MTSAs in Pickering, shown in Attachment #1 of Appendix D of the Region's Growth Management Paper, are consistent with those discussed with Regional staff. 	agree with the proposed approach.	
6	Municipal (Brock)	<ul style="list-style-type: none"> No comment. No MTSAs are identified in Brock. 	Comment noted.	11
7	Agency (Oshawa Environmental Advisory Committee)	<ul style="list-style-type: none"> The proposed approach seems appropriate. 	Comment noted. Response confirms that the Oshawa Environmental Advisory Committee agrees with the proposed approach.	11
8	Municipal (Ajax)	<ul style="list-style-type: none"> Town staff have and will continue to work closely with Regional staff on the delineation of the Ajax Major Transit Station Area. 	Comment noted. Response confirms that Ajax is supportive of working with the Region on confirming delineation of MTSAs and	12

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
9	Municipal (Clarington)	<ul style="list-style-type: none"> No - no further input on the draft Major Transit Station Area delineations is noted. 	<p>generally supportive of their proposed delineation.</p> <p>Comment noted. Response confirms that Clarington agrees with the proposed delineations.</p>	12
10	Municipal (Oshawa)	<ul style="list-style-type: none"> Staff support the proposed draft Major Transit Station Area delineations. 	<p>Comment noted. Response confirms that Oshawa staff support the proposed MTSA delineations.</p>	12
11	Municipal (Brock)	<ul style="list-style-type: none"> An assessment of connectivity between Brock Township and MTSAs would be helpful for future transit planning. Response: On Demand transit is available in Brock Township. This service connects with scheduled transit routes that connect into the urban area, including to MTSAs. 	<p>Comment noted. This comment has been shared with Durham Region Transit to examine future connections between existing and potential transit and MTSAs within Brock Township.</p>	12
12	Municipal (Whitby)	<ul style="list-style-type: none"> Discussion will be needed at a later date (i.e. draft policy direction stage) regarding inclusion of ROP designated Employment Areas within MTSA's. 	<p>Comment noted. Employment Areas within MTSAs is a key consideration within this work. The proposed policy directions note that MTSAs</p>	12

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			will consist of both employment uses and residential uses (as defined in the area municipal official plan) that support the use of transit and achieve the strategic growth objectives of the Regional Official Plan.	
13	Municipal (Ajax)	<ul style="list-style-type: none"> The ROP should require a five year supply of serviced land at all times to meet market needs for population and employment growth within Major Transit Station Areas. 	Comment noted. As part of the proposed implementation policies, specific policy directions have been drafted which state that "Approval of development would be contingent on the availability of services and transportation facilities. The Region may require the phasing of development on the basis of servicing availability or timing of infrastructure."	4
14	Municipal (Oshawa)	<ul style="list-style-type: none"> Further guidance is required within MTSAs where the lands are designated as Provincially Significant 	The proposed policy directions for MTSAs acknowledge that the existing	6

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		Employment Zones, yet also required to achieve a density target of 150 residents and jobs per gross hectare.	Oshawa GO Rail/VIA Rail station will require an alternative density target, due to the lack of opportunity for TOD and the built context of this station. The draft policy directions also identify that if development potential does not exist [within a specific employment area], a determination of impact on the density target would inform whether an alternative target should be requested from the Province.	
15	Municipal (City of Pickering)	<ul style="list-style-type: none"> The methodology for delineating Major Transit Station Areas (MTSA), and the resultant draft boundary delineation for Pickering's MTSA, are supported 	Comment noted. Response confirms that Pickering supports the proposed MTSA delineations.	
16	Municipal (Oshawa)	<ul style="list-style-type: none"> The Region, in consultation with area municipal staff, should consider a go-forward approach to assessing 	A key goal of the ROP is to delineate the MTSA; establish general land use,	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		employment area conversions within Major Transit Station Areas that would then necessitate a settlement area boundary expansion.	infrastructure and implementation policies. A Settlement Area boundary expansion would not automatically occur through the MTSA ROPA to offset any lands that were previously designated Employment Area and are now proposed to a part an MTSA delineation . Any expansion to the settlement area boundary will be considered through the Land Needs Assessment as part of the overall Growth Management Study/Envision Durham process.	
17	Agency Toronto and Region Conservation Authority Staff	<ul style="list-style-type: none"> Toronto and Region Conservation Authority Staff Achieving density targets within MTSA's must account for natural hazards, natural heritage features, and 	Comment noted. Through the delineation process non-developable areas were avoided, where appropriate (such as natural areas,	11

