



Interoffice Memorandum

Date: May 31, 2024

To: Regional Chair Henry and Members of Regional Council

From: Brian Bridgeman, Commissioner of Planning and Economic Development

Subject: Preliminary Regional Response to MMAH's Proposed Modifications to the Durham Regional Official Plan

The Regional Municipality of Durham

Planning and Economic Development Department

Planning Division

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

On May 6, 2024, I received a letter from my counterpart at the Ministry of Municipal Affairs and Housing containing a package of proposed/draft modifications to Envision Durham, the new Regional Official Plan, which was adopted by Regional Council on May 17, 2023. The [Draft Decision letter](#) was provided in the May 10, 2024 Council Information Package.

Following staff's review of the Draft Decision, I sent the attached letter as our first round of comments to Ministry staff. Regional staff continue to work through the modifications and intend to send a final follow-up response in the coming weeks.

Regards,

Original signed by

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

Encl.



Sent Via [Email](#)

May 15, 2024

**The Regional Municipality
of Durham**

**Planning and Economic
Development Department**

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Brian Bridgeman,
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Laurie Miller
Regional Director
Municipal Services Office – Central Ontario
Ministry of Municipal Affairs and Housing
777 Bay Street, 16th Floor
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Dear Laurie Miller:

**RE: Preliminary Regional Response to MMAH's Proposed
Modifications to the Durham Regional Official Plan**

On May 6, 2024, Regional staff received the Minister of Municipal Affairs and Housing's Draft Decision on the Council-adopted new Regional Official Plan (ROP). Regional staff appreciate the productive meetings that have already taken place with Provincial staff on May 8th and 13th. Please accept this letter as the Region's first round of comments on this Draft Decision (see Attachment #1).

The Draft Decision on the new ROP contains 77 proposed modifications that we have categorized as follows:

- General concurrence, wherein the Region has no comments and/or concerns – 57 mods (74%), including Mods. 1-5, 7-19, 22, 24, 26-42, 48, 50-51, 53-56, 59, 64-67, 69-73, 75-77.
 - Of these 57 proposed modifications, 15 were friendly modification requests from the Region based on Official Plan Amendments and Ontario Land Tribunal decisions that have been approved since the new ROP was adopted by Regional Council on May 17, 2023. These Regional requests include Mods. 12-13, 17, 19, 22, 29, 51, 53-54, 56, 59, 64-67.
- Partial acceptance with revisions, wherein the Region requests modest changes to the proposed modifications for Provincial staff's consideration – 10 mods (13%), including Mods. 6, 20-21, 43, 45-47, 49, 57, 74.

If this information is required in an accessible format, please contact Planning Division at 1-800-372-1102, ext. 2548.

- Under review, wherein Regional planning staff are awaiting additional information and/or the proposed modification requires additional analysis – 10 mods (13%), including Mods. 23, 25, 44 (in part), 52, 58, 60-63, 68.

In addition to the above 77 proposed modifications, the Region requests the following additional modifications (see Attachment #2):

- New Regional modification requests, which includes 11 new modifications based on Official Plan Amendments, Ontario Land Tribunal decisions and new Provincial infrastructure information that have been approved/finalized since the adoption of the Regional Official Plan, with most occurring within the last several weeks – identified as Mods. I-XI.
 - It is imperative to incorporate these new modification requests at the time of Ministerial approval to ensure the new ROP is as complete and up-to-date as possible. To receive approval of the new ROP, only to have it go through the administrative exercise of a formal Consolidation would be unnecessarily burdensome and potentially moves completion of an updated ROP to several months **after** receiving a Final Decision from the Minister on the approval of the new ROP. Not having an up-to-date Consolidation would create challenges should we need to prepare to transition the ROP to our area municipalities as a result of Bills 23 and 185.
- Previously submitted Regional modification requests, which includes 5 friendly modification requests previously shared with Provincial staff. These proposed modifications are being re-submitted for consideration and/or await a response from Provincial staff – identified as Mods. XII-XVI.

Regional planning staff will continue to liaise directly with your staff in order to resolve the outstanding proposed modifications as quickly as possible. To assist with this process, Regional staff again respectfully request all public, agency and stakeholder comments submitted on the new Durham Regional OP to date.

We look forward to continuing to work with you and your staff to enable the Minister's timely approval of Durham's new Regional Official Plan. I will provide further comment letters on behalf of Durham Region as the outstanding proposed modifications are resolved.

Regards,

Brian Bridgeman

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

Attachment #1: Proposed Modifications and Regional Responses Table
Attachment #2: Additional Regional Modification Requests Table – New
and/or For Reconsideration

cc: John Henry, Durham Regional Chair and CEO
Bob Chapman, Chair, Planning & Economic Development Committee
Elaine Baxter-Trahair, Chief Administrative Officer, Region of Durham
Colleen Goodchild, Director of Planning, Region of Durham

Draft Decision on the Durham Regional Official Plan
Proposed Modifications from MMAH and Regional Responses

Note: Additions in **bold** and deletions in ~~bold strikethrough~~:

Mod. No.	Modification	Regional Comments
1.	<p>Policy 3.3.24 d) is modified so that it reads:</p> <p>“d) they do not disrupt the agricultural community and impacts on the surrounding agricultural operations and lands are mitigated to the extent feasible.”</p>	No comments/concerns.
2.	<p>Policy 3.3.31 is modified so that it reads:</p> <p>“Consider new cemeteries subject to the following criteria:</p> <p>a) for Prime Agricultural Areas, there are no reasonable alternative locations which avoid Prime Agricultural Areas and the cemetery is located on lower priority lands in areas of lesser agricultural significance;</p> <p>b) there are no adverse impacts on the natural environment, hydrological features and surrounding land uses;</p> <p>c) impacts from the cemetery on surrounding agricultural operations and lands are mitigated to the extent feasible;</p> <p>de) if locating adjacent to an operating landfill, the cemetery is sited in accordance with the Land Use Compatibility Guidelines, and any other guidelines and/or requirements issued by the province; and</p> <p>ed) the cemetery is no larger than 40 hectares within the Prime Agricultural Area; and</p> <p>f) Within the Greenbelt Area, cemeteries are not permitted within the Prime Agricultural Areas.”</p>	<p>No concerns.</p> <p>Minor refinements resulting from the proposed modification are identified in red.</p>

Mod. No.	Modification	Regional Comments
3.	<p>Parts d), e), and f) of policy 3.3.39 are modified so that they read:</p> <p>“d) guide development, redevelopment, and intensification while protecting and preserving built heritage resourcesbuildings, and cultural heritage landscapesfeatures and functions;</p> <p>e) support the restoration and where appropriate, the adaptive reuse of built heritage resourcesbuildings;</p> <p>f) provide an appropriate interface or transition between new developments and protected heritage propertiesbuildings or heritage conservation districts;”</p>	No comments/concerns.
4.	<p>Policy 3.3.41 a) is modified so that it reads:</p> <p>“adopt policies to protect and enhance cultural heritage resources in their official plans, including the use of heritage impact assessments where development is proposed adjacent to properties designated under the Ontario Heritage Act, heritage conservation districts and provincial heritage properties.”</p>	No comments/concerns.
5.	<p>Policy 3.3.46 is modified so that it reads:</p> <p>“Encourage area municipalities to preserveconserve and protect significant natural and cultural landscapes through the development process, including the Lake Ontario waterfront, the Lake Ontario Waterfront Trail, Lake Scugog, Lake Simcoe and the Rouge National Urban Park views and vistas.”</p>	No comments/concerns.

