

ATTACHMENT 1

Laura Lebel-Pantazopoulos

From: Mark Jacobs
Sent: April 14, 2023 2:15 PM
To: Michael Scott
Cc: Colleen Goodchild; Laura Lebel-Pantazopoulos
Subject: RE: Draft Durham Regional Official Plan - Part of Lot 10 & 11, Concession 8, former Township of Cartwright in Caesarea

Hi Michael

Thank you for your email.

You note that the lands will remain as a deferral area in the Scugog OP until the issues related to the subject site are resolved. Can you confirm the issues so that we are on the same page?

Cheers
Mark J.

Mark Jacobs, MCIP RPP
Senior Planner

Phone: 416-693-9155 x 233
Cell: 416-333-9734
mjacobs@thebiglierigroup.com
thebiglierigroup.com



TORONTO
2472 Kingston Road
Toronto, ON M1N 1V3

HAMILTON
126 Catharine Street N.
Hamilton, ON, L8R 1J4

This message is directed in confidence solely to the person(s) named above and may contain privileged, confidential, or private information which is not to be disclosed. If you are not the addressee or an authorized representative there, please contact the undersigned and then destroy this message.

Save a tree. Don't print this e-mail unless it's really necessary.

From: Michael Scott <Michael.Scott@durham.ca>
Sent: April 12, 2023 3:21 PM
To: Mark Jacobs <mjacobs@thebiglierigroup.com>
Cc: Colleen Goodchild <Colleen.Goodchild@Durham.ca>
Subject: Draft Durham Regional Official Plan - Part of Lot 10 & 11, Concession 8, former Township of Cartwright in Caesarea

You don't often get email from michael.scott@durham.ca. [Learn why this is important](#)

Hello –

My name is Mike Scott, I'm the team lead for the Agricultural and Rural section of the Regional Official Plan review.

Thank you for your submission on the refinement to the Hamlet boundaries in Caesarea. We wanted to reach out and clarify that the changes to the deferral area of the hamlet boundaries in the draft Regional Official Plan for Caesarea were the result of a technical mapping error. The deferral area was captured in error and incorporated into the hamlet boundary. This error has been identified and it will be corrected in the final version of the ROP. The hamlet boundary illustrated in the ROP will not include the deferral area.

We are unable to make changes to the hamlet boundaries at this time. Current provincial policy does not permit the further rounding out of Hamlets located within the Greenbelt Plan Boundary. We recognize the historic status of the deferral and it will remain as a deferral area in the Scugog Official Plan until the issues related to the subject site are resolved. Designations within the deferral area will remain Prime Agricultural and Waterfront Area in the new ROP.

This response will also be included in the submission table that will be included in our new ROP, but I wanted to let you know about this ahead of its release.

If you have any questions please let me know.

Thanks,

Mike



Michael Scott | Project Planner

Planning and Economic Development Department

The Regional Municipality of Durham

Michael.Scott@durham.ca | 905-668-7711 extension 2541 | durham.ca

My pronouns are he/him



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ATTACHMENT 2

March 31, 2023

The Regional Municipality of Durham
Planning and Economic Development Department
605 Rossland Road East, PO Box 623
Whitby, Ontario, L1N 6A3

Attention: Brian Bridgeman, Commissioner of Planning and Economic Development

Dear Mr. Bridgeman,

RE: Envision Durham
Draft Durham Regional Official Plan
Part of Lot 10 & 11, Concession 8, former Township of Cartwright in Caesarea
Township of Scugog
TBG Project No. 21803

The Biglieri Group Ltd. ("TBG") is the planning consultant for Fourteen Estates Limited, the owner of the lands legally known as Part of Lots 10 & 11, Concession 8, former Township of Cartwright in Caesarea, in the Township of Scugog ("Subject Site" or "Site").

The Subject Site is located outside the Caesarea Hamlet Boundary and is currently designated as *Prime Agricultural Areas* and *Waterfront Areas* (**Figure 1**) in the Durham Regional Official Plan (May 2020 Consolidation).

We are writing on behalf of the owner in support of the proposed *Hamlet* designation for the majority of the Subject Site in the Draft Regional Official Plan ("Draft ROP"), and to request a slight modification to the *Hamlet* area to include the northeast portion of the Subject Site and abutting lands as shown on **Figure 7**.