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		<p>stormwater management, whether identified outside or inside of an MCR process.</p> <ul style="list-style-type: none"> Amendments to the DROP should specify policy requirements for natural hazards, stormwater management and natural heritage to inform the delineation of MTSA. 	highways, utilities, rail corridors, etc.) to form the outer boundaries of the MTSA.	
18	Agency Toronto and Region Conservation Authority Staff	<ul style="list-style-type: none"> It is critical that MTSA boundaries be subject to meeting criteria for addressing natural hazard management, natural heritage and water resource protection. 	<p>Comment noted. Through the delineation process non-developable areas were avoided, where appropriate (such as natural areas, highways, utilities, rail corridors, etc.) to form the outer boundaries of the MTSA.</p>	12
19	Agency Toronto and Region Conservation Authority Staff	<ul style="list-style-type: none"> Should adopt policies to promote the use of, and develop a terms of reference for an “urban master environmental servicing plan” (Urban MESP) to coordinate major 	<p>The Region may require the coordination of development applications through measures such as Master Development Agreements and Block Plans, to ensure an</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		<p>redevelopment proposals within the urban envelop.</p> <ul style="list-style-type: none"> Response: Consider Secondary Plan and MESP for MTSA. 	<p>orderly, coordinated and phased approach to the provision of transportation, servicing and other requirements.</p>	
20	<p>Public Weston Consulting regarding subject lands of 275 Westney Road South</p>	<ul style="list-style-type: none"> Request to consider the subject lands (275 Westney Road South, Town of Ajax) for conversion through the Municipal Comprehensive Review process in accordance with Section 2.2.5.9 of the Growth Plan to permit residential mixed-use development. A follow-up letter was received on January 14, 2020 to acknowledge that the subject property has been included in the Major Transit Station Areas (MTSAs); and the Westney Developments Inc. has completed the preparation of an Official Plan Amendment and Zoning By-Law Amendment for submission to the Town of Ajax 	<p>The Ajax GO Station area site aims to provide a mix of uses to take advantage of transit accessibility and to the surrounding employment lands. This area is identified in the Town's Official Plan as an area that will facilitate high density mixed use that supports commuters while also providing places to live and work in proximity to transit while minimizing car use and promoting pedestrian connectivity.</p> <p>The subject property falls within the proposed MTSA boundary.</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			The desire for the subject property to provide residential mixed-use seems to support and align with the overall vision for the MTSA area.	
21	Public GHD on behalf of Holloway Developments and the 21st Company Inc.	<ul style="list-style-type: none"> Agree that the Region's MCR should delineate and assign boundaries to Major Transit Station Areas (MTSAs). MTSAs should also permit a wide range of mixed uses. Agree with the methodology used by Regional and Area Municipal staff in delineating the Draft Boundary of the proposed MTSAs. Request reconsideration of boundary where environmental features may not actually exist (lands abutting Canadian Pacific Railway, parcels abutting Stellar Drive near Corbett Creek) 	The draft delineation of the Thornton's Corners MTSA has been released. The delineations currently take into account a variety of factors including mixed-use development proximity to transit and other considerations of highest and best use for these areas.	
22	Public	<ul style="list-style-type: none"> The vision for Northeast Pickering of 60,000 residents and 45,000 jobs 	Comment noted. MTSAs are currently being considered	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
	Dorsay Development Corporation	would support a Major Transit Station Area. This will be elaborated on further in a future submission.	along the PTC and future PTC (GO Lakeshore) at this time. However, policy directions have included for future consideration of new MTSA's are being included.	
23	Public Ledim Development Ltd. Lands south of CP rail and North of Stellar Drive	<ul style="list-style-type: none"> In accordance with A Place to Grow, 2019, density targets for Urban Growth Centres and Major Transit Station Areas should be considered as minimum targets. Policies that reference Growth Plan intensification and density targets should include the word minimum where appropriate. The Thornton's Corners Major Transit Station Area Boundary should be expanded to the northwest to include lands that are currently outside (specifically lands at Laval Drive and Stevenson Road South in Oshawa). The lands located adjacent to the Canadian Pacific Railway just beyond 	<p>Comment noted. The MTSA density targets have been identified as minimum targets and are consistent with those identified in the Growth Plan.</p> <p>The delineation of the Thornton's Corners GO Station MTSA has been updated to reflect the revised station location along the CP Rail spur. Please see Appendix B for details.</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		the north west limit of the proposed Major Transit Station Area Boundary should be included within the delineated MTSA area.		
24	Public IBI Group on behalf of David and Steve Lovisek for 0 Courtice Road, Clarington	<ul style="list-style-type: none"> Request that the subject lands (0 Courtice Road, Clarington) be included within the Urban Area Boundary and the MTSA. Support the recommendation by the Municipality of Clarington to extend the MTSA/Urban Area Boundary to include the subject land and requests clarification position on Clarington's request to include the subject lands into the urban boundary and the Courtice MTSA. The future Courtice GO Station is an opportunity to accommodate growth and create a complete community in the surrounding area. The Courtice MTSA should include conversion of employment lands to ensure a true 	<p>Comment noted. While the request for an expansion of the MTSA /settlement area boundary may be recognized through this process, the MTSA ROPA will not be formalizing any settlement area boundary expansions. Consideration of this request will be in the context of the future Land Needs Assessment through the overall Growth Management Study/Envision Durham process.</p> <p>MTSAs will be delineated in the ROP and detailed land use designations are directed to</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
		mixed-use complete community is achieved.	be included in the area municipal OPs.	
25	Public IBI Group on behalf of David and Steve Lovisek for 0 Courtice Road, Clarington	<ul style="list-style-type: none"> MTSAs should maximize the size of the area and number of potential transit users that are within walking distance to the station. Areas that include natural features should not be precluded from Settlement Area Boundary Expansion should be considered if natural features and areas are protected. Prime agricultural areas should similarly be considered for expansion. 	<p>The delineation of MTSAs was informed by other planning boundaries such as SGAs and Secondary Plans, and those identified in local area municipal plans. Non-developable areas such as natural areas were avoided and generally fit within the 500 to 800 metre radius of a transit station.</p> <p>A subsequent delineation exercise was completed taking into account input received through the Urban Systems Discussion Paper, additional information and research undertaken by the projects consultants, discussions with area</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			<p>municipal staff and public and agency input.</p> <p>Delineation of MTSAs has taken into account potential transit users and walkshed. Refer to delineation process and Appendix B – Overview of MTSAs for more details as well as Section 6 – Delineation Approach.</p>	
26	<p>Public</p> <p>IBI Group on behalf of David and Steve Lovisek for 0 Courtice Road, Clarington</p>	<ul style="list-style-type: none"> • Is the Region considering an alternative density target for the Courtice MTSA? • Is the Region going to develop a phasing plan or Secondary Plan for the MTSA? 	<p>The Region is aiming for at least the minimum density target of 150 people and jobs/ha for the Courtice MTSA. Areas where development potential does not exist, a determination of impact on the density target would inform whether an alternative target should be requested from the Province. The Region may require phasing of development on</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
27	Public IBI Group on behalf of 1766 Baseline Road, Clarington	<ul style="list-style-type: none"> Request the subject lands (1766 Baseline Road, Clarington) be redesignated from Employment Areas to Living Areas / Courtyce Major Transit Station Area to allow for a development concept that includes a mix of residential and employment uses (office, retail, commercial, personal service). The subject site is also located within a PSEZ (Zone 1) and proposed MTSA boundary. The proponent is supportive of Clarington's recommendation to remove the GO Station MTSA from the PSEZ. 	<p>the basis of transportation or servicing availability, and/or the timing of required infrastructure.</p> <p>The subject lands are included in the proposed MTSA boundary. Detailed land use designations will be proposed through area municipal OPs. Comment noted. The delineation and density requirements for MTSAs has taken into account potential transit users and walkshed. The MTSA designation can be overlaid on the identification of the PSEZ.</p> <p>For more information on the delineation process/rationale refer to Section 6 – Delineation Approach and Appendix B - Overview of MTSAs.</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
28	Public Brookfield Residential Whitby Harbour site	<ul style="list-style-type: none"> Intensification boundaries around proposed MTSAs are useful, but final delineation should involve local stakeholder engagement. Brookfield would like to be engaged in final delineation of the MTSA boundary at Whitby Harbour. 	<p>The proposed delineation for the Whitby MTSA has been provided in this Paper, and input is welcomed prior to the finalization of the ROPA. The Brookfield site is over 1 km away from the station platform.</p> <p>For more information on the delineation process/rationale refer to Section 6 – Delineation Approach and Appendix B – Overview of MTSAs.</p>	
29	Public Optus Capital Corporation	<ul style="list-style-type: none"> The draft Major Transit Station Area Boundary for Ajax should be extended 1,000 metres eastbound along Fairall Street to Harwood Avenue South to allow for greater intensification and increased density. 	<p>The MTSA boundary has been proposed. The area in question is part of the Regional Centre and subject to another set of policies in the ROP, however, it is acknowledged the need for linkages easterly to the Regional Centre.</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
			<p>For more information on the delineation process/rationale refer to Section 6 – Delineation Approach and Appendix B.</p> <p>A 1 km easterly extension of the MTSA boundary would not meet the Provincial definition of a 10 min walk to the station.</p>	
30	Public Bousfields Inc. on behalf of Nordeagle Developments Inc.	<ul style="list-style-type: none"> Request to include the entirety of the Nordeagle Lands within the proposed Major Transit Station Area. 	<p>The Whitby GO MTSA seeks to maximize the potential of the GO Station lands for mixed use development to support a variety of amenities and activities. The MTSA delineation has been revised to include a portion of the Nordeagle property subject to Policy 8C.3.1 in the current ROP. Please refer to Section 6 – Delineation Approach and</p>	

Major Transit Station Areas

Comment #	Municipal / Public / Agency	Comment or Description	Response	Question #
31	Public Bousfields Inc. on behalf of Nordeagle Developments Inc.	<ul style="list-style-type: none"> Recommended that gross density be used as the measurement for intensification and for major transit station areas as a minimum target. 	<p>Appendix B for the delineation process in more detail</p> <p>Each MTSA will be planned to achieve a minimum density of 150 people and jobs per hectare. This will be a minimum density requirement that will be measured within all of the lands in each MTSA (measured as gross density).</p>	

Legend of Discussion Questions

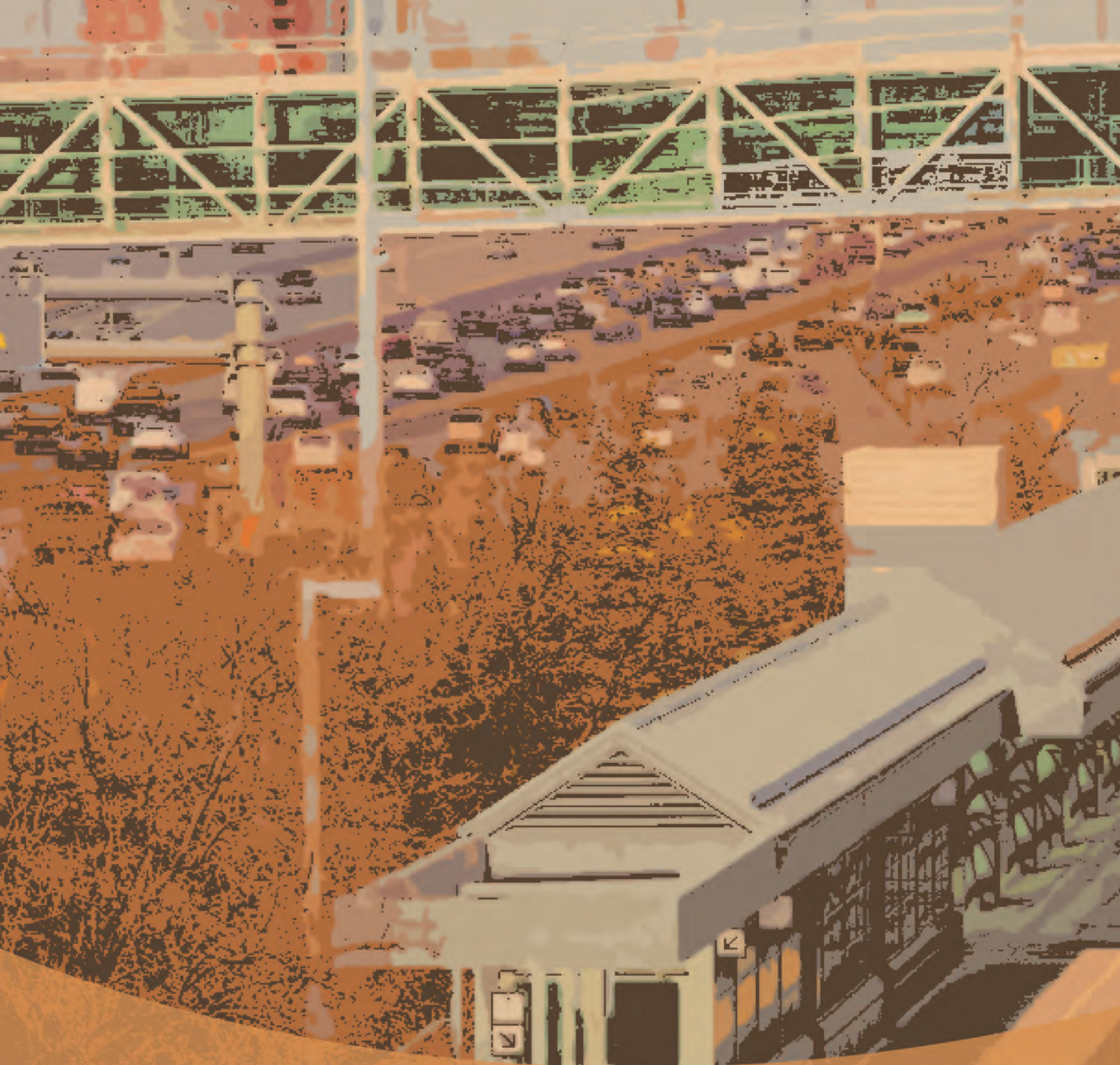
Question Number	Discussion Question
1.	Is the Urban System achieving the Regional Official Plan vision of creating distinct Urban Areas, balancing population and employment growth, and achieving health and complete communities?
2.	Are there any additional goals for the Urban System that should be included in the Regional Official Plan?