Mod. No.	Modification	Regional Comments
6.	<p>Policy 3.3.50 is modified so that it reads:</p> <p>“Ensure that, where archaeological resources are found to be of Indigenous, First Nation or Metis origin-affiliation, the proponent and/or their archaeological consultant are required to:</p> <p>a) where the finding takes place through a Stage 2 archaeological assessment, provide a copy of the findings to the closest relevant Indigenous, First Nation or Metis affiliation community prior to development proceeding the subsequent stage of archaeological assessment; and</p> <p>b) during the through a Stage 3 archaeological assessment, engage notify the relevant closest Indigenous community affiliation in the formulation of mitigation strategies advance of onsite assessment work.”</p>	<p>Notwithstanding receiving support for the policy as included in the adopted ROP from the Mississaugas of Scugog Island First Nation, Regional staff generally accept the revisions to Policy 3.3.50. However, the proposed provincial modifications do not reflect Policy 3.3.50 within the adopted ROP, as amended.</p> <p>Please find the adopted Policy 3.3.50 below, with suggested revisions based on an interpretation of the proposed Mod 6, for consideration:</p> <p>“3.3.50 Ensure that, where archaeological resources are found to be of Indigenous, affiliationFirst Nation or Metis origin, the proponent and/or their archaeological consultant are required to:</p> <p>a) where the finding takes place through a Stage 2 archaeological assessment, provide a copy of the findings and receive a response from the Indigenous community-First Nation or Metis identified as having cultural and/or local heritage within the area prior to development proceeding the subsequent stage of archaeological assessment; and</p> <p>b) during the through a Stage 3 archaeological assessment, engage notify and receive a response from the relevant Indigenous community-First Nation or Metis identified as having cultural and/or local heritage within the area in the formulation of mitigation strategies advance of onsite assessment work.”</p>
7.	<p>Add a new policy 3.3.52 that reads:</p> <p>“Encourage area municipalities to prepare archaeological management plans and cultural plans, where appropriate.”</p>	<p>No comments/concerns.</p>

Mod. No.	Modification	Regional Comments
8.	<p>Policy 4.1.13 is modified so that it reads:</p> <p>“Work with area municipalities, conservation authorities and other agencies to ensure stormwater management plans encourage implementation of a hierarchy of source, lot-level, conveyance and end of pipe controls, to address the impacts of a changing climate, and impacts from natural hazards, including through improved stormwater management design and the use of innovative technologies and best practices”.</p>	No comments/concerns.
9.	<p>Policy 4.1.14 is modified so that it reads:</p> <p>“Encourage area municipalities to include policies within their official plans to implement source control programs that reduce stormwater runoff volume and pollutant loadings within designated Urban Areas in the Lake Simcoe watershed, in accordance with the Lake Simcoe Protection Plan.”</p>	No comments/concerns.
10.	<p>Policy 4.1.39 is modified so that it reads:</p> <p>“Investigate the long-term servicing of Urban Areas identified in Policy 4.1.38. Further expansions to these Urban Areas shall only be considered if there is a long-term plan in place to provide full municipal services and in accordance with applicable provincial plans. The applicable sewage and water infrastructure policies of the Greenbelt Plan also apply.”</p>	No comments/concerns.
11.	<p>Policy 5.1.14 g) is modified so that it reads:</p> <p>“g) notwithstanding the intensification policies herein, any-new or intensified development is not directed towithin Floodplain Special Policy Areas, and shall be subject to the applicable provisions of the area municipal official plan.”</p>	No comments/concerns.

Mod. No.	Modification	Regional Comments
12.	<p>Figure 11 – Strategic Growth Area Targets Table is modified by adding an asterisk (*) after the target for Protected Major Transit Station Areas and by adding the following note below the table:</p> <p>“Notwithstanding the above, the Oshawa GO/VIA Protected Major Transit Station Area will be planned to achieve a minimum density target of 25 people and jobs per gross hectare”.</p>	<p>No concerns.</p> <p>Regional modification request:</p> <p>Refer to Mod. No. 51 for background information/justification.</p> <p>Please note that the reference to “Major Transit Station Area” will be bookmarked to the defined term within the Glossary of the new ROP.</p> <p>Modification submitted to MMAH staff on June 5 and November 9, 2023.</p>
13.	<p>Figure 11 – Strategic Growth Area Targets Table is modified by deleting the note below:</p> <p>“Notwithstanding the above Minimum Transit Supportive Density Targets, where a Regional Centre is located along a Rapid Transit Corridor and is also comprised of a historic downtown, an area municipal official plan may establish an alternative density target for the Regional Centre provided the overall target for the area municipality is maintained.”</p>	<p>No concerns.</p> <p>Regional modification request:</p> <p>Regional request for MMAH assistance with the definition of a “historic downtown” to ensure the Note following Figure 11 does not have unintended negative impacts within Strategic Growth Areas across the region.</p> <p>Through Regional Council’s consideration of the Recommended ROP, Motion 116 as submitted by Whitby Regional Councillors was carried.</p> <p>Motion 116 was accommodated within the adopted ROP as a Note following Figure 11:</p> <p>“Notwithstanding the above Minimum Transit Supportive Density Targets, where a Regional Centre is located along a Rapid Transit Corridor and is also comprised of a historic downtown, an area municipal official plan may establish an alternative density target for the Regional Centre provided the overall target for the area municipality is maintained.”</p> <p>Modification submitted to MMAH staff on June 5 and November 9, 2023.</p>

Mod. No.	Modification	Regional Comments
14.	<p>The preamble of policy 5.2.6 and the associated subsection b) are modified so that they read:</p> <p>“Require area municipalities to plan for Strategic Growth Areas by updating official plans, secondary plans and zoning by-laws to:</p> <p>b) Set outdesignate appropriate:</p> <p>i) land use designations;</p> <p>ii) establish a minimum residential and employment density targets in accordance with Figure 11; and</p> <p>iii) identify permissible built form standards, including minimum and maximum building heights;</p> <p>iv) establish minimum and maximum building heights.”</p>	<p>No concerns.</p> <p>Minor refinement resulting from the proposed modification identified in red.</p>
15.	<p>The first sentence of policy 5.2.8 e) is modified so that it reads:</p> <p>“contributes to, recognizes, preserves and/or conserves applicable built and cultural heritage resources, in accordance with Section 3.3.”</p>	<p>No comments/concerns.</p>
16.	<p>Add a new policy 5.2.11.1 which reads:</p> <p>“Notwithstanding policies 5.2.10 and 5.2.11, the further refinement of the boundaries of Urban Growth Centres or Protected Major Transit Station Areas shall only be undertaken in accordance with provincial plans and policy.”</p>	<p>No comments/concerns.</p>

Mod. No.	Modification	Regional Comments
17.	<p>The preamble of Section 5.2 (after policy 5.2.14) 'Protected Major Transit Station Areas' is modified so that it reads:</p> <p>"There are seveneight Protected Major Transit Station Areas located within southern Durham along the Lakeshore East GO Train line. ThreeFour Protected Major Transit Station Areas surround existing stations in Pickering, Ajax, and Whitby, and Oshawa, and four new stations are being planned along the GO East Extension, two of which are in the City of Oshawa (Thornton's Corners and Central Oshawa) and two of which are in the Municipality of Clarington (Courtice and Bowmanville)."</p>	<p>No concerns.</p> <p>These suggested modifications are the result of comments submitted by MMAH staff to the Region on May 8, 2023, on the draft ROP:</p> <p>"We note that a station area has not been delineated for the existing Oshawa GO/VIA station in the draft ROP. The Region should identify a boundary for this station in accordance with policy 2.2.4 of A Place to Grow, which provides that the Minister can consider lower density targets for station areas, in certain circumstances.</p> <p>Modification submitted to MMAH staff on June 5 and November 9, 2023.</p>
18.	<p>Policy 5.2.17 is modified to add the following new subsection:</p> <p>"c) any land use that would adversely affect the achievement of the minimum density target."</p>	<p>No comments/concerns.</p>
19.	<p>Policy 5.2.18 is modified so that it reads:</p> <p>"Not permit sensitive land uses, notwithstanding any other policies of this Plan to the contrary, at the following locations:</p> <p>a) on the lands located within the existing Oshawa GO/VIA Protected Major Transit Station Area in the City of Oshawa, due to surrounding industrial uses, railway and highway infrastructure; and,</p> <p>b) on the lands located within the Courtice Protected Major Transit Station Area, east of Courtice Road and south of Baseline Road in the Municipality of Clarington, due to proximity to the Darlington Generating Station"</p>	<p>No concerns.</p> <p>Regional modification request:</p> <p>Refer to Mod. No. 51 for background information/justification.</p> <p>Please note that the references within new policy sub-section a) to "Major Transit Station Area" and "infrastructure" will be bookmarked to defined terms within the Glossary of the new ROP.</p> <p>Modification submitted to MMAH staff on June 5 and November 9, 2023.</p>