BACKGROUND

In 2009, the Subject Site was added to the Caesarea *Hamlet* Boundary and designated as *Hamlet* and *Natural Core Area* in the Township of Scugog Official Plan. In 2010, Durham Region approved the new Scugog Official Plan, however deferred consideration of the designation of the Subject Site as *Hamlet* as Deferral D2-2 (**Figures 2 and 3**). Upon approval of the Scugog Official Plan by the Ontario Municipal Board (OMB) in 2011, the Subject Site remained as Deferral D2-2 based on the need for "*further analysis to support the proposed rounding out for Caesarea*" per Durham Region Staff Report 2010-P-15.

In 2015, CM Planning Inc. submitted a letter on behalf of the owner supporting the rounding out of the Caesarea *Hamlet*, and requested a technical modification to the deferral area (**Attachment 1**). The proposed technical modification recommended amending the northeastern boundary of the deferral area to match the limits of the ownership of the Subject Lands and to include a small parcel of land under different ownership. These additional lands were proposed by CM Planning Inc. to be included into the border of the *Hamlet* rounding out deferral area. The reason for this

request was because the added lands are well suited for development and their inclusion allows for the optimized layout for the subdivision proposed by the owner for the Subject Site. The owners intend on developing the Subject Site as a 57-lot subdivision. New public roads are planned to be built through the Subject Site with provision for a secondary emergency access point from Summit Drive via Manor Road to Proutt Road (**Attachment 2**). In order to properly accommodate this secondary access point, the additional northeast lands are required to be included in the boundary of the *Hamlet* deferral area as proposed.

DRAFT REGIONAL OFFICIAL PLAN DESIGNATION

As part of Envision Durham, a Settlement Area Boundary Expansion request (“SABE”) was submitted by D.M. Wills Associates Limited on behalf of the owners to expand the Caesarea Hamlet Boundary to include the Subject Site. The SABE for the Subject Site is identified as BER-30 in Durham Region Staff Report #2021-INFO-84. As outlined in Attachment 1 to Staff Report #2021-INFO-84, it was requested that “*Deferral D2-2 to the Scugog Official Plan be resolved through the ROP review in order to include additional lands within the boundary of the Hamlet of Caesarea*”.

On February 10, 2023, the Draft ROP was released to the public for review and comment. The majority of the Subject Site is designated as *Hamlet* on Map 1 – Urban Structure in the Draft ROP (**Figure 4**). The southern portion of the *Hamlet* boundary corresponds to the Deferral D2-2 area in the Scugog Official Plan. The Subject Site also contains portions of the *Regional Natural Heritage System* overlay as shown on Map 2a – Regional Natural Heritage System (**Figure 5**).

TBG COMMENTARY AND RECOMMENDATIONS

TBG supports the proposed *Hamlet* designation of the Subject Site in the Draft ROP as it corresponds with the Township of Scugog’s longstanding intention to designate the Site as *Hamlet* and to be used for residential development. In addition, the designation of the Subject Site as *Hamlet* will allow for more housing to be built to meet the Province’s goal of 1.5 million homes built over the next 10 years.

Notwithstanding our general support for the *Hamlet* designation for the majority of the Subject Site, we request an addition to the *Hamlet* area similar to that shown in the 2015 request by CM Planning Inc. The proposed modification would include the northeast portion of the Subject Site and abutting lands within the *Hamlet*. The reason for this proposed modification is because the northeast portion of the Subject Site is an integral part of the proposed subdivision. As noted above, this area allows for the optimized layout for the subdivision by permitting the creation of a link from the subdivision to Summit Drive, providing the Summit Drive/Cedar Grove Drive neighbourhood with a second access point (to Proutt Road) for emergency purposes. The abutting lands are not owned by Fourteen Estates Limited and are indicated as ‘Existing Residential’ in the proposed Draft Plan (**Attachment 2**). Similar to the lands owned by Fourteen Estates Limited, these lands are appropriate and have potential for residential uses, and therefore are suitable to be included within and round out the *Hamlet* boundary.

Additionally, the southwest portion of the current *Hamlet* designation area is constrained by a provincially-designated Area of Natural and Scientific Interest (“ANSI”). It is also designated *Significant Forest Area* on Schedule E in the Scugog Official Plan and zoned *Environmental Protection (EP)* in Scugog Zoning By-law 14-14 (**Figure 6**). The developable area of the southwest portion of the Site is suitable and intended for community and recreational uses, as shown in the

preliminary conceptual landscape plan (**Attachment 3**). As a result, much of the new residential development intended by the *Hamlet* designation will need to be accommodate on other areas of the Subject Site, and the boundaries should be modified to include additional lands that are appropriate and have the immediate potential for residential uses. The extent of the natural heritage features will be delineated through an Environmental Impact Study ("EIS") to be completed as part of a future development application.