Major Transit Station Areas

Question Number	Discussion Question
3.	How can Regional Official Plan Policies support the needs of an aging population?
4.	Are there specific policies or other measures that are needed to enable the achievement of employment forecasts and/or the Regional Council target of one job for every two persons?
5.	How can Regional Official Plan policies recognize and support the changing pattern of where and how people work?
6.	What Regional policies and approaches could assist in achieving the Regional Official Plan target that 50 per cent of all jobs be in designated Employment Areas?
7.	How should density (gross or net) be measured in the Regional Official Plan?
8.	Should the Region delineate only those corridors with significant intensification potential that are also within the Higher Order Transit Network?
9.	Should Regional Corridors that are intended to be priority areas for the highest level of transit service (Highway 2 and Simcoe Street) be delineated in the ROP and assigned an increased minimum density target?
10.	Should Waterfront Places be specifically designated in the Regional Official Plan?
11.	In the proposed approach for delineating and assigning density targets to existing and future Major Transit Station Areas appropriate?
12.	Do you have any feedback or input on the proposed draft Major Transit Station Area delineations?

Major Transit Station Areas

Question Number	Discussion Question
13.	Are there any other criteria that should be considered when evaluating Settlement Boundary Expansions?
14.	Are there other criteria that should be considered when evaluating Employment Area conversions?
15.	Are there additional strategies or solutions required to support development in Strategic Growth Areas?
16.	Should a Regional structure, consisting of appropriate Regional land use designations be applied to lands located within the Central Pickering Development Plan Area?
17.	What type of Regional Official Plan policies should be provided to support the deployment of broadband infrastructure?
18.	How can Regional Official Plan policies support the achievement of strong, vibrant, and healthy downtowns?
19.	Should places of worship be permitted in Employment Areas?
20.	Are there any other trends or topics you feel should be reviewed and considered as part of the review of the Urban System and the Growth Management Study component of the MCR?



The Regional Municipality of Durham
605 Rossland Road East, Whitby, Ontario L1N 6A3
905-668-7711 or 1-800-372-1102
www.durham.ca
Page 436 of 466

Deena Hunt**From:**

Date:	09/03/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

Sent:**To:**

Carolyn Lance <clance@georgina.ca>

February 26, 2021 4:30 PM

doug.ford@pc.ola.org; ahorwath-qp@ndp.on.ca; jfraser.mpp.co@liberal.ola.org; mschreiner@ola.org; caroline.mulroney@pc.ola.org; jeff.yurek@pc.ola.org; Town of Aurora; Town of Bradford West Gwillimbury; Town of East Gwillimbury; Town of Innisfil; Town of New Tecumseth; Town of Newmarket; Gillian Angus-Traill; Township of King; Township of Oro-Medonte; Township of Ramara; Township of Scugog; Township of Uxbridge; Brock Clerks; Region of Durham; accessyork@york.ca; City of Barrie; City of Kawartha Lakes; City of Orillia; County of Simcoe; Erin.OToole@parl.gc.ca; a.cullen@lsrca.on.ca; steve.clark@pc.ola.org; Christopher Raynor (regional.clerk@york.ca); donna.bigcanoe@georginaisland.com; Jagmeet.Singh@parl.gc.ca; Michael Parsa; Stephen Lecce; Christine Elliott, MPP, Newmarket-Aurora; Paul Calandra; natasha.charles@georginaisland.com

Cc: Dave Neeson; rescuelakesimcoecoalition@gmail.com; jack@cleanairalliance.org; Rachel Dillabough; Mamata Baykar; Alan Drozd; Harold Lenters; David Reddon

Subject: 10 Year Review of Lake Simcoe Protection Plan

Attachments: Report DS-2021-0022 - 10 Year Review of Lake Simcoe Protection Plan.docx.pdf

Honourable Premier, Honourable Ministers, MPP's, Sirs/Madams:

Please be advised that the Council for the Corporation of the Town of Georgina, at its February 24th meeting, considered Staff Report No. DS-2021-0022 entitled '10 Year Review of the Lake Simcoe Protection Plan' (attached) and passed the following motion;

RESOLUTION NO. C-2021-0050

Moved By Councillor Neeson

Seconded By Regional Councillor Grossi

1. That Report No. DS-2021-0022 prepared by the Planning Policy Division, Development Services Department dated February 24, 2021, be received for information.
2. That Council endorse Report No. DS-2021-0022 prepared by the Planning Policy Division, Development Services Department dated February 24, 2021, as the Town of Georgina's comments and input into the 10 Year Review of the Lake Simcoe Protection Plan, supplementing the Council resolution of October 28, 2020.
3. That the Province of Ontario update its Phosphorous Reduction Strategy to examine the Comprehensive Stormwater Management Master Plans of watershed municipalities, and in consultation with the Lake Simcoe Region Conservation Authority, prioritize effective phosphorous reduction works and develop a funding strategy to accelerate their development and implementation.

4. That prior to posting any notices of changes to the Lake Simcoe Protection Plan Act or Lake Simcoe Protection Plan on the Environmental Bill of Rights web-site that the Ministry of Environment, Conservation and Parks undertake an additional round of consultation of any such proposed changes.
5. That the Council of the Town of Georgina requests that the Province of Ontario revise the Phosphorus Reduction Strategy to create a time bound plan and the associated budgets to achieve the 55% phosphorus pollution reduction to no more than 44 tonnes per year as soon as possible.
6. That the Council of the Town of Georgina hereby opposes the use of Minister Zoning Orders by the Province of Ontario which override the environmental protections contained within the Lake Simcoe Protection Plan and further, that the Province not approve any development which does not meet applicable targets and standards set out in the Lake Simcoe Protection Plan, particularly those related to Phosphorus loading in Lake Simcoe.
7. That the Town Clerk forward a copy of Report No. DS-2021-0022 and Council's resolution to the Ministry of Environment, Conservation and Parks, the Region of York, the Chippewas of Georgina Island First Nation, the Lake Simcoe Region Conservation Authority, all other Lake Simcoe watershed municipalities, all MPP's of Lake Simcoe watershed municipalities, the Premier of Ontario, the Ministry of Municipal Affairs and Housing and the leaders of the Progressive Conservative, Liberal and NDP parties.

Carried

Accordingly, Town Council respectfully requests your serious consideration of its position on this matter. Thank you.

Sincerely,



Carolyn Lance

Council Services Coordinator

Clerk's Division | Town of Georgina

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Please note that our office hours are Monday to Friday, 8:30am to 4:30pm

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2021-0022

**FOR THE CONSIDERATION OF
COUNCIL**

February 24, 2021

SUBJECT: 10 YEAR REVIEW OF THE LAKE SIMCOE PROTECTION PLAN

1. RECOMMENDATION:

- 1. That Report No. DS-2021-0022 prepared by the Planning Policy Division, Development Services Department dated February 24, 2021, be received for information.**
- 2. That Council endorse Report No. DS-2021-0022 prepared by the Planning Policy Division, Development Services Department dated February 24, 2021, as the Town of Georgina's comments and input into the 10 Year Review of the Lake Simcoe Protection Plan, supplementing the Council resolution of October 28, 2020.**
- 3. That the Province of Ontario update its Phosphorous Reduction Strategy to examine the Comprehensive Stormwater Management Master Plans of watershed municipalities, and in consultation with the Lake Simcoe Region Conservation Authority, prioritize effective phosphorous reduction works and develop a funding strategy to accelerate their development and implementation.**
- 4. That prior to posting any notices of changes to the Lake Simcoe Protection Plan Act or Lake Simcoe Protection Plan on the Environmental Bill of Rights web-site that the Ministry of Environment, Conservation and Parks undertake an additional round of consultation of any such proposed changes.**
- 5. That the Town Clerk forward a copy of Report No. DS-2021-022 and Council's resolution to the Ministry of Environment, Conservation and Parks, the Region of York, the Chippewas of Georgina Island First Nation and the Lake Simcoe Region Conservation Authority.**

2. PURPOSE:

The purpose of this report is to provide Council with Staff's comments and recommendations on the 10- Year Review of the Lake Simcoe Protection Plan (LSPP).