Mod. No.	Modification	Regional Comments
20.	<p>Policy 5.2.23 i) is modified so that it reads:</p> <p>“Include plans to accommodate multimodal access to Protected Major Transit Station Areas by accounting for the retention or replacement of existing station access infrastructure (pedestrian, bus, cycle, pick-up and drop-off, and vehicle parking) and give priority to local and regional transit, active transportation and passenger pick-up and drop off. Include plans for as well as the protection for future facility expansion when new development on existing GO Station land is proposed;”</p>	<p>Acceptable, but with a minor modification recommended.</p> <p>Revise new wording to read "...local and inter-regional transit...".</p> <p>DRT is our "local" transit while GO Transit (specifically GO Bus) is the "regional" transit referred to here, but don't want to confuse the word regional to mean Durham Region Transit.</p>
21.	<p>Add a new policy 5.2.23 m) which reads:</p> <p>“Require, where development is proposed adjacent or in the vicinity of MTO permit control areas, a traffic impact study be undertaken to determine the impacts of proposed development and intensification on highway interchange nodes within the Ministry’s permit control area.”</p>	<p>Acceptable, but with a minor modification recommended.</p> <p>Change reference from “traffic impact study” to “transportation impact study” as this is the terminology used within Envision Durham.</p> <p>It is our understanding that such a study is done anyway as a matter of practice for MTO, however, this modification formalizes the process.</p>
22.	<p>Add a new policy 5.2.23.1 which reads:</p> <p>“Notwithstanding policies 5.2.15 to 5.2.23, the existing Oshawa GO/VIA station is to be planned for Employment Area permitted uses only with a minimum density target of 25 people and jobs per hectare.”</p>	<p>Regional modification request:</p> <p>Refer to Mod. No. 51 for background information/justification.</p> <p>Modification submitted to MMAH staff on June 5 and November 9, 2023.</p>
23.	<p>Insert a new policy 5.4.5.1 that reads:</p> <p>“Development within the designated greenfield area shall be planned to achieve a minimum density target of not less than 53 [or 60] people and jobs per hectare.”</p>	<p>Under review.</p> <p>Following discussion with Provincial staff, it has been clarified that the density figure “[or 60]” noted in “not less than 53 [or 60] people and jobs per hectare” is intended to be a placeholder, dependent upon the outcome of proposed modification related to northeast Pickering.</p> <p>For example, should the proposed lands be removed from northeast Pickering, densities across all remaining greenfield areas within Durham could be impacted significantly to maintain the overall population and employment forecasts allocated to the Region to 2051.</p>

Mod. No.	Modification	Regional Comments
24.	<p>The preamble of section 5.7.2 is modified so that it reads:</p> <p>“Require Aarea Mmunicipalities to update Consider support for amendments to an area municipal their official plans to designate a supply of land for development up to the time frame of this Plan, including Settlement Area Boundary Expansions to the extent of the Region’s Urban Area Boundary as shown on Map 1, provided that the amendment:”</p>	<p>No concerns.</p> <p>Minor refinements resulting from the proposed modification are identified in red (to be consistent with formatting within the rest of the document).</p>
25.	<p>Policy 5.7.8 b) is deleted in its entirety:</p> <p>“assess the impacts of existing Minister’s Zoning Orders and Airport Site Order and Zoning Regulations which currently restricts the development of these lands as a result of the potential for a future airport to the west. Development shall not proceed until such time it has been demonstrated that the relevant requirements, including those related to noise and building height restrictions have been met. Satisfying the requirements of this policy may be dependent on future actions first being undertaken by provincial and federal levels of government, as described in Policy 5.5.36.”</p>	Under review.
26.	<p>Subsection c) of policies 6.4.5 and 6.4.6 are modified so that they read:</p> <p>“within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence in accordance with the date set out in the applicable provincial planas of December 16, 2004;”</p>	No comments/concerns.
27.	<p>Policy 6.7.4 is modified so that it reads:</p> <p>“Ensure that the development of mineral aggregate operations and wayside pits shall, where applicable, conform with the provincial plans and policies Oak Ridges Moraine Conservation Plan and the Greenbelt Plan, where applicable, in addition to the policies of this Plan.”</p>	No comments/concerns.
28.	<p>Add a new policy which reads:</p> <p>“6.7.24 Ensure the rehabilitation of mineral aggregate extraction sites in Prime Agricultural Areas is undertaken in accordance with applicable provincial plans and policy.”</p>	No comments/concerns.

Mod. No.	Modification	Regional Comments
29.	<p>Policy 7.1.11 b) is modified so that it reads:</p> <p>“demonstrate that the use is appropriate for location in the Major Open Space Area and, apart from recreational uses, cemeteries, and mineral aggregate extraction, is small in scale and serves the resource and agricultural sectors;”</p>	<p>No concerns.</p> <p>Regional modification request:</p> <p>On May 15, 2023, two days prior to the Special Council Meeting for adoption of the Recommended ROP, Cosmopolitan Associates Inc., the consultant representing Arbor Memorial, submitted correspondence, outlining comments about inconsistency within the Recommended ROP related to permissions for cemeteries.</p> <p>Their concern involved a perceived conflict between Policy 3.3.30 which permits/encourages cemeteries to locate within the Urban Area Boundary, Rural Settlements and Major Open Space Areas (MOSAs) and other policies within the MOSA Section of the Plan, which impose certain restrictions on this permission.</p> <p>While the adopted ROP, as amended, encourages cemeteries within MOSAs, this does not negate the fact that the design of such uses must be appropriate for the designation. Many of the policies cited as concerns within the submission are intended to be restrictive to prevent intensive land uses within MOSAs and protect the integrity of the Greenlands System and the natural features within it.</p> <p>Notwithstanding, Regional staff agree that cemeteries are not a use that directly interacts with the agriculture and resource sectors and may not always be small in scale. As a result, Regional staff support a modification to permit cemeteries in MOSAs as an exception.</p> <p>Modification submitted to MMAH staff on June 5 and November 9, 2023.</p>

Mod. No.	Modification	Regional Comments
30.	<p>The preamble of policy 7.4.15 is modified so that it reads:</p> <p>“Require that any proposal for development or site alteration in proximity to key natural heritage features or key hydrologic features include an environmental impact study as part of a complete application. The Region, in consultation with the area municipality, the conservation authority having jurisdiction if a conservation authority permit will be required and the Lake Simcoe Region Conservation Authority where applicable conservation authority and applicant, may select and retain a qualified environmental consultant to peer review the study at the applicant’s expense. Such a study shall apply to the area to be developed, or may be expanded to include additional lands, as may be deemed necessary by the Region, in consultation with the area municipality, the Lake Simcoe Region Conservation Authority where applicable conservation authority and any other appropriate agency, and it shall address the following:”</p>	No comments/concerns.
31.	<p>Policy 7.4.1-5 j) is deleted in its entirety:</p> <p>“j) the need for ecosystem compensation, as directed by the area municipality, if avoidance and mitigation are not possible, in accordance with Section 7.7;”</p>	No concerns; however, Mod 31 should reference Policy 7.4.15 j) – minor refinement identified in red.
32.	<p>Policy 7.4.22 is modified so that it reads:</p> <p>“Prohibit development and site alteration within significant woodlands, as verified by an appropriate site-specific study, such as an environment impact study. Notwithstanding, mineral aggregate operations may be permitted within significant woodlands provided the applicable policy requirements of Pprovincial Pplans and policies are satisfied.”</p>	<p>No concerns.</p> <p>Minor refinements resulting from the proposed modification are identified in red (to be consistent with formatting within the rest of the document).</p>
33.	<p>Policy 7.4.27 is modified so that it reads:</p> <p>“Prohibit development and site alteration within provincially significant wetlands, significant coastal wetlands and wetlands within provincial natural heritage system areas, in accordance with Policies 7.4.10 to 7.4.18. Notwithstanding, mineral aggregate operations may be permitted within non-significant wetlands, provided the applicable policy requirements of Pprovincial Pplans and policies are satisfied.”</p>	<p>No concerns.</p> <p>Minor refinements resulting from the proposed modification are identified in red (to be consistent with formatting within the rest of the document).</p>

Mod. No.	Modification	Regional Comments
34.	<p>Policy 7.5.8 is modified so that it reads:</p> <p>“Discourage alterations to watercourses and permanent and/or intermittent streams. Minor adjustments to watercourses and permanent and/or intermittent streams may be considered by the conservation authority having jurisdiction in accordance with regulations under the Conservation Authorities Act where evidence can be provided that such alterations will not have an adverse effect on the functions of the watercourse or permanent and/or intermittent stream, including aquatic habitat.”</p>	No comments/concerns.
35.	<p>Policy 7.5.13 is modified so that it reads:</p> <p>“Require that area municipalities include policies and appropriate designations within their official plans, informed by watershed planning, that provide for the long-term protection of key hydrologic features, key hydrologic areas, and their functions”.</p>	No comments/concerns.
36.	<p>Policies 7.5.33, 7.5.34 and 7.5.35 are modified to replace the words “the Beaverton intake protection zone - 1” with the words “any intake protection zone – 1”.</p>	No comments/concerns.
37.	<p>Policy 7.6.11 is modified so that it reads:</p> <p>“Require area municipalities to ensure hazardous forest types for wildland fire are considered through an environmental impact study when development is proposed in or adjacent to areas at risk for wildland fire, as identified by Ministry of Northern Development, Mines, Natural Resources and Forestry mapping, or local refinements where available.”</p>	No comments/concerns.

