

Town of Whitby Public Meeting Report

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Report Title: Housekeeping and Technical Amendments to the
Whitby Official Plan / Part 2 Secondary Plans

Date of meeting: December 6, 2023

Report Number: PDP 45-23

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell, Chief
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For additional information, contact:

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Planning Report PDP 45-23 is presented for information purposes only, in accordance with the statutory public meeting requirements of the Planning Act R.S.O. 1990, c.P.13

Anyone who attends the public meeting may present an oral submission, and/or provide a written submission to the Planning and Development Department on the proposed application(s). Also, any person may make written submissions at any time before Council makes a decision.

Additional information regarding statutory public meetings under the Planning Act can be found on the [Town's website](#).

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Whitby before the by-law is passed, the person or public body is not entitled to appeal the decision of Whitby Council to the Ontario Land Tribunal (OLT) and may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

1. Highlights:

- At the June 5, 2023 Committee of the Whole meeting, Council authorized Planning and Development Staff to initiate an Amendment to the Town of Whitby Official Plan regarding minor housekeeping and technical amendments to policies and Schedules of Part 1 - Parent Official Plan (OP) and Part 2 - Secondary Plans and Schedules.
- The Draft Proposed Official Plan Amendment (OPA) consists of the following:
 - Minor text changes to policies for consistency and alignment with Part 1; consistent use of terminology and policy language; consistency of land use designations/permissions; elimination of policy duplication; and relocation/reorganization of certain policies within the current Official Plan (OP); and,
 - Minor mapping changes to Schedules, including consistent use of symbology/colours/hatching/line types; consistent land use designations; and minor boundary adjustments to reflect as-built/implemented development.
- The proposed revisions to the OP will provide alignment, consistency and further clarification of policy intent and will not significantly change the intent of any existing policies.
- The proposed housekeeping and technical OPA is not intended to replace the broader Municipal Comprehensive Review of the Town of Whitby Official Plan as required by Section 26 of the Planning Act.

2. Purpose:

The purpose of this report is to present information and materials prepared in relation to the proposed housekeeping and technical amendments to policies and Schedules of the Parent Official Plan and Secondary Plans, and to also provide an opportunity for public input at a statutory public meeting, as required by the Planning Act.

3. Background:

The OP consists of two key sections/parts: Part 1 - Official Plan; and Part 2 - Secondary Plans. OP Policies address important community-building directions, including but not limited to:

- Where should housing, industry, offices, shops, and new roads be located;

- What parts of the Town will be the focus for population growth and what development will look like related to height and density (e.g., major transit station areas, along major roads, within our downtowns);
- Which community uses are needed and where (e.g., hospitals, schools, parks and trails, community centers, active transportation routes);
- Where and how important features of both the natural and urban environment should be protected (e.g., ravines and woodlands, cultural heritage properties, waterfront lands); and,
- What must be considered for growth and development to occur in a sustainable manner and allow for safely designed neighbourhoods.

Part 1 of the OP, generally referred to as the "parent" section of the Official Plan, provides general policy directions and a planning framework to guide the development of the Municipality and the assessment and management of the social, economic, and environmental impacts of growth in the Municipality.

Part 2 of the Official Plan includes Secondary Plans, which provide more detailed land use designations and policies for specific communities/areas, regarding such matters as development densities, supporting facilities, school sites, parks, road network, etc. In instances where the policies and designations included in the Secondary Plans vary with the policies in Part I, the more specific and detailed policies of the Secondary Plans prevail, provided the overall intent of the Official Plan is maintained.

The OP currently includes 12 Secondary Plan areas, as follows:

1. Port Whitby Community Secondary Plan;
2. Lynde Shores Secondary Plan;
3. Downtown Whitby Secondary Plan;
4. Rossland/Garden Urban Central Area Secondary Plan;
5. Brooklin Community Secondary Plan;
6. Macedonian Village Secondary Plan;
7. Hamlet of Ashburn Secondary Plan;
8. Brock/Taunton Major Central Area Secondary Plan;
9. Thickson/Taunton Major Central Area Secondary Plan;
10. Taunton North Community Secondary Plan;
11. Oak Ridges Moraine Secondary Plan; and,
12. West Whitby Secondary Plan.

In 2018, OPA 105 was approved. OPA 105 was the final component of Whitby's last Municipal Comprehensive Review (MCR) and involved extensive consultation including public open houses, a public opinion survey, public workshops on various themes, and Statutory public meetings on Proposed Amendments to the OP.

In addition, recent updates have been approved for the West Whitby Secondary Plan, the Port Whitby Community Secondary Plan, and the Brooklin Community Secondary Plan. Most recently, Council adopted an amendment to update the Downtown Whitby Community Secondary Plan in March 2023. Finally, in March 2023, Council adopted OPA 130 regarding Mature Neighbourhoods (under appeal), to introduce new policies into the OP to aid in managing appropriate residential infill/intensification in mature neighbourhoods within specific areas of the Town.

With the recent introduction and/or updates of certain Secondary Plans (e.g., Brooklin, Downtown Whitby, Port Whitby) and with the completion of the Mature Neighbourhoods Study in advance of MCR, it is timely and appropriate to initiate a further Amendment to ensure alignment and consistency of land use designations and policies across both Part 1 - parent OP, and Part 2 - Secondary Plans.

4. Discussion:

4.1. Region of Durham Official Plan (2023 Municipal Comprehensive Review)

On May 17th, 2023, Durham Regional Council adopted the new Regional Official Plan, which was prepared as part of the Regional Municipal Comprehensive Review “Envision Durham”. The new Regional Official Plan is not yet in full force, as final approval is pending from the Ministry of Municipal Affairs and Housing (MMAH).