For the reasons explained above, we therefore request that the *Hamlet* boundary be modified as shown on **Figure 7**.

We wish to thank staff for their efforts throughout the Envision Durham process. We trust you will find all in order, however if you have any questions or require additional information, please contact the undersigned at your earliest convenience.

Respectfully,
THE BIGLIERI GROUP LTD.

A handwritten signature in black ink, appearing to read 'Mark Jacobs', written in a cursive style.

Mark Jacobs, MCIP, RPP
Senior Planner

cc. Gary Muller, Director of Planning, Durham Region
Kevin Heritage, Director of Development Services, Township of Scugog
Rick Rondeau, Fourteen Estates Limited

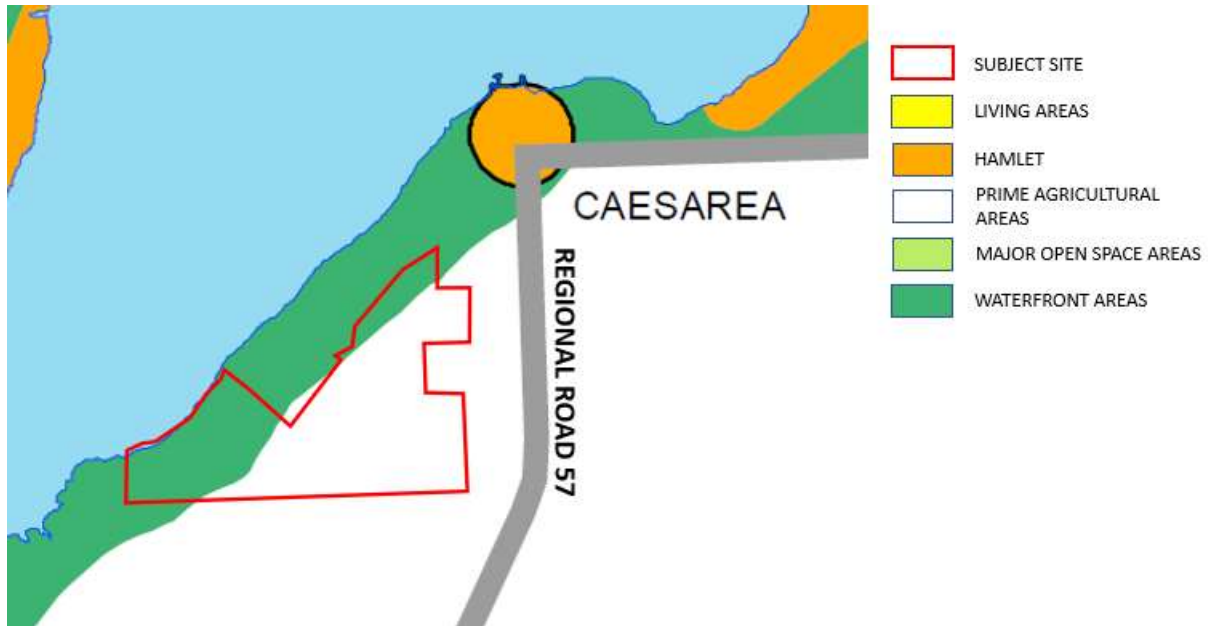


Figure 1: Subject Site in Schedule 'A', Map 'A3' – Regional Structure, of the Durham Official Plan (2020) (Source: Durham Region, 2020)