3. BACKGROUND:

On December 18, 2020, e-mail correspondence was received from Ling Mark, Director, Great Lakes Inland Waters Branch, Land and Water Division of the Ministry of Environment, Conservation and Parks launching a 75 day engagement period for the legislated review of the Lake Simcoe Protection Plan ending on March 3, 2021 (Refer to Attachment 1).

During this period, the Province has established an on-line public survey as well as a "Virtual Science Event" (held on January 28, 2021) and a "Virtual Town Hall" held on February 11, 2021. Both sessions were attended by Town Staff.

Under Section 17 of the Lake Simcoe Protection Plan Act 2008 (LSPP Act), the Minister is required to ensure that a review of the LSPP is carried out at least every 10 years after the date the Plan takes effect to determine whether the Plan should be amended.

During the review the Minister is required to consult with:

- The council of each municipality that has jurisdiction in the Lake Simcoe watershed or the prescribed outside areas;
- The Lake Simcoe Region Conservation Authority (LSRCA);
- Public bodies that in the opinion of the Minister could be affected by the review, the Lake Simcoe Science Committee and the Lake Simcoe Coordinating Committee; and,
- The public.

The review was launched on December 18, 2021, just prior to Christmas for a 75 day commenting consultation period. This short window for comments is inadequate for consultation on a Plan with the significance of the LSPP and negates meaningful opportunity for greater dialogue and consultation with stakeholders. A short consultation window for a 10 year review as provided does not engender the necessary spirit of trust and transparency that is important to maintain in these type of engagements.

3.1 COUNCIL RESOLUTION – OCTOBER 28, 2020- RESCUE LAKE SIMCOE COALITION

On October 28, 2020, staff received a briefing note and recommendation from the Georgina Environmental Advisory Committee and a delegation from Claire Malcomson, Executive Director, Rescue Lake Simcoe Coalition concerning the upcoming LSPP 10 Year Review and adopted RESOLUTION NO. C-2020- 0339 as follows:

That Town Council receive the briefing note from the Georgina Environmental Advisory Committee and endorse the following position of the Lake Simcoe Protection Plan to ensure the provisions of the Lake Simcoe Protection Plan that protect water quality and natural heritage are upheld:

WHEREAS a healthy environment provides the foundation for healthy communities, healthy people and a healthy economy;

AND WHEREAS the passage of the Lake Simcoe Protection Act received unanimous, all party support in the Ontario legislature in 2008;

THEREFORE BE IT RESOLVED that the Town of Georgina calls on the Ontario Government to demonstrate its commitment to clean water and protecting what matters most in the Provincial statutory review of the Lake Simcoe Protection Plan, by ensuring that provisions in the Lake Simcoe Protection Plan that protect water quality are not weakened and that policies protecting natural heritage be strengthened, in order to meet the targets of the Lake Simcoe Protection Plan;

AND that the Ontario Government be requested to work collaboratively with affected Provincial Ministries and all levels of government, including First Nations and Metis, to achieve the goals and targets of the Lake Simcoe Protection Plan and to resource the programs that improve Lake Simcoe's water quality during the provincial statutory review of the Lake Simcoe Protection Plan;

AND that copies of this resolution be provided to Ontario Premier Doug Ford, Official Opposition Leader Andrea Horvath, MPP John Fraser, MPP Mike Schreiner, MPP Caroline Mulroney, MPP Jeff Yurek, Ministry of the Environment, Conservation and Parks and to all Lake Simcoe Watershed municipalities for their support.

3.2 UPPER YORK SEWAGE SOLUTIONS

The Upper York Sewage Solutions project is to provide sewage servicing to accommodate planned employment and community growth of approximately 153,000 residents and employees in the towns of Aurora, Newmarket and East

Gwillimbury. All of these communities are located within the Lake Simcoe watershed.

The proposed treatment facility (Water Reclamation Centre).would outfall into the East Holland River and into Lake Simcoe.

In July 2014 the Environmental Assessment for the project was completed and forwarded to the Province for approval which remains pending. The undertaking is opposed by the Chippewas of Georgina Island First Nation and Town Council.

In this regard, on November 18, 2020, Town Council adopted the following resolution:

WHEREAS the Town of Georgina includes fifty-two (52) kilometres of Lake Simcoe Shoreline;

AND WHEREAS the Region of York was directed by the Province of Ontario to find local solutions for wastewater in the communities of East Gwillimbury, Newmarket and Aurora to accommodate Provincially legislated growth targets;

AND WHEREAS the Lake Simcoe Protection Plan (Act) received unanimous, all party support in the Ontario Legislature in 2008, which prohibits any new sewage treatment plants on Lake Simcoe, however, does permit expansion and technology improvements to existing systems;

AND WHEREAS the Region of York has invested significant taxpayer dollars - including those of our local tax payers - in the proposed Upper York Sewage Solution (UYSS) to accommodate the above mentioned growth, at the request of the Province of Ontario;

AND WHEREAS expansion and technology upgrades are required among several Lake Simcoe Communities, including in the Town of Georgina, to similarly accommodate Provincially required growth and also to further ensure the current and future health of Lake Simcoe;

AND WHEREAS the Town of Georgina opens every meeting with a land acknowledgement whereby recognizing our close relationship with the Chippewas of Georgina Island who have voiced their opposition to the UYSS;

AND WHEREAS the Chippewas of Georgina Island have been on a boil water advisory and have not had access to safe drinking water since approximately 2017;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Georgina hereby requests that the Province of Ontario and the Government of Canada:

1) Cancel the Upper York Sewage Solution (UYSS)

2) Negotiate in good faith with the Region of York to accommodate the growth as mentioned above for our partner Municipalities to a non-Lake Simcoe discharge point as per the Lake Simcoe Protection Plan (Act).

3) Reimburse the previously made taxpayer investment from York Region Municipalities including the Town of Georgina with respect to the UYSS towards the new solution to a non-Lake Simcoe discharge point.

4) As a part of the above, also facilitate an end to the sewage lagoons in the Town of East Gwillimbury in consultation with their local council, staff and its residents

5) Be an active participant and joint funder of using the technology advancements that the Region of York has developed in order to upgrade or expand capacity on wastewater facilities for all Lake Simcoe communities to further improve to the health of Lake Simcoe

6) As a matter of the utmost importance, work in a collaborative fashion with the Chippewas of Georgina Island to provide resources whether financial or otherwise, to ensure that they have access to clean drinking water on a sustainable basis, without delay.

7) That copies of this motion be forwarded to all Lake Simcoe Municipalities, the Chippewas of Georgina Island, all York Region MPP's, all York Region MP's, Ontario Official Opposition Leader Andrea Horwath, Leader of the Ontario Liberals, Steven Del Duca, Leader of the Ontario Green Party, Mike Schreiner, Ontario Premier Doug Ford and the Prime Minister of Canada and the Right Hon. Justin Trudeau.

3.3 MINISTER'S 10-YEAR REVIEW REPORT

Prior to the commencement of the review, the Minister of Environment, Conservation and Parks released a 10-Year Review Report (Minister's Report) which acts like a high level monitoring summary and discussion paper. Owing to the length of the Minister's Report, it is not attached here but is available at the following link: <https://www.ontario.ca/page/ministers-10-year-report-lake-simcoe>

The Minister's Report highlights some of the recent actions that the Province and partners have taken to protect and restore Lake Simcoe. It also highlights monitoring results and suggests that there have been encouraging signs of improvement which demonstrates the positive impacts of the remedial efforts that have taken place since the LSPP was adopted including:

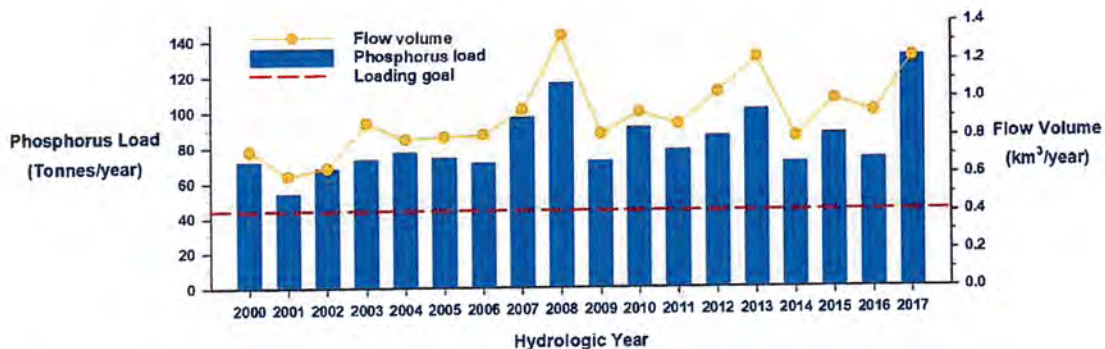
- Restoration of more than 15 kilometres of degraded shorelines;
- Planting more than 55,000 trees and shrubs;

- Creation or restoration of 120 hectares of wetlands;
- Repair or replacement of more than 160 failed septic systems;
- Reduced phosphorus loads from sewage treatment plants by 50% since 2009;
- Positive steps toward restoring and sustaining a cold-water fish community through continued signs of naturally reproducing cold-water species such as lake trout, lake whitefish and cisco; and,
- Improved dissolved oxygen levels in the lake's deep waters, which will help support a self-sustaining cold-water fish community;

The report recognizes the importance of Lake Simcoe and indicates that the government is committed to protecting the lake's ecosystem. It states that stressors facing the Lake Simcoe watershed are complex and climate change will continue to affect the local ecosystem. The continued pressure from urbanization and growth, and the need to control the pathways for new invasive species, will require innovative solutions.