Mod. No.	Modification	Regional Comments
38.	<p>Add new policies 7.6.12.1 and 7.6.12.2 which read:</p> <p>“7.6.12.1 Wildland fire mitigation measures shall not be permitted in significant wetlands and significant coastal wetlands.</p> <p>7.6.12.2 Wildland fire mitigation measures shall not be permitted in significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest, coastal wetlands and fish habitat as well as adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.”</p>	No comments/concerns.
39.	<p>Objective iii) in Section 7.7 is deleted in its entirety and iv) to iii) are renumbered:</p> <p>“iii) Promote the use of ecosystem compensation when avoidance and mitigation of natural features is not possible.”</p>	No comments/concerns.
40.	The Ecosystem Compensation Section, including the preamble and policies 7.7.11, 7.7.12 and 7.7.13, are deleted in their entirety.	No comments/concerns.
41.	<p>Policy 8.1.9 is modified so that it reads:</p> <p>“Encourage and work with Metrolinx, provincial, municipal and federal governments to realize plan for improved inter-regional transit connections, including Freeway Transit and Other Transit Connections designated on Map 3a.”</p>	No comments/concerns.
42.	<p>Policy 8.3.7 is modified so that it reads:</p> <p>“Request that the province continue to Work with the province to investigate the feasibility of implementing dedicated commuter parking lots along Highways 407, 412 and 418 as identified through section 8.1.2, and along other provincial highways, to support carpooling and inter-regional transit use.”</p>	Acceptable, however the proposed reference to “investigate the feasibility” is considerably less assertive.

Mod. No.	Modification	Regional Comments
43.	<p>Policy 8.4.8 is modified so that it reads:</p> <p>“Recognize the importance of the current and planned expansions to the provincial freeway-highway system, including Highways 401, 404, 407, 412, 418 and 115, in fostering planning for continued economic development, supporting goods movement, and accommodating Freeway Highway transit and reducing the burden of long distance travel on the Region’s arterial road network.”</p>	<p>Acceptable, but with a minor modification recommended as follows:</p> <p>“Recognize the importance of the provincial highway system, including planned expansions, in planning for continued economic development, supporting goods movement, and accommodating inter-regional transit.”</p> <p>The reference to “Freeway Transit” is a specific designation in the ROP. MTO may have assumed that it should be more general in terms of transit on the provincial highway system. However, since transit is mostly inter-regional (GO Bus) then Regional staff suggest the above revision instead.</p>
44.	<p>Policy 8.4.9 is modified so that it reads:</p> <p>i), Modifying the first sentence to read:</p> <p>“Support improvements to the provincial freeway and highway network by encouraging the accelerated implementation of such as:”, and</p> <p>ii) deleting subsection d) in its entirety:</p> <p>“d) modifications to the alignment of the Highway 7/12 intersection at Thickson Road, subject to further study by the Town of Whitby and MTO, that may be updated without amendment to this Plan.”</p>	<p>i) No comments/concerns.</p> <p>ii) Under review.</p> <p>This policy is in the current in-effect ROP and the concept of a continuous alignment of Thickson Road and Baldwin Street as a T-intersection into it has been a component of the current ROP since its adoption in 1991.</p> <p>The policy also precedes the timing of the Brooklin Route Alignment Study led by the Town of Whitby. This T-intersection is part of the structure of the Brooklin Secondary Plan area as well. With the wording of "encouraging the accelerated implementation of..." removed, the policy simply states that these modifications are subject to further study by the Town and MTO, and the alignment can be updated without need for a Regional Official Plan Amendment (ROPA).</p>
45.	<p>Add new policy 8.4.10.1 that reads:</p> <p>“Ensure MTO is consulted on all proposed development that is adjacent to or in the vicinity of provincial highways within MTOs permit control area under the <i>Public Transportation and Highway Improvement Act.</i>”</p>	<p>Acceptable, but with a minor modification recommended.</p> <p>Suggested this new policy be included with adopted Policy 8.4.10, as a second sentence, rather than a sub-policy.</p>

Mod. No.	Modification	Regional Comments
46.	<p>Policy 8.4.11 is deleted in its entirety:</p> <p>“Encourage MTO to construct the Highway 407 interchanges at Westney Road, Salem Road and Thornton Road, Highway 412 interchange at Rossland Road, and complete the Highway 401/Lake Ridge Road interchange, which were approved in the Highway 407 East Environmental Assessment study but deferred from initial construction.”</p>	<p>Recommend replacing adopted Policy 8.4.11 in its entirety with:</p> <p>“Designate Future Interchanges on Highway 407 at Westney Road, Salem Road and Thornton Road, and on Highway 412 at Rossland Road, that were approved in the Highway 407 East Environmental Assessment study but deferred from initial construction. Further, support the completion of the existing interchange at Highway 401 and Lake Ridge Road that was also included in the Highway 407 East Environmental Assessment Study.”</p>
47.	<p>Policy 8.4.12 is deleted in its entirety:</p> <p>“Encourage MTO to construct an interchange on Highway 401 at Lambs Road and close the adjacent Bennett Road interchange, and investigate the ultimate role of Highway 35/115 between Highway 401 and Highway 407, including potential upgrades to a provincial freeway facility.”</p>	<p>Acceptable, in part, with a recommendation to replace adopted Policy 8.4.12 in its entirety with:</p> <p>“Support further study of Conceptual Future Interchanges to improve freeway access and support development, in consultation with MTO, on Highways 401 and 407 as designated on Map 3b.”</p> <p>Regional staff are fine with keeping with Highway 35/115 as a limited access highway. This policy was maintained from the 1991 ROP; with Highway 418 completed it seems less important now.</p>
48.	<p>Policy 8.4.13 a) is modified so that it reads:</p> <p>“a) Advocating the importance of inter-regional transportation improvements such as the widening of Steeles Avenue (west of Beare Road) and Highway 7 (west of Brock Road), including advocating the provincial government to take a leadership role in their implementation; and”</p>	<p>No concerns.</p> <p>Minor refinement resulting from the proposed modification identified in red.</p>
49.	<p>Objective iii) in policy 8.5 is modified so that it reads:</p> <p>“Ensure the long-term operation and economic role of air, rail facilities, and marine facilities for goods movement is protected.”</p>	<p>Acceptable, but with a minor modification to improve readability, including adding “road” for completeness, as follows:</p> <p>“Ensure the long-term operation and economic role of road, air, rail and marine facilities for goods movement is protected.”</p>
50.	<p>A new Objective iv) is added to policy 8.5 modified which reads:</p> <p>“Ensure that goods movement facilities and sensitive lands uses are appropriately designed, buffered and/or separated from each other to mitigate noise and vibration impacts to adjacent land uses.”</p>	<p>No concerns.</p> <p>Minor refinement resulting from the proposed modification identified in red.</p>

Mod. No.	Modification	Regional Comments
51.	<p>Policy 9.1.2 e) is deleted in its entirety:</p> <p>“Special Study Area 6 applies to the lands removed from the Greenbelt Plan Area by the Province of Ontario within the City of Pickering, Town of Ajax and Municipality of Clarington. In accordance with the province, the following conditions must be addressed to the satisfaction of the province, or it will initiate the process to return the lands back to the Greenbelt Plan Area:</p> <p>i) significant progress on approvals is to be achieved by the end of 2023;</p> <p>ii) construction of new homes is to begin on these lands by no later than 2025; and</p> <p>iii) proponents will fully fund the necessary infrastructure upfront. If these conditions are addressed to the satisfaction of the province, the lands may be included within the Urban Area Boundary, and the population, household and employment forecasts may be revised to reflect the provision of additional housing supply in these areas.”</p>	<p>No concerns.</p> <p>Regional modification request:</p> <p>In response to the provincial amendments to the Greenbelt Plan enacted in December 2022, the adopted ROP, as amended, reflected the removal of the three parcels in Pickering, Ajax and Clarington (Courtice) and identified the subject lands as Special Study Areas (SPA #6). This approach reflected the province’s formerly stated intention to return removed lands back to the Greenbelt if certain milestones are not achieved (i.e. progress on planning approvals by 2023, and homes under construction by 2025). The adopted policies mirrored the province’s former requirements for development within these areas.</p> <p>However, in late 2023 the province reversed the Greenbelt Removals from December 2022 through the Greenbelt Statute Law Amendment Act, 2023 (Bill 136).</p> <p>As a result, Regional staff recommended a modification to delete adopted Policy 9.1.2 e) to remove the “Special Study Area #6” overlay from the three parcels in Pickering, Ajax and Clarington (Courtice).</p> <p>In addition to policy modifications, Regional staff recommended mapping modifications to several ROP Maps to reflect the above noted policy modification to remove the “Special Study Area #6” overlays and to return lands back into the Greenbelt Boundary (refer to Map Mod. Nos. 26 to 29 and 35).</p> <p>These modifications were detailed in Commissioner’s Report #2023-P-28 (November 7, 2023) and submitted to MMAH staff on November 9, 2023.</p>

