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The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2024-INFO-37
Date: May 24, 2024

Subject:

Quarterly Report - Commissioner's Delegated Planning Approval Authority, and Summary of Planning Activity in the first Quarter of 2024.

Recommendation:

Receive for information.

Report:

1. Purpose

1.1 The Region's Commissioner of Planning and Economic Development has been delegated the authority to approve certain area municipal official plan amendments in all area municipalities, as well as subdivisions, condominiums, and part lot control exemption by-laws in the Townships of Brock, Scugog, and Uxbridge. This report summarizes actions taken under this delegated authority between January 1 and March 31, 2024 (Q1).

2. Previous Reports and Decisions

2.1 Reports on planning activity and how the delegated planning approval authority is used by the Commissioner is presented at the end of every quarter.

3. Commissioner's Approval of Area Municipal Plan Amendments

3.1 Prior to the adoption of an area municipal official plan amendment by a local Council, a draft is forwarded to the Region for review and a determination as to whether it affects a matter of Regional interest, including conformity with Provincial

Plans, consistency with the Provincial Policy Statement and conformity with the Regional Official Plan (ROP). If it is felt the draft amendment deals with matters of Regional significance, it is subject to approval by the Commissioner of Planning and Economic Development. If the area municipal official plan amendment does not trigger a matter of Regional interest, then approval would rest with the area municipality.

3.2 In the first quarter of 2024, the Planning Division received two area municipal official plan amendment applications. The received applications are exempt from Regional approval, as follows:

- In the Town of Whitby, application **OPA 2024-W/02 proposes** a site- specific amendment to increase the permitted density on the lands located in Port Whitby from 300 units per hectare (uph) to 1025 uph. The amendment will facilitate the development of four residential towers containing approximately 1,639 apartment residential dwelling units and shared podium which includes commercial floor space. Staff are also reviewing the following applications in conjunction with the related subdivision application S-W-2024-01 and zoning application Z-03-24.
- In the Town of Whitby, application **OPA 2024-W/03** proposes a site-specific amendment located within the west Whitby community, west of Des Newman Boulevard at Woodrow Court. The application proposes to increase the maximum permitted building height on the subject lands from four storeys to six storeys to facilitate a six-storey hotel in the Town of Whitby. Staff are also reviewing this application in conjunction with the related zoning application Z-05-24.

3.3 The Commissioner is the approval authority for proposed plans of subdivision and condominium in the three northern Townships. In the first quarter of 2024, the Planning Division did not receive any subdivision or condominium applications.

4. Commissioner's Approval of Part-Lot Control Exemption By-laws

4.1 The Commissioner is the approval authority for part-lot control exemption by-laws in the three northern Townships. In the first quarter of 2024, the Planning Division did not receive any Part- Lot Control applications.

5. Region's Review of Planning Applications

5.1 Regional staff review planning applications circulated from the area municipalities to ensure conformity with the ROP, other Regional policies, and Provincial plans and policies. The Planning Division coordinates comments from other Regional Departments and responds to the area municipalities on the following planning matters:

- Area Municipal Official Plan amendment applications;
- Delegated plans of subdivision and condominium, and part-lot control exemption by-laws;
- Zoning By-law amendment applications; and
- Select minor variance applications.

5.2 Planning Division staff also provide coordinated comments on Land Division applications circulated to the Region by the area municipalities.

5.3 Attachment 1 provides a numeric summary of Regional staff's review of planning applications across the Region.

6. Regional Council's Approval of Applications to Amend the Durham Regional Official Plan

6.1 Regional Council is the approval authority for applications to amend the Regional Official Plan.

6.2 As of March 31, 2024, there were 13 ROPA applications under consideration (refer to Attachment 2 which includes a chart and maps). In the first quarter of 2024, one new ROPA application was received.

6.3 In the Township of Uxbridge application ROPA 2024-001 was received to permit an aggregate pit expansion consisting of a licensed area of approximately 17.9 ha. The proposed extraction area within the expansion area will be approximately 15.4 ha and will include extraction above and below the water table.

7. Appeals to the Ontario Land Tribunal (OLT)

7.1 Four Land Division applications are currently before the OLT (Refer to Attachment 3A)

7.2 Five non-exempt area municipal official plan amendment applications are currently before the OLT (Refer to Attachment 3B).

8. Reserved Street Names

8.1 The Planning Division coordinates street naming in the Region. Street names are reviewed by the Region in consultation with Durham Regional Police Services, primarily from a public safety standpoint, to avoid the use of similar sounding street names. The Region does not assess whether the proposed street names may, or may not be, in good taste. Street names that are viewed as not being in conflict or duplicative with existing street names are included in a street name reserve list for each area municipality. In the first quarter of 2024, the Region did not receive any new street name requests (Refer to Attachment 4).

9. Regional Woodland By-law Permit Applications

9.1 The Planning Division coordinates Good Forestry Practice permits and Clear-Cutting Permits in woodlands across the Region that are one hectare in size and greater. Good Forestry Applications are reviewed in consultation with the Region's Tree By-law Officer, the applicable area municipality and the applicable conservation authority. The Commissioner of Planning and Economic Development also approves minor clear-cutting permits, and Council is the approval authority for major clear-cutting permits (1 hectare or more in size). During the first quarter of 2024, one new Good Forestry Practice permit applications was received.