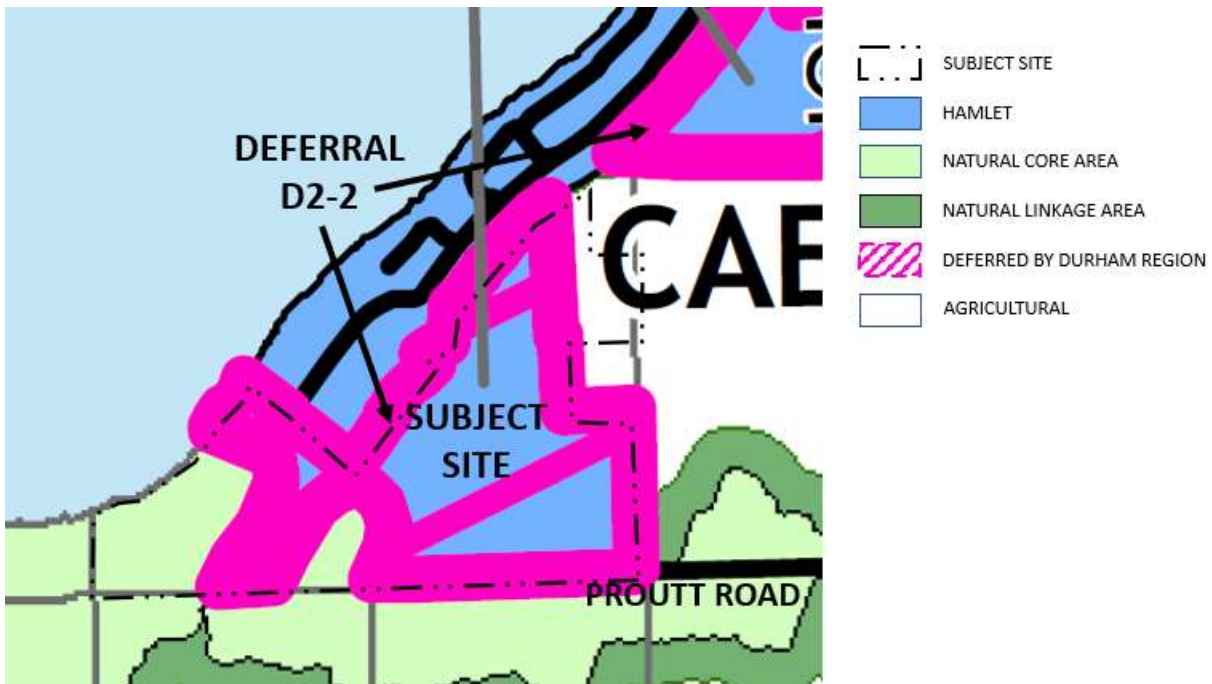


Figure 2: Subject Site in Schedule A of the Township of Scugog Official Plan (2017) (Source: Township of Scugog, 2017)