The Minister's Report contends that efforts to protect the lake are working, and progress is being made towards the objectives of the *LSPP*. By providing ongoing scientific research and monitoring, informed decisions are being guided by scientific evidence. It identifies efforts to reduce pollutants and nutrients to the lake, and to promote sustainable land and water uses to drive positive change across the watershed. It suggests that stakeholders are actively working to prevent new invasive species from entering the watershed and responding to the adverse effects from those that are already established. By helping communities improve their ability to respond to climate change, the elements that contribute to ecosystem health are being protected.

The Minister's Report acknowledges that the phosphorus load entering the lake is in excess of the long-term goal, dissolved oxygen levels are increasing, but despite that, the overall ecological health of the lake has improved.



The figure above is taken from Minister's Report and shows the historic phosphorus load into Lake Simcoe between 2000 and 2017 against the baseline objective of 44 tonnes/year (red line). A copy of the Province's Lake Simcoe Phosphorus Reduction Strategy prepared under the requirements of the LSPP can be viewed at:

<https://www.ontario.ca/page/lake-simcoe-phosphorus-reduction-strategy>.

Despite the lack of achievement of phosphorus loading objectives the Minister's Report notes that there has been considerable progress made on the achievement of deep-water dissolved oxygen objectives. The minimum deep-water dissolved oxygen level by the end of the summer has continued to increase since the 1980s. Since 2012, it has ranged from 5.52–7.14 mg/L, surpassing the plan target of 7 mg/L in 2014.

The Minister's Report recognizes a long history of partnerships in the watershed, and the reliance on science to inform decision making. The report suggests that there is evidence that can support new provincial policies to compel actions, and that new management tools are ready to be applied. However, no information is provided on what these may be.

3.4 HOLLAND MARSH STORMWATER MANAGEMENT FACILITY

In November 2020 the Region of York and Government of Canada announced the development of a \$40-million storm-water treatment facility that will be built to reduce phosphorus runoff from Holland Marsh into Lake Simcoe.

The Holland Marsh has a critical point load of phosphorus into Lake Simcoe, contributing an average of six tonnes a year. The release of excess phosphorus from agriculture, such as fertilizer, places the Lake Simcoe Watershed at risk of eutrophication that can irreversibly destroy aquatic habitats and ecosystem biodiversity.

This project alone will reduce phosphorus runoff from the Holland River into Lake Simcoe by 40-percent, cutting algae growth in the lake's watershed, preserving fish habitat and protecting a major source of drinking water.

4. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

There are no public consultations or notices required in association with this report. The Province has established its own process for engaging with the public and stakeholders.

4.1 RESCUE LAKE SIMCOE COALITION – FEBRUARY 9, 2021

Staff are in receipt of correspondence to members of Council from the Rescue Lake Simcoe Coalition (Refer to Attachment 2). A summary of the major points raised in the correspondence are provided below with Staff comments in italics:

- Improve water quality by reducing phosphorus loads to the lake to 44 tonnes per year, as soon as possible, from urban and agricultural areas, and from aggregate and construction sites;

This remains an objective of the LSPP and Staff are unaware of any objective to change the standard by the Province. Reasonable, realistic and balanced steps towards meeting this target would be supported.

- Support a healthy environment around the lake and reduce flooding impacts by protecting 40% of the watershed area's forests and wetlands;

This remains an objective of the LSPP and Staff are unaware of any objective to change the standard by the Province.

- Enable First Nations and the Lake Simcoe Region Conservation Authority to participate meaningfully in LSPP governance;

Staff support this objective.

- Respect the LSPP by stopping the use of Minister's Zoning Orders (MZO) in the watershed;

It is unclear how MZO have been introduced in a manner that violates the LSPP to this point. The Province contends that it does not approve MZO without the support of the local municipal Council.

- Increase public engagement in restoration and invasive species control. Get the public and businesses involved in locally-driven stewardship activities;

This objective is supported.

- Incorporate and implement the Lake Simcoe Climate Change Adaptation Strategy policies into the LSPP to reduce phosphorus loads, mitigate the impacts of climate change, and increase natural cover.

These are existing objectives of the LSPP that are supported.

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

As part of this review, consultation meetings were held with Staff from the LSRCA and the Region of York. Staff further received comments and input from the Town's Operations and Infrastructure Department and the Development Engineering Division and the Building Division which were considered in the preparation of this report.

5. ANALYSIS:

As a lakeshore community, the Town of Georgina is fundamentally reliant upon the health of Lake Simcoe and its watershed in many facets of its economy, lifestyle and culture. The history and development of the Town is inextricably linked to the Lake. The Lake Simcoe Protection Act 2008 and Lake Simcoe Protection Plan 2009 have represented a major step forward toward restoring and protecting the ecological health of the Lake Simcoe watershed. The requirements of the LSPP have been effectively "hard-wired" into many facets of Town standards, operations and practices.

5.1 LAKE SIMCOE PROTECTION ACT (LSPP ACT)

The LSPP Act received Royal Assent in December 2008. The preamble to the legislation establishes that:

Lake Simcoe is an essential part of Ontario's natural environment and a critical resource, especially for people who live, work and play within the watershed of the Lake. In the face of climate change, invasive species, and the pressures of population growth and development, strong action is needed to protect and restore the ecological health of the Lake Simcoe watershed for the present generation and for future generations. There are many benefits of promoting environmentally sustainable land and water uses, activities and development practices in the Lake Simcoe watershed. Public bodies, aboriginal communities, businesses and individuals share an interest in the ecosystem of the Lake Simcoe watershed and have shared responsibility for its health.

The LSPP Act essentially puts into place the legislative framework necessary for implementing the LSPP. Notably, the LSPP Act establishes the objectives for the LSPP as follows:

- (a) To protect, improve or restore the elements that contribute to the ecological health of the Lake Simcoe watershed, including,
 - (i) water quality,
 - (ii) hydrology,
 - (iii) key natural heritage features and their functions, and
 - (iv) key hydrologic features and their functions;
- (b) To restore a self-sustaining coldwater fish community in Lake Simcoe;

- (c) To reduce loadings of phosphorus and other nutrients of concern to Lake Simcoe and its tributaries;
- (d) To reduce the discharge of pollutants to Lake Simcoe and its tributaries;
- (e) To respond to adverse effects related to invasive species and, where possible to prevent invasive species from entering the Lake Simcoe watershed;
- (f) To improve the Lake Simcoe watershed's capacity to adapt to climate change;
- (g) To provide for ongoing scientific research and monitoring related to the ecological health of the Lake Simcoe watershed;
- (h) To improve conditions for environmentally sustainable recreational activities related to Lake Simcoe and to promote those activities;
- (i) To promote environmentally sustainable land and water uses, activities and development practices; and
- (j) To build on the protections for the Lake Simcoe watershed that are provided by, provincial plans that apply in all or part of the Lake Simcoe watershed, including the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan, and provincial legislation, including the *Clean Water Act, 2006*, the *Conservation Authorities Act*, the *Ontario Water Resources Act* and the *Planning Act*.

The LSPP Act further establishes the Lake Simcoe Science Committee to advise the Minister on a range of scientific matters related to the health of the watershed including the monitoring of specific conditions. The Lake Simcoe Coordinating Committee coordinates the development and preparation of the LSPP and coordinates and resolves issues related to the implementation of the Plan.