Mod. No.	Modification	Regional Comments
52.	<p>Policy 9.1.2 is modified by adding a new subsection a.1) that reads:</p> <p>“Special Study Area 1A applies to lands in northeast Pickering, that are outside the Greenbelt Area, and overlap with Minister’s Zoning Order 102/72. These lands may be reconsidered for urban development through a future amendment to this Plan, or in the absence of a Regional Official Plan, an amendment to the Official Plan of the City of Pickering, undertaken in accordance with Section 26 of the Planning Act and any applicable provincial plans and policy, provided that the Minister of Municipal Affairs and Housing amends or revokes Minister’s Zoning Order 102/72 to permit such development.”</p>	Under review.
53.	<p>The subtitle after policy 9.2.1 is modified so that it reads:</p> <p>“Specific Policy Area A – Seaton Urban Area & Duffins Rouge Agricultural Preserve”.</p>	<p>No concerns.</p> <p>Regional modification request:</p> <p>In addition to the above noted reversal on the Greenbelt Removals, in late 2023 the provincial government introduced legislation that would continue the protections of the easements and covenants applicable to the Duffins Rouge Agricultural Preserve (DRAP) and repeal the Duffins Rouge Agricultural Preserve Repeal Act, 2022.</p> <p>As a result, Regional staff recommended a modification to add the Duffins Rouge Agricultural Preserve to Specific Policy Area A.</p> <p>In addition to policy modifications, Regional staff recommended mapping modifications to several ROP Maps to reflect the above noted policy modification to update Specific Policy Area A to re-incorporate the Duffins Rouge Agricultural Area (refer to Map Mod. Nos. 26 and 30 to 34).</p> <p>Detailed in Commissioner’s Report #2023-P-28 (November 7, 2023) and submitted to MMAH staff on November 9, 2023.</p>

Mod. No.	Modification	Regional Comments
54.	<p>Policies 9.2.6 through 9.2.10 are renumbered 9.2.7 through 9.2.11 respectively, and a new policy 9.2.6 is inserted (after policy 9.2.5) that reads:</p> <p>“In addition to the applicable policies of the Greenbelt Plan and the implementing policy framework set out in this Plan, lands within the Duffins Rouge Agricultural Preserve are also subject to the Duffins Rouge Agricultural Preserve Act, 2023.”</p>	<p>No concerns.</p> <p>Regional modification request:</p> <p>Further to the above noted repeal of the Duffins Rouge Agricultural Preserve Repeal Act, 2022, Regional staff recommended a new policy within Specific Policy Area A to ensure that any development contemplated within the area must be in accordance with appropriate governing legislation.</p> <p>Detailed in Commissioner’s Report #2023-P-28 (November 7, 2023) and submitted to MMAH staff on November 9, 2023.</p>
55.	<p>Policy 10.2.5 c) is modified so that it reads:</p> <p>“submission of a signed Record of Site Condition (RSC) to the Ministry of the Environment, Conservation and Parks (MECP) for the subject lands. The RSC must be to the satisfaction of the Region, and the Municipality of Clarington, and including an Acknowledgement of Receipt of the RSC by the MECP; and”</p>	<p>No comments/concerns.</p>
56.	<p>Policy 10.4.20 is modified by adding the following new subsections that reads:</p> <p>“10.4.20 fff) Aa surplus farm dwelling rendered surplus from the parcel identified as Assessment No. 18-39-010-003-14300 located in Part of Lot 6, Concession 5, former Township of Thorah, in the Township of Brock, subject to the inclusion of the provisions in the zoning by-law to prohibit the establishment of any dwellings on the retained parcel in accordance with the Provincial and Regional policies, no further severance of the property is permitted.;</p> <p>10.4.20 ggg) Aa surplus farm dwelling is severed from the parcel identified as Assessment No. 18-39-050-005-28300 located in Part of Lots 17 &and 18, Concession 7 in the Township of Brock, subject to the inclusion of provisions in the zoning by-law to prohibit the establishment of any dwellings on the retained parcel. In accordance with Provincial and Regional policies no further severance of property is permitted.;”</p>	<p>No concerns.</p> <p>Regional modification request:</p> <p>Policy 10.4.20 fff) reflects OPA #192 (Wechsel Farms) for a surplus farm dwelling in Brock, as detailed in Commissioner’s Report #2023-P-20 (September 5, 2023).</p> <p>Policy 10.4.20 ggg) reflects OPA #193 (Gowanlea Ltd.) for a surplus farm dwelling in Brock, as detailed in Commissioner’s Report #2023-P-21 (September 5, 2023).</p> <p>Minor refinements resulting from the proposed modifications are identified in red.</p> <p>Modifications submitted to MMAH staff on November 9, 2023.</p>

Mod. No.	Modification	Regional Comments
57.	<p>Insert a new policy, 10.5.9, which reads:</p> <p>“Permit, notwithstanding any other provision of this Plan, ancillary uses to the existing major recreational use including a 4 – 5 storey hotel and expanded parking area are permitted on lands located on the south side of Elgin Park Drive west of Concession 7, east of Howard Williams Court, identified as Assessment 18-29-040-009-00500 in Part of Lot 27 Concession 6, in the Township of Uxbridge. The uses shall be subject to the fulfillment of the following conditions to the satisfaction of the approval authorities:</p> <p>a) the establishment of a site-specific baseline and surveillance monitoring program funded by the proponent to the satisfaction of the Region of Durham, the Township of Uxbridge and the Lake Simcoe Region Conservation Authority. The baseline program should be established before the site is used for soil treatment purposes and both water levels and water quality samples should be collected that reflect the contaminants of concern to be treated. The surveillance monitoring and reporting program should include surface water from the two on-site drainage ponds, groundwater, and 2-year stormwater event runoff, water quality sampling and water level measurement analysis, be prepared by a Qualified Person and begin before the soil remediation use begins and continue for the duration of the soil remediation operations on the site; and</p> <p>b) the locations of all of the storage and processing facilities for the proposed use be checked in the field to verify that they are outside of the 10-year time of travel of the Wellhead Protection Area as identified on Map 2f of this Plan.”</p>	<p>Please note that the proposed new Policy 10.5.9 text shown in Mod 57, as submitted by Regional staff to MMAH staff on December 21, 2023, was transcribed incorrectly.</p> <p>The corrected Regional modification request for OPA #194 (Wooden Sticks Golf Inc.) to permit a hotel and expanded parking area ancillary to the existing golf course in the Township of Uxbridge, as detailed in Commissioner’s Report #2023-P-27 (November 7, 2023), has been updated below for consideration.</p> <p>Remove proposed Mod 57 in its entirety and replace with new Policy 10.5.9 as follows:</p> <p>“Permit, notwithstanding any other provision of this Plan, ancillary uses to the existing major recreational use including a hotel up to five storeys in height and an expanded parking area are permitted on lands located on the south side of Elgin Park Drive west of Concession 7, east of Howard Williams Court, identified as Assessment 18-29-040-009-00500 in Part of Lot 27 Concession 6, in the Township of Uxbridge. Prior to any development taking place, the following conditions shall be fulfilled to the satisfaction of the Region of Durham, the Township of Uxbridge, and the Lake Simcoe Region Conservation Authority:</p> <p>a) that any negative impacts on identified natural heritage features and their functions as well as Species of Concern and Species at Risk will be properly mitigated; and</p> <p>b) that any tree removal that occurs as a result of the development of the proposed hotel and expanded parking area will be compensated based on the requirements of the Ecological Offsetting Policy of the Lake Simcoe Region Conservation Authority.”</p>

Mod. No.	Modification	Regional Comments
58.	Map 1 – Regional Structure – Urban and Rural Systems is modified by delineating the boundary of Rural Employment Area No. 2 as shown on Map 1 – Regional Structure – Urban and Rural System, in the 1993 Regional Official Plan, as amended.	<p>Under review.</p> <p>Through Regional Council’s consideration of the Recommended ROP, Motion 114 as submitted by the Mayor of Uxbridge was carried.</p> <p>Motion 114 was accommodated within the adopted ROP by modifying Map 1 to "extend the Employment Areas designation north of the existing Uxville Employment Area in the Township of Uxbridge easterly to include an additional +/-26 hectares of land."</p> <p>In addition, Mod 58 does not address the Regional modification request, submitted to MMAH staff on November 9, 2023, to reflect the LPAT issued a decision (Case #PL150909) on December 23, 2020, amending the ROP to permit rural employment uses at 123 Regional Highway 47 in Uxbridge. The policy exception was incorporated into the adopted ROP, as amended, as Policy 10.4.25.</p> <p>In an effort to support this policy exception and enhance clarification within the new ROP, Regional staff requested a modification to Map 1 of the adopted ROP, as amended, to include 123 Regional Highway 47 within Rural Employment Area #2 in Uxbridge.</p>
59.	<p>Map 1 of the Official Plan is modified by:</p> <p>a) removing Special Study Area #6 from lands in the City of Pickering and Town of Ajax and redesignating them as Agricultural Area; and</p> <p>b) removing Special Study Area #6 from lands in the Municipality of Clarington and redesignating them as Major Open Space Area.</p>	<p>No concerns.</p> <p>Regional modification request:</p> <p>Refer to Mod. No. 51 and 53 for background information/justification.</p> <p>Detailed in Commissioner’s Report #2023-P-28 (November 7, 2023) and submitted to MMAH staff on November 9, 2023.</p>
60.	Map 1 of the Official Plan is modified by deleting the Community Areas, Employment Areas, and Regional Centres land use designation from lands located in northeast Pickering, that are outside the Greenbelt Area, and overlap with Minister’s Zoning Order 102/72, and replacing them with “ Special Study Area #1A ”.	Under review.