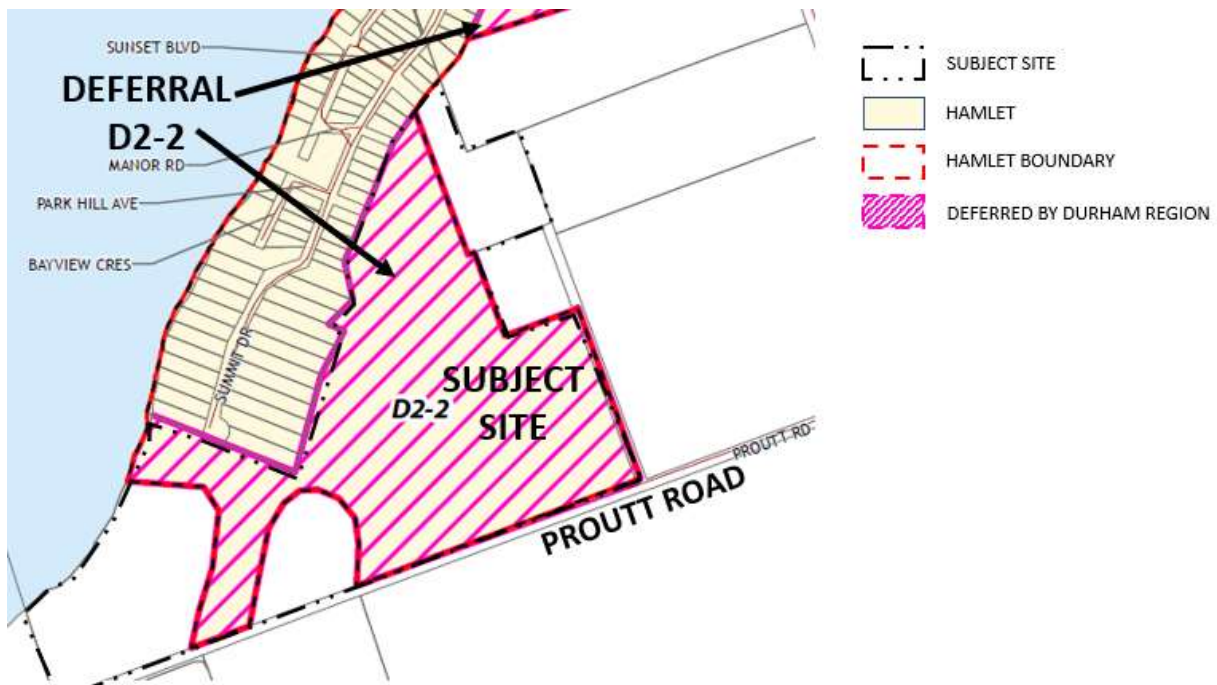


Figure 3: Subject Site in Schedule H-9 of the Township of Scugog Official Plan (2017)
(Source: Township of Scugog, 2017)

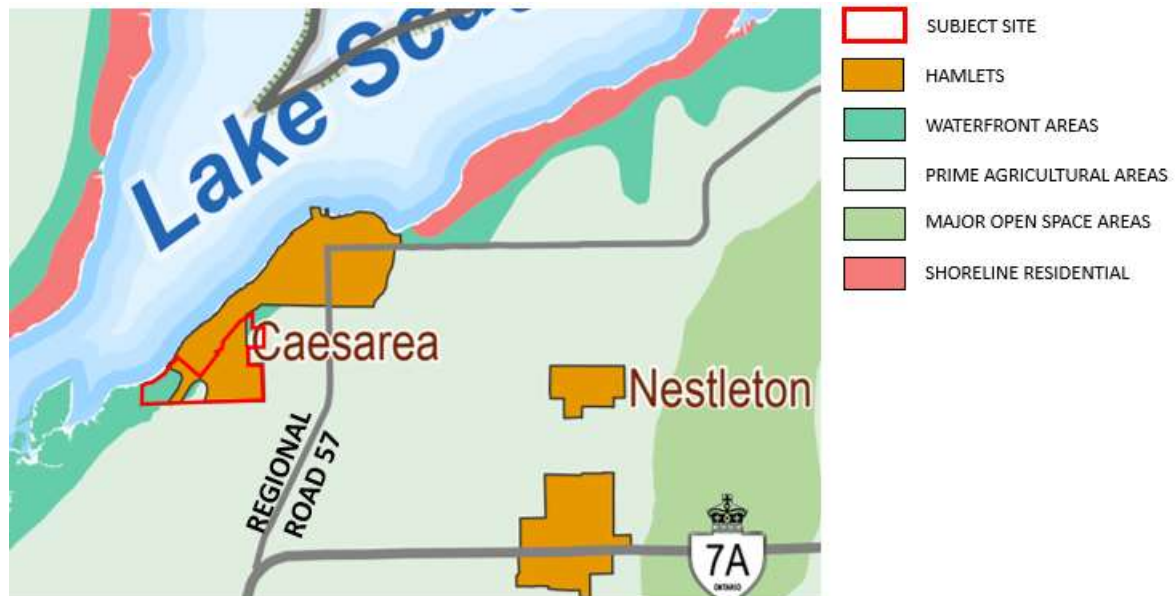


Figure 4: Draft Durham Regional Official Plan: Map 1 – Regional Structure
(Source: Durham Region, February 10, 2023)