5.2 LAKE SIMCOE PROTECTION PLAN (LSPP)

The LSPP came into force and effect on June 2, 2009 under the provisions of the LSPP Act. The LSPP has the same legal stature as do other Provincial Plans established the Planning Act such as the Greenbelt Plan, the Oak Ridges Moraine Plan, the Growth Plan and the Niagara Escarpment Plan. The LSPP applies specifically to the Lake Simcoe Watershed which crosses some part of the jurisdiction of all other provincial plans except for the Niagara Escarpment Plan. The LSPP is at its core, a fundamentally, a watershed based environmental management plan with the overriding objective of protecting and enhancing the health of Lake Simcoe and its watershed.

Under the provisions of the LSPP Act, municipalities are required to update their Official Plans under Section 26(1) of the *Planning Act* to be in conformity with the LSPP. In addition, all planning decisions must be consistent with the LSPP and no zoning by-law can be passed that does not conform to the provisions of the LSPP.

Key Policies in the LSPP

A summary of the key policies within each of the major topic areas is provided below:

Aquatic Life Policies

- Develop aquatic/fish community objectives within two years.
- Review stocking program.
- Conduct socio economic evaluation of the ecological and monetary/social cultural value of aquatic resources.

Key Water Quality Policies

- Prepare a phosphorus reduction strategy and a loading target of 44 tonnes per year.
- Introduce new restrictions on the establishment of new municipal sewage treatment plants and adjustments to the water quality objectives on existing plants.
- A requirement for municipalities to undertake comprehensive stormwater master plans and stormwater management plans within five years of LSPP adoption.
- Use of comprehensive and integrated stormwater management water treatment approaches.
- A requirement for Major Development (500 square metres) to undertake water balance and stormwater management plans.
- New inspection requirements for owners of stormwater management facilities within 100 metres of Lake Simcoe.
- Restrict new on-site septic systems within 100 meters of the shoreline and watercourses.
- Require on-site inspection programs for on-site sewage system maintenance and re-inspections.
- Research on atmospheric deposition and mitigation.
- Evaluate the feasibility of a water quality trading program.

- The imposition of new water quality measures in all site plan and subdivision. Agreements.
- Enhancing existing water quality monitoring and scientific research programs.
- Commit certain municipalities to produce water conservation and efficiency plans.
- Achieve a dissolved oxygen target of 7 mg /L.

Key Water Quantity Policies

- Develop in-stream flow targets for water quality stressed sub-watersheds.
- Require water quality efficiency plans for certain municipalities.
- Encourage water conservation and efficiency measures in the agricultural community.
- Requirements on establishment or expansion of major recreational uses.

Lake Simcoe Shoreline and Natural Heritage Policies

- Development and / or site alteration not permitted outside of existing settlement areas and within a related vegetation protection zone. (30 metres in existing areas and 100 metres outside of existing settlement areas or shoreline built up areas.) Applications within 120 metres are subject to the requirement for a Natural Hazard Evaluation.
- Settlement areas not to be subject to the shoreline, natural heritage and hydrologic policies although measures to improve the ecological health of features and functions are encouraged.
- The development of a shoreline management strategy is to take place within three years of the adoption of the plan and reflected in municipal official plans.
- Priority areas for restoration, improvement and enhancement of shoreline and natural heritage features are to be identified.
- Development is not permitted within a key natural heritage features, a key hydrological feature and within a related vegetation protection zone subject to exceptions.

- Minimum vegetation protection zone for all key natural heritage features in 30 metres.
- Applications for development or site alteration within 120 metres of a key natural heritage feature or key hydrological feature shall be accompanied by a Natural Heritage Evaluation
- Incorporation of new policies for development and site alteration in relation to existing uses.

Key Invasive Species Policies

- Restrict angler use of live bait (e.g. bait fish) from outside of the watershed, proposed under the Federal Fisheries Act.
- Enhance education and outreach, including best management practices for public and industry.
- Conduct community-based social marketing.
- Develop watch list and prepare risk-based response plans.
- Implement an annual terrestrial invasive species monitoring program.

Key Climate Change Policies

- Preparation of a climate change adaptation strategy for the watershed.
- Examination of climate change impact and conclude the role of municipalities.
- Develop an integrated climate change monitoring program.
- Identify potential amendments to the LSPP.

5.3 TOWN OF GEORGINA OFFICIAL PLAN

The Town Official Plan (OP) as finally approved in 2016, fully implements the provisions of the LSPP, in a comprehensive manner and addresses key aspects of the land use and development program supporting the LSPP, including policies related but not limited to:

- Site Alteration.
- Shoreline Development.

- A Natural Heritage System Framework.
- Requirements for a Septic Inspection program.
- Watershed planning.
- Major Development, and,
- Ecological Offsetting

5.4 SUTTON / JACKSON'S POINT SECONDARY PLAN, KESWICK SECONDARY PLAN AND PEPPERLAW SECONDARY PLAN

The Sutton / Jackson's Point Secondary Plan was approved by Council on June 30, 2010, and finally by the Ontario Municipal Board on March 23, 2013. This plan has a comprehensive environmental planning framework addressing a Greenlands System, Environmental Protection policies as well as enabling policies related to the Lake Simcoe Shoreline Management Strategy and Lake Simcoe Subwatershed Evaluations.

The Sutton/Jackson's Point Secondary Plan was approved in conformity with the LSPP and applicable Provincial Plans.

The Keswick Secondary Plan (KSP) came into force and effect on October 26, 2004. The town is currently engaged in a review and update of the KSP that is planned to conclude later in 2021 with a new Council approved Secondary Plan. The new KSP will be required to include a policy Framework that implements the provisions of the LSPP and other Provincial Plans. Despite the fact the KSP does contain a strong environmental framework all Planning Act applications are required to be in conformity with all provincial plans including the LSPP.

The Pepperlaw Secondary Plan (PSP) came into force and effect on November 1, 1996. The PSP was prepared in advance of Provincial Plans introduced by the Province of Ontario including the LSPP. Notwithstanding all, although Planning Act applications and applicable septic system works are required to comply with the Provisions of the LSPP. The PSP is scheduled for review and update in the 2023 Town Capital Budget forecast.

5.5 ON-SITE SEWAGE SYSTEM MAINTENANCE PROGRAM

In accordance with the provisions of the LSPP the Town's Building Division administers on-site sewage system maintenance program on all septic systems in the regulated area every five years.

The regulated area includes all systems located within 100m of:

- the shoreline of Lake Simcoe,
- a river/stream that continuously flows in a normal year,
- a lake that is connected to a river/stream referenced above or
- a lake greater than 8 hectares in surface area.

Approximately 1265 septic systems have been inspected since 2012. Approximately 49 (4%) were found to be deficient. Four systems remain unresolved and the Building Division is working with the owners to bring the systems up to standard.

5.5 LAKE SIMCOE REGION CONSERVATION AUTHORITY (LSRCA)

The LSRCA is the singular Conservation Authority within the Lake Simcoe watershed. The Town and Region of York both operate with the LSRCA under the Terms of a Memorandum of Understanding (MOU) which addresses environmental planning matters. The LSRCA is fully engaged in the development engineering processes at the Town through its Regulations and is relied upon to address all aspects of compliance with LSPP standards including critical aspects of phosphorous control to Lake Simcoe

The LSRCA phosphorous offsetting policy was developed specifically to control phosphorus from new development. As of January 1, 2018, any new development in the watershed is required to control 100% of the phosphorus leaving the property.

The policy ensures that new development or redevelopment activities do not contribute to phosphorus loading to Lake Simcoe. Under this Policy, as new urban growth occurs phosphorus loads will be controlled to the maximum extent possible using the best available control technology within the development itself in compliance with the MOECC Stormwater Guidelines and the LSRCA Watershed Development Guidelines, whichever is most stringent.

Any remaining stormwater phosphorus load that cannot be controlled would trigger the need for an offset to achieve a net zero target. An offset ratio of 2.5:1 would be applied meaning that 2.5 kg of phosphorus per year would be removed for every 1 kg required to be offset. The offset measures would consist of phosphorus load reduction through the use of Low Impact Development (LID) techniques and the retrofit of existing stormwater discharges elsewhere in a sub-watershed or in adjacent sub-watersheds.

Presently, the dollar cost attributable to a kilogram of phosphorous that must be offset is \$35,000. The LSRCA phosphorous offsetting policy is available at: [https://www.lsrca.on.ca/Shared%20Documents/Phosphorus Offsetting Policy.pdf](https://www.lsrca.on.ca/Shared%20Documents/Phosphorus%20Offsetting%20Policy.pdf)

5.6 TOWN OF GEORGINA COMPREHENSIVE STORMWATER MANAGEMENT STUDY – JULY 2017 (AQUAFOR BEECH LTD)

In July 2017, The Town of Georgina Comprehensive Stormwater Management Strategy was completed. The study was mandated under the provisions of the LSPP. The study addresses all facets of municipal engineering standards, facilities and municipal infrastructure. A particular focus of the study is to address the means by which the Town can undertake works towards the achievement of LSPP targets particularly phosphorous reduction. For the conclusion and recommendations of this report, refer to Attachment No. 3. To date, works associated with the implementation of the study have not been included in the Town's 10 year Capital Budget Forecast.