10. Relationship to Strategic Plan

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

- a. Service Excellence – To provide exceptional value to Durham taxpayers through responsive, effective, and fiscally sustainable service delivery.

11. Attachments

Attachment #1: Summary of Regional Review of Planning Applications

Attachment #2: Summary and Maps of Regional Official Plan Amendment applications currently being processed or before the Ontario Land Tribunal

Attachment #3A: Non-Exempt Area Municipal Planning Applications before the Ontario Land Tribunal

Attachment #3B: Land Division Applications before the Ontario Land Tribunal

Attachment #4: Summary of Reserved Street Names

Respectfully submitted,

Original signed by

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

**Regional Review of Planning Applications –
Summary January 1 to March 31, 2024**

Area Municipal Official Plan Amendments

| | |
|-----------|---|
| Received | 2 |
| Commented | 2 |

Delegated Subdivisions & Condominiums (Lakeshore Area Municipalities)

| | |
|--|---|
| Received | 9 |
| Provided Comments & Conditions of Draft Approval | 5 |
| Cleared Conditions of Draft Approval | 0 |

Non-Delegated Subdivisions & Condominiums (Northern Municipalities)

| | |
|-------------------------|---|
| Received | 0 |
| Provided Draft Approval | 0 |
| Issued Final Approval | 0 |

Non-Delegated Part Lot Control

| | |
|-----------|---|
| Received | 0 |
| Commented | 0 |
| Approved | 0 |

Zoning By-laws Amendments

| | |
|-----------|----|
| Received | 17 |
| Commented | 8 |

Consents

| | |
|-----------|----|
| Received | 30 |
| Commented | 30 |

Good Forestry Practice and Clear-Cutting Applications

| | |
|----------|---|
| Received | 1 |
| Issued | 1 |

**Regional Official Plan Amendment applications currently being processed, or
before the Ontario Land Tribunal (OLT) (as of March 31, 2024)**

| OPA file | Council/ standing committee correspondence | Applicant/ Location | Proposed amendment |
|-----------------|---|--|--|
| 1. 2000-003 | 2000-273 | Town of Ajax (South of Bayly St., East of Church St.) | To delete a Type C Arterial Road (Deferral #3 to the Town of Ajax Official Plan). Status: ROPA #171 maintained the Clements Road connection in the ROP. Planned studies related to development and the widening of Bayly Street will re-examine the connection. |
| 2. 2005-009 | SC-2005-66 | Loblaw Properties Ltd. Lots 3 & 4, Conc. 1 Town of Ajax (South of Achilles Rd., East of Salem Rd.) | To delete a Type C Arterial Road. Status: ROPA #171 maintained the Shoal Point Road extension, north of Bayly Street in the ROP. Final disposition of this file is pending. |
| 3. 2005-011 | SC-2005-68 | Brooklin Golf Club Limited Lots 21 to 25, Conc. 8 Town of Whitby (South of Myrtle Rd., West of Baldwin St.) | To permit two 18-hole golf courses and a resort/ conference centre in the Prime Agricultural designation (formerly Permanent Agricultural Reserve). Status: Awaiting further technical studies from the applicant. |

| OPA file | Council/ standing committee correspondence | Applicant/ Location | Proposed amendment |
|-------------|---|--|---|
| 4. 2016-003 | | <p>Clara and Nick Conforti – Optilinx Systems Lot 21, Conc. 4 Town of Whitby (Thickson Rd. between Taunton Rd. East and Conlin Rd.)</p> | <p>To permit the continuation and expansion of a contractor’s yard and office in the Major Open Space designation.</p> <p>Status: Application appealed on December 12, 2019. Regional position in opposition to the amendment endorsed by Council on July 29, 2020. An OLT Case Management Conference was held September 7, 2021. The appeals were dismissed at the OLT hearing held on April 4, 2022. The applicant has since submitted a leave to appeal the OLT decision with the Ontario Divisional Court. The May 20, 2022 was adjourned. A motion to dismiss the appeal is to be scheduled by the Ontario Divisional Court.</p> |
| 5. 2021-002 | | <p>Sunrise International Investments Inc. Lot 4, Concession 5 City of Pickering (3695 Sideline 4)</p> | <p>To permit the redevelopment of the existing 12-hole golf course to a 9-hole golf course, a clubhouse with banquet facility, golf dome for indoor driving range, and a maintenance structure.</p> <p>Status: Awaiting a revised application from the Applicant. Application is on hold until it is received.</p> |