Mod. No.	Modification	Regional Comments
61.	Map 1 of the Official Plan is modified by adjusting the Urban Area Boundary to exclude the lands located in northeast Pickering, that are outside the Greenbelt Area, and overlap with Minister's Zoning Order 102/72.	Under review.
62.	Maps 1, 2a), 3a) to 3d), and 4 of the Official Plan are modified by deleting the 2051 Urban Expansion Areas overlay from lands that are located in northeast Pickering, that are outside the Greenbelt Area, and overlap with Minister's Zoning Order 102/72.	Under review.
63.	Maps 2a), 3a) to 3d), and 4 of the Official Plan are modified by deleting the Urban Area designation from lands that are located in northeast Pickering, that are outside the Greenbelt Area, and overlap with Minister's Zoning Order 102/72.	Under review.
64.	Map 2a of the Official Plan are modified by removing 'Special Study Area #6' and its associated boundaries in the City of Pickering, Town of Ajax, and Municipality of Clarington	<p>No concerns.</p> <p>Regional modification request:</p> <p>Refer to Mod. No. 51 for background information/justification.</p> <p>Detailed in Commissioner's Report #2023-P-28 (November 7, 2023) and submitted to MMAH staff on November 9, 2023.</p>
65.	Map 2b of the Official Plan is modified by identifying the lands, formerly identified as "Special Study Area #6" in the City of Pickering and Municipality of Clarington, as Greenbelt Natural Heritage System, as the system is depicted on Schedule 4 of the Greenbelt Plan.	<p>No concerns.</p> <p>Regional modification request:</p> <p>Refer to Mod. No. 51 for background information/justification.</p> <p>Detailed in Commissioner's Report #2023-P-28 (November 7, 2023) and submitted to MMAH staff on November 9, 2023.</p>
66.	Maps 2b, 2c, and 4 of the Official Plan are modified by identifying the lands, formerly identified as "Special Study Area #6" in the City of Pickering, Town of Ajax and Municipality of Clarington, as Protected Countryside.	<p>No concerns.</p> <p>Regional modification request:</p> <p>Refer to Mod. No. 51 for background information/justification.</p> <p>Detailed in Commissioner's Report #2023-P-28 (November 7, 2023) and submitted to MMAH staff on November 9, 2023.</p>

Mod. No.	Modification	Regional Comments
67.	Maps 1, 3a, 3b, 3c, 3d, and 3e of the Official Plan are modified by adjusting the boundary of Specific Policy Area A, in the City of Pickering to add the lands identified in Schedule 1 to the Duffins Rouge Agricultural Preserve Act, 2023.	<p>No concerns.</p> <p>Regional modification request:</p> <p>Refer to Mod. No. 51 and/or 53 for background information/justification.</p> <p>Detailed in Commissioner's Report #2023-P-28 (November 7, 2023) and submitted to MMAH staff on November 9, 2023.</p>
68.	<p>Map 3b, Road Network, is modified by:</p> <p>i) deleting the words "Existing Interchange to be Removed" from the legend and replacing the associated symbol on the map with the 'Existing Interchange' symbol, and</p> <p>ii) replacing the words, "Future Interchange" in the legend with the words, "Conceptual Future Interchange".</p>	<p>Proposed Mod 68 i) is acceptable provided that the recommended Regional revision to Mod 47 (to replace Policy 8.4.12) is also accepted.</p> <p>Proposed Mod 47 supports further study of the Conceptual Future Interchanges, which includes Lambs Road. As part of that proposal, the removal of Bennett Road interchange is recommended through the Lambs Road Feasibility Study that Clarington completed last year and is currently under review by MTO. The removal of an existing interchange to support a new, better designed one is logical but may be premature given that further study can determine if just the new one or both can co-exist from an OP perspective.</p> <p>Proposed Mod 68 ii) is under review.</p> <p>The term "Conceptual Future Interchange" makes sense as a new designation in the ROP for interchanges that do not currently have EA approval by MTO and are not identified in their current plans. There is an advocacy component that should continue to be included in the ROP. This change would pertain to the following "Future Interchange" locations:</p> <ul style="list-style-type: none"> • Highway 401/Prestonvale Road • Highway 401/Lambs Road • Highway 407/Cochrane Street • Highway 407/Townline Road <p>The identification as "Future Interchange" should continue to be used as a designation for interchanges that are included in the 407 East EA study, but were deferred from Phase 1</p>

Mod. No.	Modification	Regional Comments
		<p>construction, or are part of the Seaton MOU agreements. These are no longer conceptual interchanges but have had preliminary design work conducted and a need/justification as part of those studies, and in the case of the 407 East EA study, led by MTO. “Future Interchange” would encompass interchanges at the following locations:</p> <ul style="list-style-type: none"> • 407 ETR/Peter Matthews Drive • Highway 407/Westney Road • Highway 407/Salem Road • Highway 407/Thornton Road • Highway 412/Rossland Road
69.	<p>Map 3c, Strategic Goods Movement Network, is modified by identifying the following road segments as part of the Strategic Goods Movement Network:</p> <ul style="list-style-type: none"> • King St, between Bowmanville Avenue and Highway 418 • King Avenue / Regional Highway 2, between Highway 35/115 to the region’s eastern municipal boundary • Ganaraska Rd, between Highway 35/115 to the region’s eastern municipal boundary. 	<p>Acceptable, as this proposed modification makes our network consistent with the Greater Golden Horseshoe Regional Transportation Plan. The ROP has a few additional roads noted (e.g. Regional Road 20) but the rest of the Strategic Goods Movement Network generally matches the MTO strategic goods movement network.</p>
70.	<p>Add a new definition, “Agricultural Condition” to the Glossary that reads:</p> <p>“Agricultural Condition: in regard to prime agricultural land, means a condition in which substantially the same areas and same average soil capability for agriculture are restored.”</p>	<p>No concerns.</p> <p>Minor refinement resulting from the proposed modification identified in red (to be consistent with formatting within the rest of the document).</p>
71.	<p>Modify the definition of Significant Woodlands so that it reads:</p> <p>“Significant Woodlands: at the regional scale are identified as:</p> <p>a) any woodland occurring within the Urban or Whitebelt Area which is two hectares in size or larger; or</p> <p>b) any woodland occurring within the Rural Area, which is 10 hectares in size or larger;</p>	<p>No concerns.</p> <p>Minor refinement resulting from the proposed modification identified in red (to be consistent with formatting within the rest of the document).</p>

Mod. No.	Modification	Regional Comments
	<p>c) any woodland occurring within the Urban or Whitebelt Area which is one hectare in size or larger or any woodland occurring within the Rural Area, which is four hectares in size or larger; and</p> <ul style="list-style-type: none"> i) occurs within 30 metres of significant natural heritage feature, unevaluated any wetland greater than 0.5 hectares in size, or fish habitat; or ii) occurs wholly within an identified linkage area; or <p>d) any woodland occurring within the Urban or Whitebelt Area which is one hectare in size or larger or any woodland occurring within the Rural Area, which is four hectares in size or larger; and supports includes:</p> <ul style="list-style-type: none"> i) a vegetation community with a provincial ranking of S1, S2, or S3 as designated by the Natural Heritage Information Centre; ii) rare, uncommon species or species with a restricted habitat preference; or iii) characteristics of older woodlands, including: <ul style="list-style-type: none"> i. woodlands having 10 or more trees per hectare greater than 100 years old; or ii. woodlands having 10 or more trees per hectare at least 50 centimetres in diameter, or a basal area of eight or more square metres in trees that are at least 40 centimetres in diameter <p>e) Notwithstanding, for woodlands occurring within the Oak Ridges Moraine or the Greenbelt Natural Heritage System, significant woodlands are based on the provincial criteria developed for the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan."</p>	
72.	Add the following new terms to the Glossary:	No comments/concerns.