The proposed housekeeping and technical amendment to the OP is not intended to replace the broader MCR of the Town of Whitby Official Plan, as required by Section 26 of the Planning Act.

The Town’s pending MCR exercise will be required to reflect policy changes and directives resulting from Durham Region’s new OP, once ministerial approval is received, to address the future expansion of the Brooklin urban area, including the future Hospital lands near Lake Ridge Road and Highway 407, as well as any further changes to Provincial Plans or legislation.

This initiative is anticipated to begin in early 2024.

4.2. Overview of Draft Proposed Official Plan Amendment

Planning and Development staff are proposing minor housekeeping, and technical revisions and updates to relevant sections of Part 1 parent OP and certain Part 2 Secondary Plans (refer to Attachment #1). Some Secondary Plans are proposed to be deleted in their entirety where warranted, with certain policies relocated accordingly, while others are

proposed to be refined for alignment and consistency with the parent Part 1 and other Part 2 Secondary Plans.

4.2.1 Proposed Policy (Text) Amendments to the Official Plan and Secondary Plans:

The following provides an overview of the proposed minor technical and housekeeping text changes to Parts 1 and 2 of the OP:

- Clarification of policies regarding intent;
- Consistency and alignment of policies and terminology, including policy language/phrasing to reflect new changes in Planning legislation, land use permissions, densities and/or heights, where appropriate;
- Maintaining unique land use permissions, densities and/or heights where Secondary Plans are more detailed and specific; and,
- Minor reorganizing/restructuring/cross-referencing for better readability, and renumbering of sections accordingly, where policies are revised/relocated.

4.2.2 Proposed Schedule (Map) Changes:

Proposed mapping changes include:

- Minor revisions/updates to reflect as-built/implemented land use designations, symbols, road networks, etc.;
- Updates to infrastructure and utility locations;
- Relocation of various symbols, where appropriate;
- Administrative changes, including changes to map legends; and,
- Consistency of colours for land use designations and boundary line types, to ensure maximum clarity, ease of interpretation, and consistency with other schedules in the parent Official Plan.

4.2.3 Proposed Part 2 Secondary Plan Deletions:

Many of the Secondary Plan areas have been fully built-out and certain Secondary Plans are no longer warranted. The following Secondary Plans are proposed to be deleted in their entirety, with select policies to be relocated appropriately within Part 1 of the OP:

- Rossland / Garden Urban Central Area Secondary Plan;
- Macedonian Village Secondary Plan;

- Hamlet of Ashburn Secondary Plan; and,
- Thickson / Taunton Community Central Area Secondary Plan.

Although certain Secondary Plans are proposed to be deleted, select policies that are still applicable from those Secondary Plans will be modified and relocated to appropriate sections elsewhere within Part 1 of the Official Plan or within other Secondary Plans. In all other cases, the parent land uses policies contained within the Part 1 of the OP as well as land use designations shown on Schedule A of the OP would apply.

4.2.4 Proposed Part 2 Secondary Plan Changes:

The following Secondary Plans are proposed to be retained, however amended to provide consistency and clarity as described above:

- Brock / Taunton Major Central Area Secondary Plan;
- Taunton North Community Secondary Plan;
- Oak Ridges Moraine Secondary Plan; and,
- Lynde Shores Secondary Plan.

4.2.5 Proposed Part 1 Official Plan Changes:

The scoped and minor changes to Part 1 of the Official Plan, include:

- Revisions to Section 4.4.3.4.1 b) regarding the maximum density permitted within the Low Density Residential designation, for consistency with other recently approved Secondary Plans and the Mature Neighbourhoods Study OPA;
- Revisions to Section 4.6.3 to provide increased flexibility for implementation of non-residential uses within a Mixed Use designation;
- Revisions to Section 8.1.3.1.2 to permit Collector Roads to be added, modified, or deleted without Official Plan Amendment, subject to criteria;
- Revisions to the definition of Net Residential Density to include private laneways in the calculation of density;
- Minor housekeeping and technical revisions for alignment and consistency with Secondary Plans; and,
- Changes to mapping, to reflect as built conditions and the proposed deleted Secondary Plans.

4.2.6 Secondary Plans Currently Not Under Consideration for Review:

Secondary Plans that will not have any substantive revisions include:

- Port Whitby Community Secondary Plan;
- Downtown Whitby Community Secondary Plan, as adopted by Council;
- Brooklin Community Secondary Plan; and,
- West Whitby Secondary Plan.

4.3 Next Steps:

Once all public input and agency comments have been received, reviewed, and assessed, a Final Recommended Official Plan Amendment for the Housekeeping and Secondary Plans review will be brought forward for consideration and adoption by Council in accordance with the requirements of the Planning Act.

5. Communication and Public Engagement:

Notice of the statutory public meeting was circulated to all required public agencies in accordance with the Planning Act and in accordance with the Town's notification procedures. Notice of this public meeting was also posted on the Town of Whitby's website.

6. Consultation with other Departments/Sources:

The applicable agencies and departments have been circulated the draft proposed amendment for their review and comment.

7. Conclusion:

All comments received at this statutory public meeting, as well as any subsequent written submissions, will be considered by the Planning and Development Department as part of its review and analysis of the draft proposed amendment. A recommendation report will be brought forward to the Committee of the Whole at such time as input from the commenting agencies, departments and the public have been received and assessed.

All persons who make oral submissions, or have requested notification in writing, will be given written notice of the future meeting of the Committee of the Whole at which the final recommended amendment will be considered.

8. Attachments:

Attachment 1: Draft Proposed Official Plan Amendment