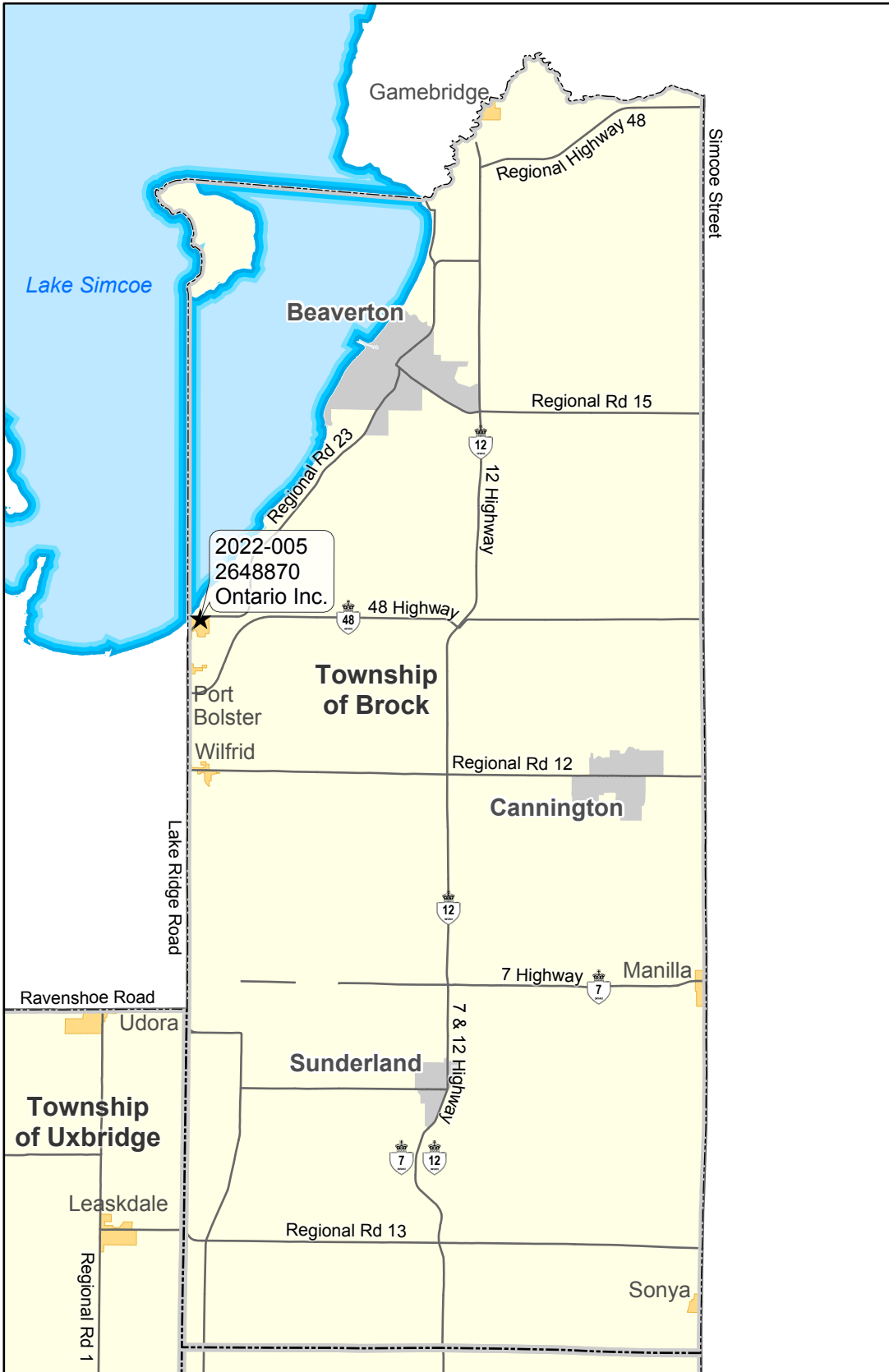
| OPA file | Council/ standing committee correspondence | Applicant/ Location | Proposed amendment |
|-------------|---|--|---|
| 6. 2021-003 | | Region of Durham. Various sites in proximity to existing and planned GO Rail stations. | <p>To implement Protected Major Transit Station Area policies and delineations as a component of the Region's municipal comprehensive review.</p> <p>Status: Regionally adopted ROPA 186 was submitted to MMAH for approval in January 2022.</p> |
| 7. 2021-005 | | Bridgebrook Corp. Lot 33, Con 6, Township of Uxbridge (7370 Centre Road) | <p>To redesignate the subject lands from Special Study Area #6 to Living Areas to allow a plan of subdivision.</p> <p>Status: The OLT decision was received on April 4th, 2024. As a result, the ROP is amended by deleting Special Study Areas 5 and 6 and introducing Specific Policy Area D thereby allowing residential development on the subject lands should servicing capacity become available.</p> |
| 8. 2021-006 | | Winchcoron Holdings Limited Lot 30, Con 5, Town of Whitby (605 Winchester Road West) | <p>To develop a golf course expansion</p> <p>Status: Public meeting was held on September 7, 2021. Decision meeting to be scheduled.</p> |
| 9. 2022-002 | | Norman Clements Township of Uxbridge Lot 15, Concession 4 (10899 Concession Road 4) | <p>To permit the severance of a non-abutting surplus farm dwelling.</p> <p>Status: Statutory Public Meeting was held June 7, 2022. Decision meeting to be scheduled.</p> |