Mod. No.	Modification	Regional Comments
	<p>“Areas of archaeological potential: means areas with the likelihood to contain archaeological resources. Criteria to identify archaeological potential are established by the Province. The Ontario Heritage Act requires archaeological potential to be confirmed by a licensed archaeologist.</p> <p>Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.</p> <p>Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.</p> <p>Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.</p>	

Mod. No.	Modification	Regional Comments
	<p>Protected heritage property: means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.”</p>	
73.	<p>The third paragraph of ‘Environmental Impact Study’ under the Application/ Development Scenario column in Table 1 is modified so that it reads:</p> <p>“Prior to the submission of any application, applicants shall confirm the scope of any potential environmental study requirements with the Region; and area municipality and the conservation authority to determine whether the study will be prepared by a consultant retained by the Region, or by the applicant. In those instances where the study is prepared by the Region, an application shall not be deemed to be a ‘complete application’ until such a time the study has been completed.”</p>	No comments/concerns.
74.	<p>Table 1 is modified to include the following new study as part of a complete application:</p> <p>“Traffic Impact Study (TIS): A Traffic Impact Study may be required by the Ministry of Transportation as part of the permit application process. The TIS is used to determine the extent to which highway improvements are required as a direct result of proposed construction or development within the MTO permit control area and adjacent to a provincial highway. The requirement for the study shall be determined on a case-by-case basis, in consultation with the Ministry of Transportation.”</p>	<p>Acceptable, but with a minor modification recommended.</p> <p>Rather than adding a new definition for “Traffic Impact Study”, Regional staff recommend adding the text proposed by MTO to the existing Table 1 description of “Transportation Impact Study”, as follows:</p> <p>“A Transportation Impact Study (TIS) is required for any proposal for development or site alteration in proximity to a Regional Road. A TIS may also be required by the Ministry of Transportation (MTO) as part of their permit application process to determine the extent to which highway improvements are required as a direct result of proposed construction or development within the MTO permit control area and adjacent to a provincial highway. In such cases, the requirement for the study shall be determined on a case-by-case basis, in consultation with MTO.”</p>

Mod. No.	Modification	Regional Comments
75.	<p>Table 1 is modified to include the following new study (after Fiscal Impact Study) as part of a complete application:</p> <p>“Heritage Impact Assessment: A Heritage Impact Assessment will be required for development on properties adjacent to protected heritage properties and for development on properties included in an area municipality’s Heritage Register.”</p>	No comments/concerns.
76.	<p>The ‘Area of Natural and Scientific Interest’ row in Table 7 is modified by replacing “(earth science)” with “(life science)” where it appears in the Greenbelt and Oak Ridges Moraine Conservation Plan columns.</p>	No comments/concerns.
77.	<p>Table 7 is modified by adding a new column titled, “Provincial Policy Statement” and adding indicator dots in the following rows: Habitat of Endangered and Threatened Species, Fish Habitat, Areas of Natural and Scientific Interest, Significant Valleylands, Significant Woodlands, Significant Wildlife Habitat, and Wetlands. Beside the new indicator dot added for wetlands, include the following note: “(significant wetlands, significant coastal wetlands, coastal wetlands)”</p>	No comments/concerns.

Additional Regional Modification Requests Table – New and/or For Reconsideration

New Regional Modification Requests

It is imperative to incorporate these new modification requests at the time of Ministerial approval to ensure the new ROP is as complete and up-to-date as possible. To receive approval of the new ROP, only to have it go through the administrative exercise of a formal Consolidation would be unnecessarily burdensome and potentially moves completion of an updated ROP to several months after receiving a Final Decision from the Minister on the approval of the new ROP. Not having an up-to-date Consolidation would create challenges should we need to prepare to transition the ROP to our area municipalities as a result of Bills 23 and 185.

Mod. No.	Modification	Regional Comments
I.	<p>Modify Policy 4.1.27 to read as follows:</p> <p>“Allow lands subject to Policy 9.1.2 b) 9.2.12 located within the Uxbridge Urban Area which are currently restricted from development due to servicing capacity constraints, to be considered for development without the need for a comprehensive review of this Plan once a servicing solution is identified, and shall:</p> <p>a) have priority over expansions to the Uxbridge Urban Area; and</p> <p>b) be allocated any additional servicing capacity, in accordance with the relevant policies of the area municipal official plan.”</p>	<p>New Regional modification request:</p> <p>On April 4, 2024, the OLT issued a decision (Case #OLT-22-002958) amending the current in-effect ROP, which has the effect of deleting “Special Study Areas 2 and 3” (formerly SSA 5 and 6) from the ROP and introducing a new “Specific Policy Area E” to apply to lands within the Township of Uxbridge Urban Area.</p> <p>These modifications result in several technical housekeeping changes to update other Special Study Areas, in both ROP policy text and mapping.</p> <p>Draft modifications prepared in April 2024; not previously submitted to MMAH staff.</p>

Mod. No.	Modification	Regional Comments
II.	<p>Delete Policy 9.1.2 sub-section b) as follows:</p> <p>“b) Special Study Areas 2 and 3 apply to lands located within the Uxbridge Urban Area. These areas are considered Future Residential Development in the Uxbridge Official Plan and can be considered for development when the phasing considerations of the Uxbridge Official plan are satisfied. An amendment to this Plan to designate these lands for development shall be subject to the consideration of the following:</p> <p>i) the amount and rate of development that has occurred in the area designated Community Area; and</p> <p>ii) the availability of servicing capacity.”</p>	<p>New Regional modification request:</p> <p>Refer to Mod. I. for background information/justification.</p> <p>Draft modifications prepared in April 2024; not submitted to MMAH.</p>
III.	<p>Modify Policy 9.1.2 sub-section c) and renumber as follows:</p> <p>“e)-b) Special Study Area 4-2 applies to lands designated as Waterfront Area south of Highway 401, west of Courtice Road/Courtice Shores Drive, east of Darlington Provincial Park and north of the Lake Ontario shoreline in the Municipality of Clarington...”</p>	<p>New Regional modification request:</p> <p>Refer to Mod. I. for background information/justification.</p> <p>Draft modifications prepared in April 2024; not previously submitted to MMAH staff.</p>
IV.	<p>Modify Policy 9.1.2 sub-section d) and renumber as follows:</p> <p>“d)-c) Special Study Area 5-3 recognizes the Special Policy Area identified in accordance with the Provincial Policy Statement that applies to lands within the Rapid Transit Corridor, along Highway 2, that are west of Duffins Creek in Ajax and Pickering comprised of historical development within the floodplain...”</p>	<p>New Regional modification request:</p> <p>Refer to Mod. I. for background information/justification.</p> <p>Draft modifications prepared in April 2024; not previously submitted to MMAH staff.</p>

Mod. No.	Modification	Regional Comments
V.	<p>Add new “Specific Policy Area” sub-section “E” and Policy 9.2.12 as follows:</p> <p>“Specific Policy Area E – Uxbridge</p> <p>It is the policy of Council to:</p> <p>9.2.12 Apply this policy to lands within the Uxbridge Urban Area. Development on these lands shall be subject to the availability of servicing capacity. The capacity of municipal services is limited and will be regularly monitored to ensure that development approvals do not exceed available capacity. To manage development in an orderly and sequential manner that efficiently uses existing infrastructure, the Region shall continue to encourage infill development within the Uxbridge Urban Area in accordance with the relevant policies of the area municipal official plan.”</p>	<p>New Regional modification request:</p> <p>Refer to Mod. I. for background information/justification.</p> <p>Please note that the references to “development” and “infrastructure” will be bookmarked to the defined terms within the Glossary of the new ROP.</p> <p>Draft modifications prepared in April 2024; not previously submitted to MMAH staff.</p>
VI.	<p>Add new Policy 10.4.20 sub-section hhh) as follows:</p> <p>“a surplus farm dwelling rendered surplus from the parcel identified as Assessment No.18-17-010-110-06100 located in Part of Lots 7 and 8, Concession 6, former Township of Darlington, in the Municipality of Clarington, subject to the inclusion of the provisions in the zoning by-law to prohibit the construction of any new dwelling on the retained parcel; and the use of the existing barn for housing livestock. In accordance with Provincial and Regional policies, no further severances of the property are permitted;”</p>	<p>New Regional modification request:</p> <p>OPA #197 (Bethesda Ridge Farms) for a surplus farm dwelling in Clarington, as detailed in Commissioner’s Report #2024-P-6 (March 5, 2024).</p> <p>Regional Council’s decision to adopt OPA #197 was deemed final and in full force and effect as of April 23, 2024; this modification was not previously submitted separately to MMAH staff.</p>