5.7 SUMMARY OF COMMENTS ON THE 10-YEAR REVIEW OF THE LSPP

The LSPP Remains a Vital Component of the Planning System

The Plan is a comprehensive, ambitious and necessary component of the Ontario Planning, Development and Environmental Management System. The Town of Georgina has a historic and symbiotic relationship with the Lake in many aspects of its economy, culture, operations and identity. Accordingly, it is vitally important that the Plan be continually improved and implemented with advancing technology and science to meet credible targets in a sustainable manner. As a Provincial Plan with a specific environmental focus, the LSPP needs to be implemented in a balanced fashion to address the emerging growth in the watershed to allow for complete community development in a sustainable way.

More Consultation is Required

Provincial staff have advised that should Minister decide that changes are required to the LSPP Act or LSPP Plan, then notification of these changes would be posted on the Environmental Bill of Rights Registry System (EBR). This is considered to be the final step prior to legislative enactment and is considered to be premature. Given the importance of the LSPP and its profound implications a more robust consultation program is required with the inclusion of a consultation on any specific changes prior to a posting on the EBR.

Phosphorous and Dissolved Oxygen Targets Are Not Being Met – A New Action Plan is Needed

It is clear from the presentation in the Minister's Report that the target set by the LSPP for Phosphorous Loading on the Lake – 44 tonnes/ per year is not being met and dissolved oxygen targets of 7 mg/L are not being met consistently. On the assumption that these targets remain reasonable and required to sustain and enhance the ecosystem of the Lake new solutions will likely be required. Increased pressure on the watershed ecosystem will materialize given the anticipated, significant future growth in the watershed planned in the next 30 years.

It remains vitally important to utilize the best science available in the design of new development to minimize the impact on Lake and overall on a changing climate. However, the costs associated with re-engineering and adapting legacy municipal infrastructure is very significant. Municipalities are hard pressed to finance these costs in an expeditious manner given the constraints of current municipal finance. More funding assistance is required to accelerate this important work. In this regard, the Ministry of Environment, Conservation and Parks should update its Phosphorous Reduction Strategy to examine the Comprehensive Stormwater Management Master Plans of watershed municipalities, and in consultation with the Lake Simcoe Region Conservation Authority, prioritize effective phosphorous reduction works and develop a funding strategy to accelerate their development and implementation.

There are inconsistencies between the LSPP and Other Provincial Plans

The LSPP was prepared following the Greenbelt Plan (GBP), Growth Plan (GP) and Oak Ridges Moraine Plan (ORMCP). Despite that, there are a number of inconsistencies in the language, concepts, definitions and scope of the LSPP in comparison to other Provincial Plans. The LSPP is on an independent review cycle and was not considered by the Province at the time of the Provincial Plan Review in 2016. For example:

- The GBP defines Key Natural Heritage Features (KNHF) and KeyHydrological Features and KHF; whereas the LSPP explains what features are considered KNHF and KHF in various policies.
- The LSPP refers to a Natural Heritage Evaluation (NHE); whereas, the GBP refers to both NHE and Hydrological Evaluations (HE.)
- There are actual discrepancies between mapped KNHF in the LSPP and the GBP Vegetation Protection Zones (VPZ) are defined in the GBP but not in the LSPP.
- The GBP requires that new development or site alteration within the Natural Heritage System (NHS) shall demonstrate that connectivity along the system and between KNHFs and KHF located within 240m of each other will be maintained or, where possible, enhanced. The LSPP does not contain such a policy.
- The GBP provides exceptions for when new buildings or structures related to agricultural, agricultural related and on-farm diversified uses, ag-related and on-farm diversified uses within 120m of a KNHF or KHF are not required to undertake a natural heritage or hydrologic evaluation (i.e. if a min VPZ of 30m is provided from KNHF and KHF). The LSPP does not contain such an exemption.

- The Greenbelt Plan (GBP) contains policies for the Natural Heritage Systems (NHS) and Key Natural Heritage Features (KNHF) and Key Hydrological Features (KHF); whereas the Lake Simcoe Protection Plan (LSPP) only contains policies for KNHF and KHF and does not speak to a NHS.
- The definitions for Development and Site Alteration are not consistent between the documents

The LSPP should be thoroughly reviewed to ensure consistency between terminology, definitions and policies across all provincial plans that are in force across the Lake Simcoe watershed. This could also be extended to applicable review cycles if possible. Harmonization with the other provincial plans would assist in ensuring a more consistent understanding of applicable policies and a result in a more consistent and credible planning system.

6. CORPORATE STRATEGIC PLAN:

This report addresses the following strategic priorities:

- Goal 1 Grow Our Economy Sustainable Economic Growth & Employment
- Goal 2 Promote A High Quality of Life Healthy, Safe, Sustainable Communities
- Goal 3 Engage our Community & Build Partnerships Communication, Engagement, Collaboration

7. FINANCIAL AND BUDGETARY IMPACT:

There are no proposals by the Province in the context of the current review that can be measured for financial impact to the Town. The LSPP has effectively become “hard-wired” to Town standards, business practices and culture as required. The costs of implementing the LSPP to date have been significant but have not been itemized. Any increased requirements or, elevation of standards applicable to the Town is would likely come at a cost.

8. CONCLUSION:

Ensuring the health and vitality of Lake Simcoe and the supporting Greenbelt landscape and environment is an important principle that is embodied in the Town’s Official Plan, and many facets of the organization’s policies and practices.

Despite the best of intentions and practices, phosphorous loading targets in the lake have not been met since the adoption of the LSPP in 2009. Clearly, better efforts and measures are required to address this condition in the face of increased

population growth in the watershed. No specific proposals have been advanced by the Province on the direction of possible future changes to the LSPP in the context of the present review. As such it is not possible to provide specific comments.

On October 28, 2020, Council adopted a resolution requesting the Province to ensure that provisions in the Lake Simcoe Protection Plan that protect water quality not be weakened and that policies protecting natural heritage be strengthened, in order to meet the targets of the Lake Simcoe Protection Plan in the context of the 10 year review.

The recommendations in this report build upon the October 28, 2020 resolution by adding the comments in this report as further advancing the Town's position and comments on the 10- Year Review of the LSPP by the Province.

Prepared By:

Alan Drozd, MCIP, RPP
Manager of Planning Policy

Recommended by:

Approved by:

Harold Lenters, M.Sc. Pl, MCIP, RPP
Director of Development Services

David Reddon
Chief Administrative Officer

24 February, 2021

Attachment 1. E-mail from Ministry of Environment, Conservation and Parks

Attachment 2. E-mail from Rescue Lake Simcoe Coalition – February 9, 2021

Attachment 3. Town of Georgina Comprehensive Stormwater Management Master Plan – Conclusions and Recommendations

TO: Brock Council and Staff

March, 2021

RE: Cannabis in Brock

I represent several families on Concession 6, Beaverton, which is a quiet, residential neighbourhood with 3rd generation residents as well as new families and many small children. I have lived here for 35 years

I applaud Brock on initiating an Interim Control By-law and the pending Zoning By-law. We have been working with Councillor Jubb and Township staff over the past year regarding a cannabis operation on our road. My neighbours, Bonnie Lambert and Karen Brohm have also made written submissions today to detail our nightmare.

My submission is about the challenges to the Township, and our best tool, the pending Zoning By-law. This builds on the correspondence you recently received from Debbie France of Norfolk County, and your recent discussions with DRPS regarding enforcement.

Norfolk County is in crisis with more than one hundred and thirty-one (131) Part 2 Medical Marijuana (MMR) grow operations, caused by glaring loopholes in federal cannabis legislation and regulations. The legalization of cannabis was meant to keep cannabis from our youth and to get it off the black market; however, according to law enforcement the legislation has had the opposite effect. It has allowed organized crime to gain an even stronger foothold. The revenues envisioned by the federal government have disappeared into unmonitored tax accounting and the black market. They avoid retail and commercial property taxes while adding enforcement and legal costs to the municipality. There are **no economic benefits**, except to the producers. In fact, there are detrimental economic effects to the Township and residents with reduced property values and assessments.

Municipalities across Ontario plus the representative organizations of municipalities have been asked to join together to fix this problem. Efforts are under way to amend legislation.

Norfolk has refocused its approach to investigate cannabis grow operations with respect to violations of their Zoning By-law and to lay appropriate charges; ensuring that proper setbacks from nearby residences and site plan control issues such as parking, lighting and odour emissions are met. I understand that East Gwillimbury has had some enforcement success working in conjunction with York Regional Police. News of their progress is great, but since the growers target agricultural areas, I fear that as those municipalities get tougher and find solutions, the growers will gravitate north towards us.

Durham Regional Police have also made some progress with effective by-law provisions, and it is essential that Brock work with DRPS in this regard.