| OPA file | Council/ standing committee correspondence | Applicant/ Location | Proposed amendment |
|-------------|---|---|---|
| 10.2022-005 | | 2648870 Ontario Inc. Township of Brock Lot 1, Concession 14 (23801 Thorah Park Boulevard) | <p>To permit the development of a resort comprised of a three-storey building with 42 suites and four single-storey “villas” for a total of 46 rental units.</p> <p>Status: Public Meeting held January 10, 2023. Decision meeting to be scheduled.</p> |
| 11.2023-001 | | Bethesda Ridge Farms, Municipality of Clarington, Part of Lot 8, Concession 6 (2774 Sixth Concession) | <p>To permit the severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farm properties.</p> <p>Status: Decision meeting was held on March 5, 2024. Appeal period ended April 22, 2024</p> |
| 12.2023-002 | | Thornlea Holsteins Ltd. Municipality of Clarington Part Lot 1, Concession 5 (4854 Concession Road 5) | <p>To permit the severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farm properties.</p> <p>Status: Decision meeting held on April 4, 2024. Appeal period will end May 15, 2024</p> |
| 13.2024-001 | | Lafarge Canada Inc. Township of Uxbridge Part Lot 20, Concession 3 (4900 Concession Road 4 Uxbridge) | <p>To permit an aggregate pit expansion consisting of a licensed area of approximately 17.9 ha. The proposed extraction area within the expansion area will be approximately 15.4 ha and will include extraction above and below the water table.</p> <p>Status: Public Meeting scheduled for June 4, 2024</p> |



Regional Official Plan Amendments (ROPAs) Township of Brock

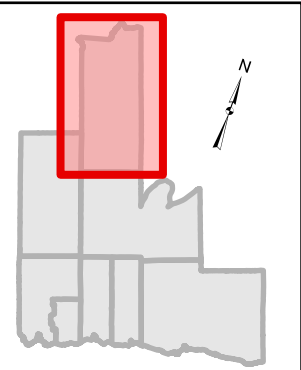
As of March 31, 2024



ROPA Locations

- ☆ New Application
- ★ Under Consideration
- ⊗ Refused/Withdrawn
- ⊙ Appealed to OLT
- ⊛ Approved
- Regional Official Plan Urban Area
- Hamlet
- ▭ Municipal Boundary
- 12— Provincial Highway
- 48— Regional Highway
- 5— Regional Road
- Local Road

REGIONAL MAP INDEX



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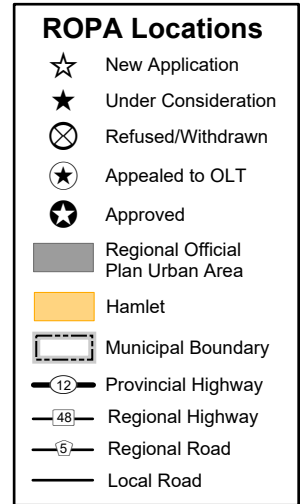
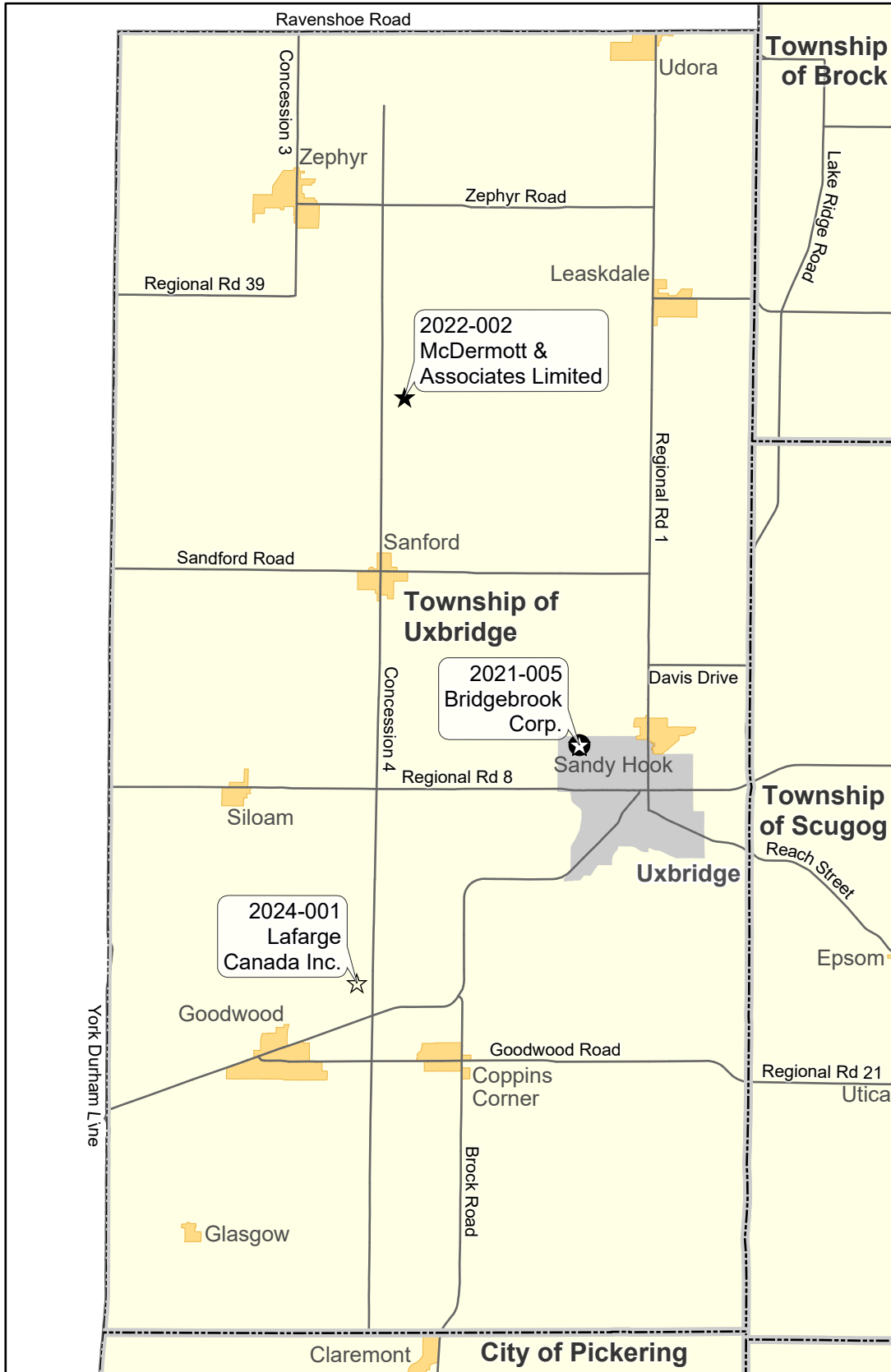
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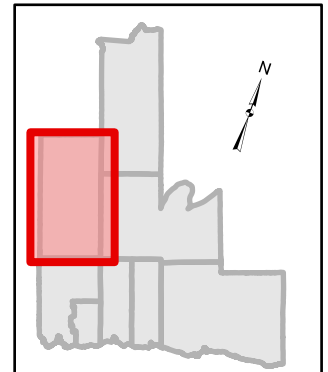