Mod. No.	Modification	Regional Comments
VII.	<p>Add new Policy 10.4.20 sub-section iii) as follows:</p> <p>“a surplus farm dwelling rendered surplus from the parcel identified as Assessment No. 1817-030-080-13500 located in Part of Lot 1, Concession 5, in the Municipality of Clarington, subject to the inclusion of the provisions in the zoning by-law to prohibit the construction of any new dwelling on the retained parcel; and the use of the existing barn for housing livestock. In accordance with Provincial and Regional policies, no further severances of the property are permitted;”</p>	<p>New Regional modification request:</p> <p>OPA #198 (Thornlea Holsteins Ltd.) to permit the severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farm properties in Clarington, as detailed in Commissioner’s Report #2024-P-8 (April 2, 2024).</p> <p>Regional Council’s decision to adopt OPA #197 was deemed final and in full force and effect as of April 23, 2024; this modification was not previously submitted separately to MMAH staff.</p>
VIII.	<p>Modify Map 1 as follows:</p> <p>Remove “Special Study Area 2” and “Specific Study Area 3” overlays in Uxbridge and replace with a “Specific Policy Area E” overlay.</p> <p>Revise the “Special Study Area 4” overlay in Clarington (Courtice Waterfront Area) to a “Special Study Area 2” overlay.</p> <p>Revise the “Special Study Area 5” overlay in Pickering/Ajax (along a portion of the Highway 2 Rapid Transit Corridor) to a “Special Study Area 3” overlay.</p>	<p>New Regional modification request:</p> <p>Refer to Mod. I. for background information/justification.</p> <p>Draft modifications prepared in April 2024; not previously submitted to MMAH staff.</p>
IX.	<p>Modify Map 2a as follows:</p> <p>Remove “Special Study Area 2” and “Specific Study Area 3” overlays in Uxbridge.</p> <p>Revise the “Special Study Area 4” overlay in Clarington (Courtice Waterfront Area) to a “Special Study Area 2” overlay.</p> <p>Revise the “Special Study Area 5” overlay in Pickering/Ajax (along a portion of the Highway 2 Rapid Transit Corridor) to a “Special Study Area 3” overlay.</p>	<p>New Regional modification request:</p> <p>Refer to Mod. I. for background information/justification.</p> <p>Draft modifications prepared in April 2024; not previously submitted to MMAH staff.</p>

Mod. No.	Modification	Regional Comments
X.	<p>Modify Maps 3a, 3b, 3c, 3d and 3e as follows:</p> <p>Add a “Specific Policy Area E” overlay in Uxbridge.</p>	<p>New Regional modification request:</p> <p>Refer to Mod. I. for background information/justification.</p> <p>Draft modifications prepared in April 2024; not previously submitted to MMAH staff.</p>
XI.	<p>Modify Maps 1, 3a, 3b and 3d as follows:</p> <p>Amend the boundary of the Thornton’s Corners Protected Major Transit Station Area boundary to add lands north of the CP Railway, east of Stevenson Road including but not limited to the existing commercial plaza on the south side of Gibb Street, and as well as a portion of the Oshawa Centre property on the north side of Gibb Street into the PMTSA boundary.</p>	<p>New Regional modification request:</p> <p>Metrolinx completed its Environmental Protection Report (EPR) Addendum in July 2023, which shifted the GO station platform for the Thornton’s Corners PMTSA from the north-south rail spur on the western side of the Council adopted delineation of the PMTSA to the northeastern edge of the adopted PMTSA boundary. As this change occurred shortly after Regional Council approval, it is appropriate to reflect the new walkshed to and from the new platform, while continuing to recognize and exclude environmental features such as floodplains.</p> <p>The Region is currently in discussions with the City of Oshawa regarding this modification and will provide an update once concurrence is reached.</p>

Previously Submitted Regional Modification Requests – For Reconsideration

Mod. No.	Modification	Regional Comments
XII.	<p>Add new Policy 7.4.4 sub-section e) as follows:</p> <p>“7.4.4 Prohibit development and site alteration within the regional natural heritage system, except as permitted by the applicable provincial plans including:</p> <p>c) naturalized stormwater management systems and facilities and passive recreational uses if an approved environmental impact study demonstrates that construction will have no negative impact; and</p> <p>d) new infrastructure if authorized through an Environmental Assessment or it no reasonable alternative location exists and an environmental impact study demonstrates that construction will have no negative impact; and</p> <p>e) notwithstanding a) to d) above, stewardship, conservation, restoration and remediation undertakings, and flood and erosion control projects may be permitted if they are demonstrated to be necessary in the public interest and after all alternatives have been considered.”</p>	<p>Regional modification request to enhance clarity for interpreting when development and site alteration may be permitted within the regional NHS:</p> <p>The adopted ROP, as amended, includes a policy to permit development and site alteration within key natural heritage (KHF) and/or key natural hydrologic features (KNHF) if it is related to stewardship, conservation, restoration and remediation undertakings, and flood and erosion control projects demonstrated to be necessary in the public interest and after all alternatives have been considered (Policy 7.4.11b).</p> <p>However, Policy 7.4.4 prohibits development and site alteration within the regional natural heritage system (NHS), aside from exceptions permitted by the provincial plans. Given that KHF/KNHF make up the majority of the regional NHS, these two policies appear to be conflicting, which is not the intent.</p> <p>As a result, Regional staff recommend this modification to Policy 7.4.4 to provide enhanced clarity for interpreting when development and site alteration may be permitted within the regional NHS – namely to permit stewardship, conservation, restoration and remediation undertakings, and flood and erosion control projects, where appropriate.</p> <p>Modification submitted to MMAH staff on March 20, 2024.</p>

Mod. No.	Modification	Regional Comments
XIII.	<p>Modify Map 1 as follows:</p> <p>Identify the addition of 123 Regional Highway 47 within “Rural Employment Area #2” in Uxbridge.</p>	<p>Regional modification request to enhance clarity and support the implementation of Tribunal decision:</p> <p>On December 23, 2020, the LPAT issued a decision (Case #PL150909) amending the ROP to permit rural employment uses at 123 Regional Highway 47 in Uxbridge. The policy exception was incorporated into the adopted ROP, as amended, as Policy 10.4.25.</p> <p>In an effort to support implementation of this policy exception and enhance clarification within the new ROP, Regional staff requested a modification to Map 1 of the adopted ROP, as amended, to include 123 Regional Highway 47 within Rural Employment Area #2 in Uxbridge.</p> <p>Modification submitted to MMAH staff on November 9, 2023.</p>
XIV.	<p>Modify Map 1 as follows:</p> <p>Adjust the “Employment Area” designation along the southern boundary of the Columbus Planning Area in Oshawa.</p>	<p>The following Regional modification requests (Mods XIII-XV) recommend amendments that are intended to advance and guide the development of a major new residential community in north Oshawa which would result in approx. 369 hectares (912.33 ac.) of land being designated for residential uses, mixed uses, parkland and community uses and the protection of approximately 90 hectares (222.4 ac.) of land in the Columbus Planning Area.</p> <p>Incorporating these Regional modification requests would assist in expediting the Region’s approval of this Part II Plan (secondary plan), which in turn would help the future construction of an estimated 7,000 to 11,000 new residential dwelling units (housing approx. 19,000 to 29,500 residents) anticipated within this new Columbus Planning Area.</p> <p>If the following Regional modification requests are not incorporated at the time of Ministerial approval, the City will be required to more formally apply for a Regional Official Plan Amendment to the brand new ROP, which could extend the completion of an updated ROP an additional 12-18 months after receiving a Final Decision from the Minister on the</p>

Mod. No.	Modification	Regional Comments
		<p>approval of the new ROP. Not having an up-to-date Consolidation would create challenges should we need to prepare to transition the ROP to our area municipalities as a result of Bills 23 and 185.</p> <p>Regional modification request:</p> <p>The City of Oshawa's Columbus Part I OPA #217 made several refinements to land use designations within the City of Oshawa Official Plan Schedule 'A', including conversions of Community Areas to Employment Areas (from "Residential" to "Industrial" in the OOP) along the southern boundary of the Columbus area to reflect realignments to the Future Type 'C' Arterial roads.</p> <p>Modification submitted to MMAH staff on March 20, 2024.</p>
XV.	<p>Modify Map 2a as follows:</p> <p>Refine the "Regional Natural Heritage System" and "Enhancement Opportunity Areas" to reflect changes within the Columbus Planning Area in Oshawa.</p>	<p>Refer to the above rationale to include the following Regional modification request:</p> <p>The City of Oshawa's Columbus Part I OPA #217 made several refinements to the "Natural Heritage System" within the City's Official Plan Schedule 'D-1'.</p> <p>Modification submitted to MMAH staff on March 20, 2024.</p>
XVI.	<p>Modify Map 3b as follows:</p> <p>Remove the east-west "Future Type C Arterial" road, located south of Howden Road from Thornton Road to Ritson Road.</p>	<p>Refer to the above rationale to include the following Regional modification request:</p> <p>The City of Oshawa has requested that the Region amend the ROP to implement the City's proposed amendment to redesignate the east-west Type 'C' Arterial road, located south of Howden Road from Thornton Road to Ritson Road, to two off-set Collector roads in both OPA #217 (OOP Schedule 'B') and #218 (Columbus Planning Area Schedules "A" and "B").</p> <p>Modification submitted to MMAH staff on March 20, 2024.</p>