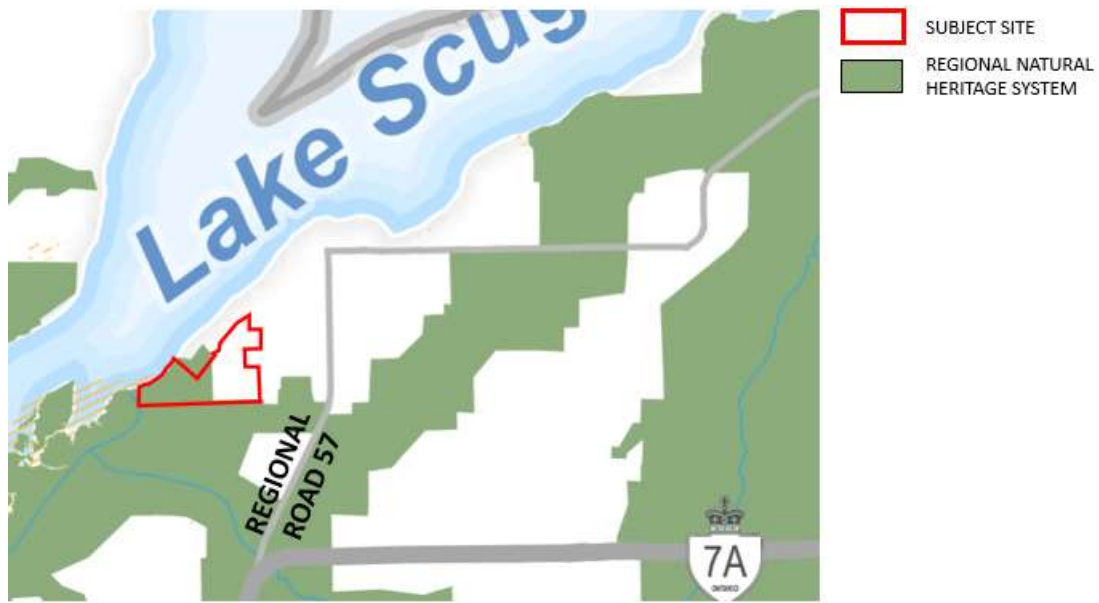


Figure 5: Draft Durham Regional Official Plan: Map 2a – Regional Natural Heritage System
(Source: Durham Region, February 10, 2023)

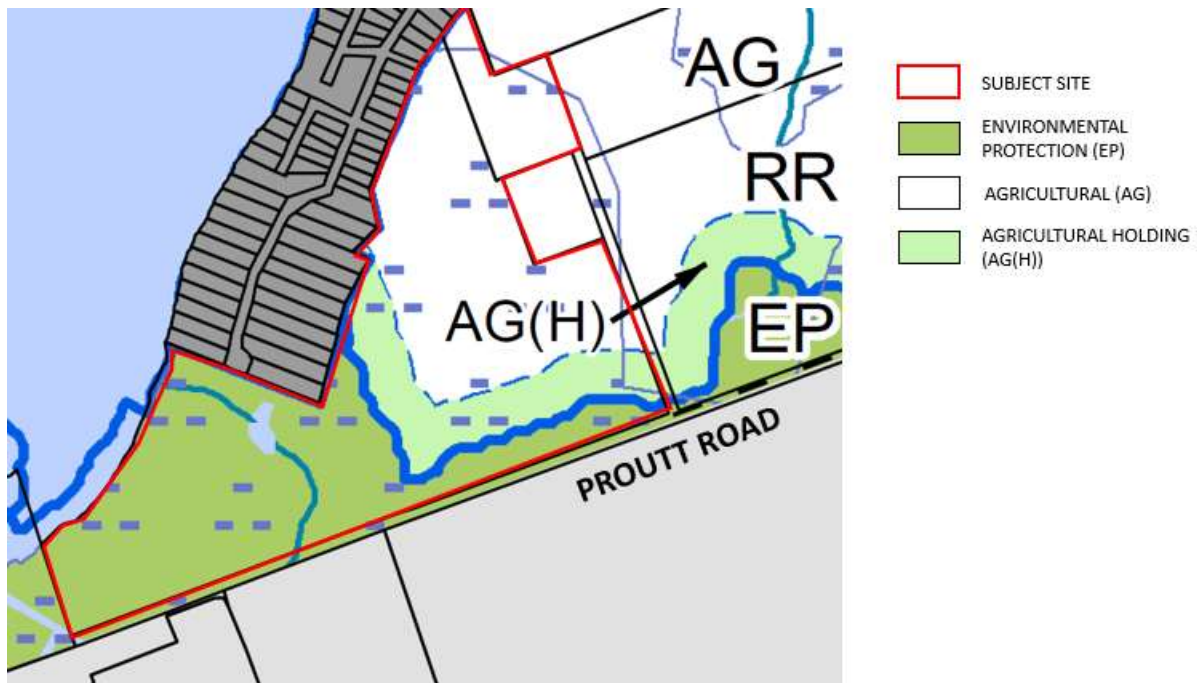


Figure 6: Subject Site in Township of Scugog Zoning By-law 14-14
(Source: Township of Scugog, 2022)