Regional Official Plan Amendments (ROPAs) Township of Uxbridge

As of March 31, 2024



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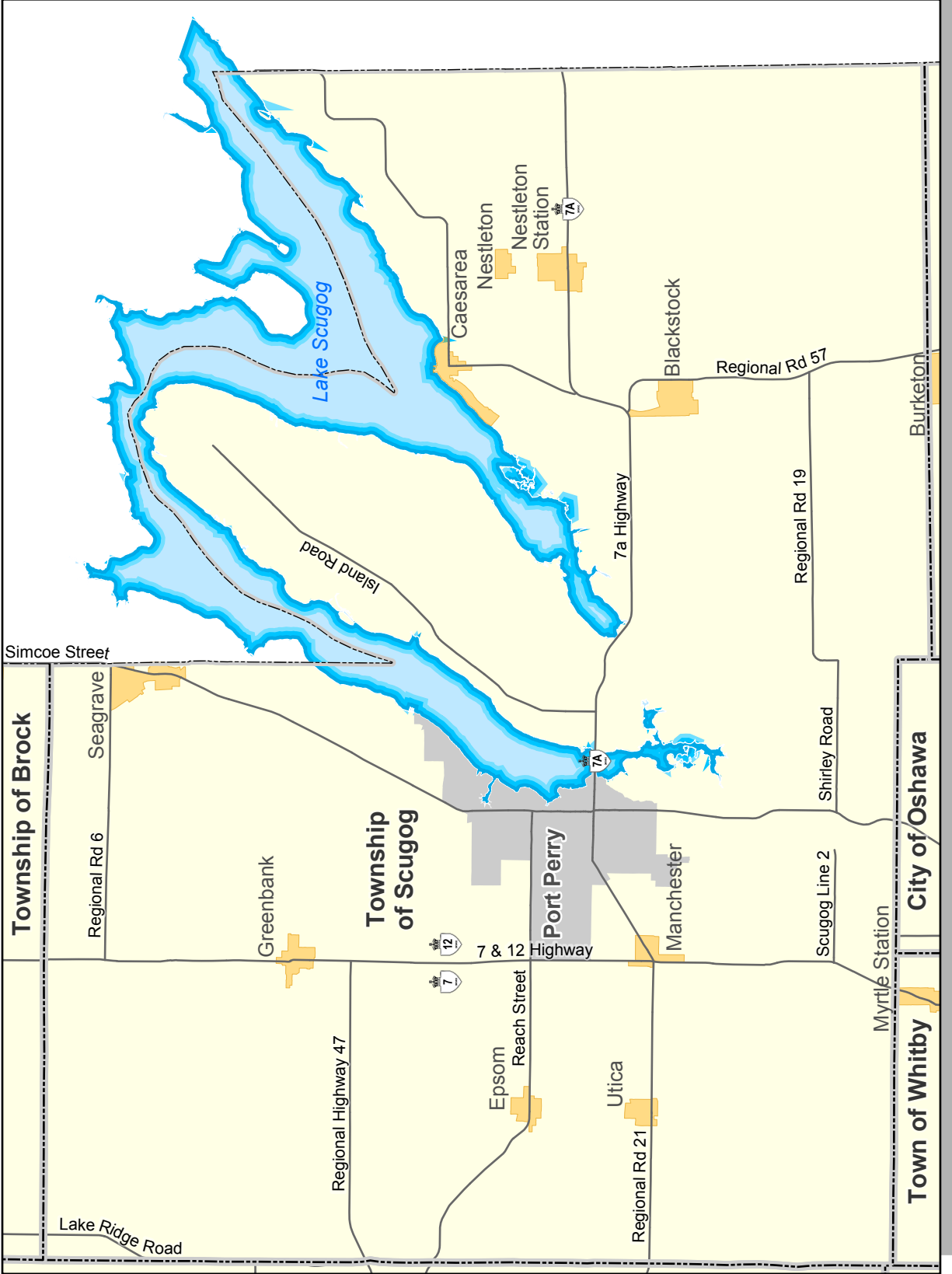