Key quotations from Debbie France are worth repeating, and some are quite scary:

"Our nightmare started. . . at a tomato greenhouse. It was purchased by owners from the city who are brazen and hold no respect for the well being of their new neighbours. They have disrupted the quality of life for local residents and tell residents no truths."

"80% of the MMRs in Norfolk are owned by GTA-based numbered companies and the individuals involved are not putting down roots in the community." "They don't care about the illegalities because they are easily selling \$50 000 per week. Employees are trained on what to say during a raid and they have a lawyer on standby."

"(residents were told)...**report suspicious activity like middle of the night shipments, and call 911 if you see people on a site with a gun, but don't get involved.**"

"The categorical assertion that there is no health effect from the odour is not correct and we will not fully realize this effect until the long term. As a parent and grandparent it is such a helpless feeling when you get the impression that no one really cares about your health and safety."

"Many local residents are concerned about real estate values and she knows of one family who was reported to Children's Aid Society because their house and children's clothing carries the distinctive odour from a neighbouring MMR site "

Further information worth knowing:

"Banks will not mortgage residential properties... or may not renew mortgages to residents living near unregulated, unmonitored facilities because of deteriorating property values. Insurance companies may or may not raise property insurance rates for residents who live near an unregulated cannabis facility or could refuse insurance " (facilities are prone to fires, explosions, thefts - we have seen this first-hand on the 6th Concession).

We have had many discussions with many agencies and authorities The warnings have come through clearly that any 'Health Canada Permits' were not likely properly obtained, and that violent criminal elements are common to these facilities. I was told by one DRPS officer that is familiar with our situation specifically with this grower "They are very smooth manipulative operators with violent tendencies as you have already witnessed - **you must do everything you can to protect yourselves.**"

What is the solution? Some suggestions:

- Work with Regional representatives and DRPS, and connect with valuable resources such as Norfolk County and East Gwillimbury, to develop enforcement protocols
- Recognize that a Health Canada 'permit' does not trump the Zoning By-law regardless if it is medical use or otherwise. The Health Canada website clearly states that all cannabis facilities must conform to zoning and municipal by-laws
- Our Zoning By-law must clearly state that any cannabis growth/production (other than 4 plants for personal use) must be a site-specific zoning Cannabis operations are more industrial than agriculture in nature and they should be located no closer than 1/2 km (minimum) to a sensitive use, even though the odour and light can be seen and smelled from much farther away. **It is certainly not appropriate in a residential area with young families, and within 1/4 mile of a school!**

Final thoughts from the residents of this community:

"Home ownership is a Canadian dream Our property values are depreciating. We have all invested in Brock and we want our investment protected This is a **RESIDENTIAL** neighbourhood and we have a right to the quiet, safe enjoyment of our homes "

I want to thank the Township for its continued support - we are stronger if we work together. As our logo says -.



Kitty Bavington, [REDACTED] **Beaverton**
(with extracts from Debbie France and articles provided)

Hello,

I would like to share a short summary of the impacts of an intended grow-op in my rural residential area

1. Excessive odors of cannabis, both inside and outside my home at times.
 - Have avoided having visitors at times
 - Unable to keep windows open for the breeze during a heatwave
 - Have been unable to sit outside and enjoy my own property many times (I have actually left to find outdoor space that I could enjoy on multiple occasion. This is a significant violation of my legal rights as a property owner!)
2. Excessive Noise. In the spring and early summer this was daytime noise now it is nighttime noise
 - Unable to enjoy being outside (or at times inside) during the day
 - Loss of sleep at night. There was actually one point where I had to leave my home for a few nights to get caught up on sleep!). There are often machines running all night and large trucks in and out of there at all hours of the night
3. Excessive light pollution at night
 - In our neighborhood it is a beautiful thing to sit outside at night and see the stars, however, the constant bright lights shining over their house all night (I believe they generally close down between 5:30 and 6 am currently) takes away from the absolute darkness that I have always enjoyed. I live in the country because I do not like light at night but now I never get to experience that absolute darkness
4. Changes to my environment
 - There has been clear cutting of protected lands that serve as a natural habitat for significant wildlife, including bears that have lived there for years. These bears were seen much more frequently out of that area in the spring – their home was destroyed
 - Although I am told there will be a replant order for the spring of 2021 I fear that it can never be the same. The amount of fill that was brought in will likely change the soil composition forever and the large pond that I am told was created in the north east corner of the property will likely have a significant impact on the drainage of the wetlands as well.
5. Inflammatory, retaliatory and intimidating behaviours
 - [REDACTED]

- [REDACTED] The property owners then started up loud machinery which they simply left running for a significant time (I had to leave my property because I could not stand the noise after the first hour). This was done in retaliation (as determined from what they were yelling) of a report to animal control.

- [REDACTED]

6. Inappropriate responses by authorities. I have been told that further investigation by township officials could be considered harassment and that we have to be careful of privacy issues. As a result, there are things that I have not reported. It almost feels like intimidation from that angle as well. I have lost faith in my township officials and our by laws I no longer feel that they are useful or effective in the current structure. I am no longer feeling comfortable living in the community that I was born and raised in

These are just a few examples of how this has impacted me personally.

As a property owner, I have a **legal** right to the enjoyment of my property which has been consistently violated over the past 6 months. This has been reported to the township, the police and to Health Canada on many occasions. Unfortunately, my rights have not been protected. We need protection for current residents in this township, of this province and of this country. Whether that comes from changes in the federal permit requirements, from municipal zoning or by law requirements (with adequate ability to enforce those), or something completely different does not matter, as long as everyone can maintain the legal right to enjoyment of their own property as stated in Bill 190 Property Rights and Responsibilities Act, 2009.

Thank you,

Bonnie Lambert

Date:	08/03/2021
Refer to:	Not Applicable
Meeting Date:	March 15, 2021
Action:	null
Notes:	PCA
Copies to:	

To whom it may concern

I am writing concerning the grow op on the 6th Concession of Beaverton. I have lived on this very quiet street for many years.

Wetlands

In the spring of 2020 the neighbours started to clear-cut their 10 acres which is designated conservation land. The concern was, it was the home for many of our wild life and where would they go? I had heard from a neighbour that they had a bear on their back deck because their natural habitat has been destroyed so they can no longer forage for food. With the clear-cutting comes the machinery noise from morning to late evening. This was 7 days a week at which point it was hard to enjoy being outside in your yard, or inside when your windows were open.

Traffic

The traffic in and out of the property was constant.

Offensive Smell

The smell coming from the property was offensive and at the time when they were harvesting, I could not stay outside or keep my windows open for fresh air because you could smell the odour inside my house. You should be able to enjoy your property in spring and summer or any time of year without being offended by that kind of smell.

Behaviour

The neighbours with the grow op became mad with the surrounding neighbours because the Conservation Authority made them stop cutting down trees, [REDACTED] At that point the police were called. I understand nothing was done but a warning. [REDACTED]
[REDACTED]

Their dogs cornered the neighbor beside them on their deck and By-laws was called. They sent the canine control officer to talk to them. [REDACTED]
[REDACTED] then he started a motor of some kind and let it run loudly, for hours - on a Sunday. So, another day of not being able to enjoy your property.

I believe this is not a good place for a grow op as it was a very quiet neighbourhood. I have been on this street for many years. We can normally enjoy the outdoors and the fresh air, but this year that has been impossible. If this grow op continues to operate, the neighbours will never enjoy their yards again or feel safe.

Thank You

Karen Brohm

Notice of a Statutory Public Meeting Concerning Proposed Amendments to the Official Plan and Zoning By-law 287-28-PL

We Want Your Input

Written Comments: Please submit written comments to planning@townshipofbrock.ca on or before **noon on March 11, 2021**. Comments may also be mailed or dropped off at the Township Office at 1 Cameron Street East, Cannington, ON L0E 1E0. Any questions received will be addressed verbally at the meeting. Please note that the privacy of commenters will be protected in the public meeting.

Written Comments

February 28, 2021

By Susan Ross, [REDACTED] Cannington Ontario

I have watched the presentation for the above meeting.

I have relayed my concerns in writing to the Township and received responses.

I have e-mailed Health Canada on three occasions and received no response.

These are my personal observations and not a community perspective of the cannabis building at 80 Davidson St. Cannington (formerly a glass factory) and how it has affected my life and neighbourhood.

Health

- constant odour, to date 38 times about a third of which permeate my home
- smell wakes me during the night
- breathing in odour when outside working or enjoying my property
- concern for my overall well being as a senior citizen
- concern for wildlife and neighbourhood animals

Property

- concern for sale, purchase and assessment in the future
- 48 year investment and how it will be affected
- safety of my property and home
- position of my property which is downwind of the grow-op and often has a strong odour
- loss of enjoyment when I have to retreat indoors

I have no question but any assistance in permanently resolving this situation would be welcomed. Thank you!

Susan Ross