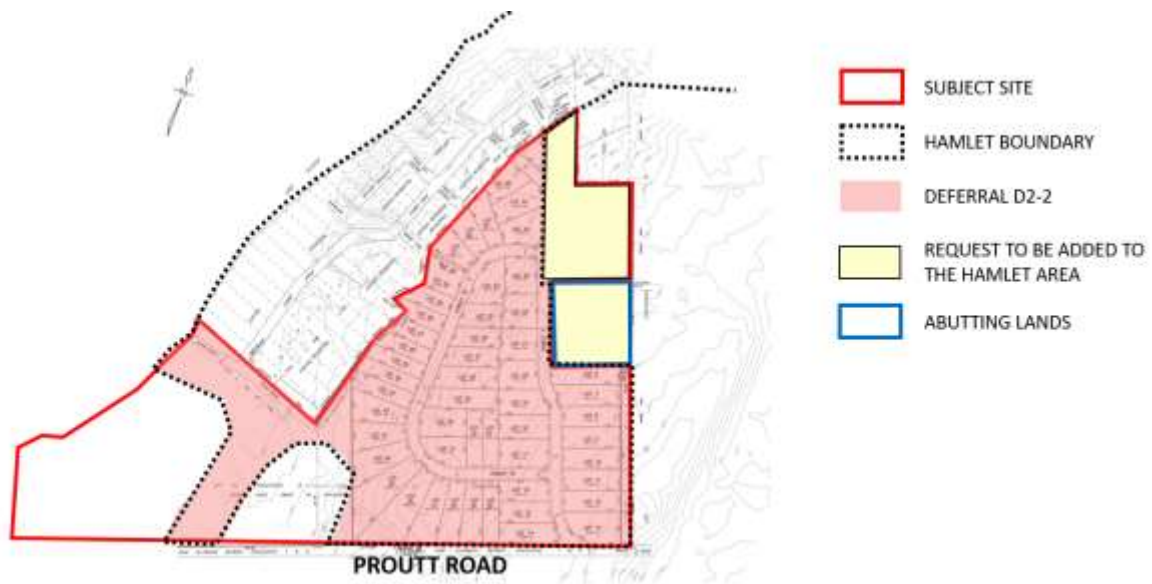


Figure 7: Proposed Modification to Hamlet Boundary
(Basemap source: D.G. Biddle, 2015)



September 24, 2015

Mr. Donald Gordon
 Director of Community Services
 Township of Scugog
 181 Perry St., PO Box 780
 Port Perry, Ontario
 L9L 1A7

Dear Mr. Gordon

**Re: Part of Caesarea Official Plan Deferral Area D2-2
 Lands owned by Honey Heights Developments Ltd. northeast of Proutt Road
 Part of Lots 10 and 11, Concession 8, Township of Scugog**

CM Planning is the planning consultant for Fourteen Estates, the owners of the property described as Part of Lots 10 and 11, Concession 8, located west of Regional Road 57 and north of an eastern extension of Proutt Road, bordering the south limit of the Hamlet of Caesarea.

The subject property is currently subject to Deferral D2-2 on Schedule H-9 of the Township of Scugog Official Plan. The deferral was based on the need for 'further analysis to support the proposed rounding out for Caesarea' as described in the 2010 Region of Durham Planning Report 2010-P-15.

It has been demonstrated in the past through various letters from Valerie Cranmer & Associates to the Township that Caesarea is a hamlet well suited for a minor rounding out. Caesarea is not constrained by water or soil conditions. Scugog Council has supported the inclusion of the majority of the property in the hamlet in the past. In addition, the rounding out of the hamlet to include the subject property will solve the current emergency access and public safety issue of having only one access point to the entire Summit Drive area (refer to Attachment 1).

The purpose of this letter is to: a) provide further analysis to support a partial rounding out for Caesarea, b) request a slight modification to the boundary of the deferral area as it relates to the subject property and c) request a partial lifting of the deferral.

a) Further Analysis to Support a Partial Rounding Out of Caesarea

With respect to the provincial concerns leading to the deferral (as outlined in the Ministry of Municipal Affairs and Housing comment letter dated May 11, 2009 regarding the Scugog Official Plan), those concerns have now either been addressed or are no longer applicable, as addressed below.

At the time of the deferral, the Province was concerned with:

1. the extent of the planned expansion to Caesarea

The number of single detached dwelling lots proposed for the property will come in under the 83 units recommended in the Scugog 'Planning Directions Report'. The request to lift

the deferral applies only to the lands owned by Fourteen Estates and therefore does not extend to the full area of the deferral.