Regional Official Plan Amendments (ROPAs)

Township of Scugog

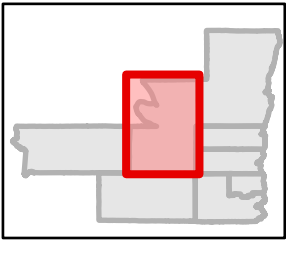
As of March 31, 2024 there are no active ROPA applications in the Township of Scugog



ROPA Locations

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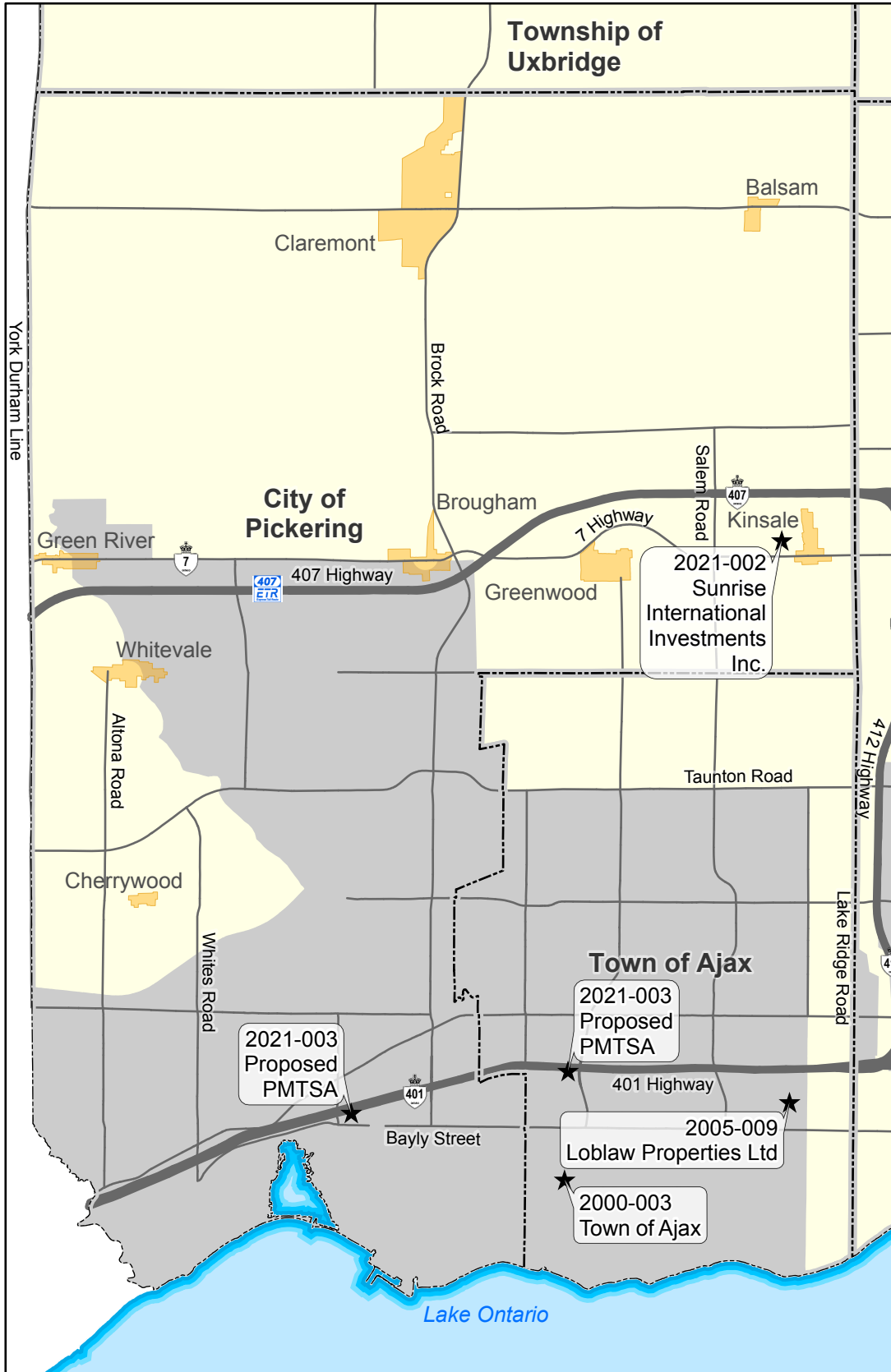
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Regional Official Plan Amendments (ROPAs) City of Pickering - Town of Ajax

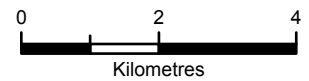
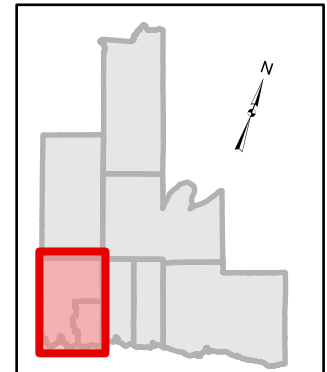
As of March 31, 2024



ROPA Locations

- ☆ New Application
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- ⊗ Refused/Withdrawn
- ⊙ Appealed to OLT
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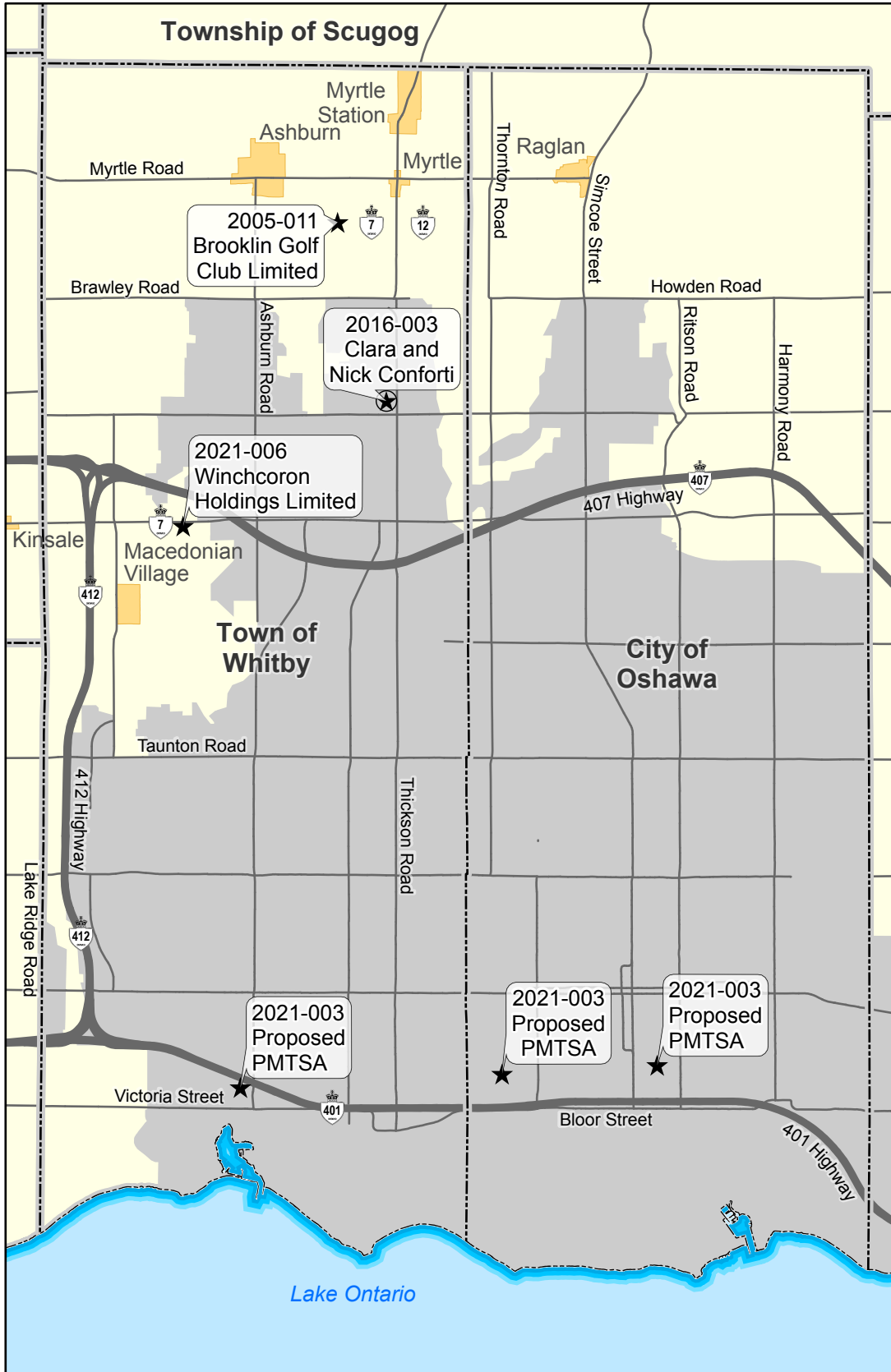
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Regional Official Plan Amendments (ROPAs) Town of Whitby - City of Oshawa

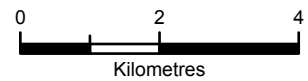
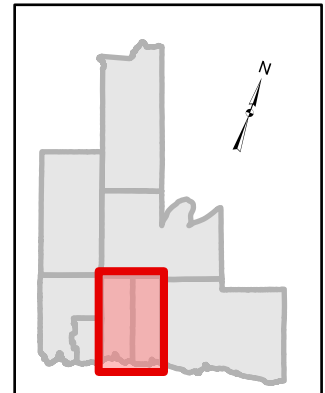
As of March 31, 2024



ROPA Locations

- ☆ New Application
- ★ Under Consideration
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- ⊙ Appealed to OLT
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Regional Official Plan Amendments (ROPAs)

Municipality of Clarington

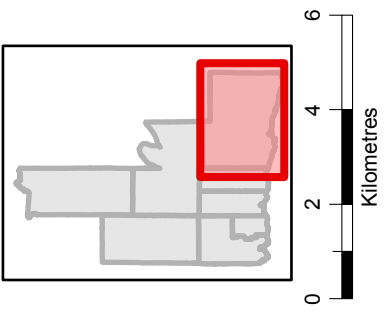
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ROPA Locations

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**Non-Exempt Area Municipal Planning Applications Under Appeal Before the
Ontario Land Tribunal (As of March 31, 2024)**

| Regional File No./OLT Case No. | Applicant | Municipality | Purpose | Status |
|---|----------------------------|----------------------------|--|--|
| OPA 66 OLT-22-002958 &OLT-22-002959 | Bridgebrook Corp. | Township of Uxbridge | To redesignate the lands at 7370 Centre Road from Future Residential Area to Residential. | Applicant appealed to the Township of Uxbridge's failure to make a decision on March 16, 2022. This application is related to ROPA 2021-005. The OLT decision was received on April 4 th , 2024. As a result, the ROP is amended by deleting Special Study Areas 5 and 6 and introducing Specific Policy Area D thereby allowing residential development on the subject lands should servicing capacity become available. |
| COPA 2020-003 OLT-22-004850 | Wasser and Yassim Philobes | Municipality of Clarington | Appealing the low-density designation on specific parcel of land to permit a higher density use. Appealed various policies and sections of the Southwest Courtice Secondary Plan. | |

| Regional File No./OLT Case No. | Applicant | Municipality | Purpose | Status |
|---|--------------------|----------------------------|---|---|
| OPA 20-004/P (OPA 38) OLT-22-004770 | City of Pickering | City of Pickering | To add new policies and change existing policies and land use designations to the Pickering Official Plan to enable the redevelopment and intensification of the Kingston Road Corridor and Specialty Retailing Node, and to identify required infrastructure improvements and transportation connections throughout the area in support of anticipated population and employment growth. | The second Case Management Conference was held May 26, 2023, a third Case Management Conference was scheduled for July 28, 2023. The matter has been adjourned with no new date set. All the parties have indicated that their appeals will be site specific, and the City is working with the parties on next steps on how to proceed with the scoped appeals. |
| COPA 2022-0003, OLT-23-000308 | VAD Retail Limited | Municipality of Clarington | Appealing failure of the Municipality of Clarington to make a decision within 120 days on the applicant's applications to permit a townhouse and seniors housing campus. | OLT hearing date scheduled for August 12, 2024. |

| Regional File No./OLT Case No. | Applicant | Municipality | Purpose | Status |
|--------------------------------|----------------|----------------|---|--|
| OPA 2020-W/03 OLT 24-000115 | Town of Whitby | Town of Whitby | The Amendment updates the Secondary Plan for the Downtown Whitby Area. It provides a vision and detailed objectives, updated development policies and land use designations for the Secondary Plan Area. The Secondary Plan will guide future growth and development in the Downtown Whitby area. | acknowledgement letter from the OLT was received on January 31, 2024. No case management conference has been scheduled to date. |

**Regional Land Division Committee Applications Currently Before the Ontario
Land Tribunal (as of March 31, 2024)**

| Regional File No./OLT Case No | Applicant | Municipality | Purpose | Status |
|--------------------------------------|--------------------------|----------------------------|--|---|
| LD 041/2023 OLT-23-001036 | Brundale Fine Homes Ltd. | Township of Uxbridge | The purpose of this application is to sever a 835.60 m ² residential parcel of land, retaining a 835.64 m ² residential parcel of land. Existing dwelling is to be demolished. | Application was appealed to the OLT on August 3, 2023. Hearing date was scheduled for January 11, 2024. |
| LD 086/2023 OLT-24-000134 | Mitch Morawetz | Municipality of Clarington | The purpose of the application is to sever a vacant 2,020 m ² agricultural parcel of land, retaining a 118.03-hectare agricultural parcel of land with an existing dwelling and a shed. | Applications were appealed to the OLT on December 31, 2023. Merit Hearing was on April 12, 2024. The parties are currently in discussions to resolve matters. |
| LD 087/2023 OLT-24-000134 | Mitch Morawetz | Municipality of Clarington | The purpose of the application is to sever a vacant 3.33-hectare agricultural parcel of land, retaining a 114.7-hectare agricultural parcel of land with an existing dwelling and a shed. | Applications were appealed to the OLT on December 31, 2023. Merit Hearing was on April 12, 2024. The parties are currently in discussions to resolve matters. |
| LD 088/2023 OLT-24-000134 | Mitch Morawetz | Municipality of Clarington | The purpose of the application is to sever a vacant 72.5-hectare agricultural parcel of land, retaining a 42.2-hectare agricultural parcel of land with an existing dwelling and a shed. | Applications were appealed to the OLT on December 31, 2023. Merit Hearing was on April 12, 2024. The parties are currently in discussions to resolve matters. |

Summary of Reserved Street Names (As of March 31, 2024)

| Municipality | Number of New Street Names Added in third Quarter of 2023 | New Street Names Added* | Total Number of Street Names Reserved |
|---------------------|--|--------------------------------|--|
| Ajax | 0 | | 318 |
| Brock | 0 | | 45 |
| Clarington | 0 | | 655 |
| Oshawa | 0 | | 465 |
| Pickering | 0 | | 659 |
| Scugog | 0 | | 218 |
| Uxbridge | 0 | | 153 |
| Whitby | 0 | | 478 |
| Total | 0 | | 2,977 |

* At this point in time not all suffixes have been assigned.