2. *the requirement in the Provincial Policy Statement 2005 (PPS 2005) limiting individual on-site sewage and water services to 'a new development of five or less lots' (Policy 1.6.4.4), and*

With the issuance of the PPS 2014, the limitation in the PPS 2005 for new development on private services of 'five or less lots' was removed and replaced with Policy 1.6.6.4 which allows for individual services to:

'be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In settlement areas, these services may only be used for infilling and minor rounding out of existing development.'

As such, this concern of the Province is now moot. The supporting engineering reports for the development of the subject property show that the site conditions are, in fact, suitable for the long-term provision of septic and water services with no negative impacts which meets the requirement in the PPS 2014. In addition, as the development of the land will be implemented through a minor rounding out of the hamlet, the requisite criteria of Policy 1.6.6.4 are fully met.

3. *the justification that the proposed development was intended as a means for redirecting growth otherwise meant for Port Perry due to servicing constraints.*

The rounding out of Caesarea in particular, and of any of the hamlets in general, should have minimal relation to servicing constraints facing Port Perry. As well, with the expansion of the Nonquon Sewage Treatment Plan servicing the Port Perry Urban Area, the servicing constraints should soon be resolved or mitigated.

The potential rounding out of hamlets is somewhat independent of this issue as it is meant as a one-time occurrence and not as a mechanism to direct growth over the lifespan of the Official Plan. With the development of rural severed lots now successfully restricted by various provincial policies, the rounding out of hamlets in general provides for a local housing option for rural residents otherwise wanting to live on rural severed lots.

In all, the provincial concerns are either mitigated or no longer applicable as reviewed above. Therefore, the consideration of the rounding out of Caesarea should now be able to proceed through the partial lifting of Deferral D2.2 and the rounding out of the hamlet limited to the subject property.

b) Modification to Deferral Area

As a technical matter, we would request that, in the consideration of a partial lifting of the deferral, the border of the deferral area be slightly modified to match the limits of the ownership of the lands, yet limited to the area to the east of the EP lands. As can be seen in Attachment 1 to this letter, the deferral area (shown in pink hatching) includes an area to the west of the proposed development area (shaded pink) that is zoned Environmental Protection,

and omits an area of the landholding and a separate small parcel of land not owned by Fourteen Estates to the northeast (shaded yellow). These two areas of land are similar in size although the lands to the northeast are much better suited for development than the EP lands.

The requested modification to the deferral area is based on the following:

1. The area to the northeast is an integral part of the proposed subdivision. As shown on Attachment 1, it allows for the optimized layout for the subdivision with a link to Summit Drive.
2. The area to the west is a separate parcel of land, is zoned Environmental Protection and a large portion of the parcel is designated 'Significant Forest Area' on Schedule E in the Scugog Official Plan. For these reasons this portion of the deferral area should remain separate from the development of the proposed subdivision and should therefore be removed from the deferral area.
3. The resulting land swap between the two areas provides for a more reasonable use of land and layout of the subdivision.

We therefore request that the area to the west be removed from the rounding out and the area to the northeast be included in the rounding out.

c) Partial Lifting of the Deferral

We provide the following justification for the partial lifting of the deferral for the portion covering the subject property, and for the inclusion of the subject property within the boundary of Caesarea as a rounding out of the hamlet:

- The issue related to the deferral has always been with respect to the extent of the rounding out, not whether or not Caesarea should have a rounding out.
- There have been no applications or development pressures since 2010 for the remaining areas of the deferral.
- The proposed plan of subdivision provides for development in depth rather than in strip form and proposes a grid system of roads that tie into the existing development along Summit Drive.
- Caesarea, and this property in particular, is not constrained by limiting water or soil conditions as supported by hydro-geological and geotechnical investigations.
- The proposed development will be complementary to, and consistent with, the character of the Summit Drive area. The character of the proposed development will be subject to architectural control to help ensure compatibility in this regard.
- The development of the subject property would provide for the connection of Proutt Road to the southwest residential area of Caesarea. This connection would solve the current access issue for the entire Summit Drive/Cedar Grove Drive area of Caesarea which currently functions as an extended cul-de-sac. This road network serves approximately 176 residential lots with only one access/egress point at the intersection of Cedar Grove Drive and Marina Drive, which is clearly not supportable or acceptable for emergency access purposes. As the number of lots served by a single access point

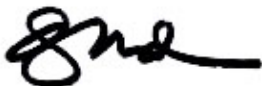
increases, the potential for temporary blockage also increases which can have a critical effect on emergency services and public safety. As such, there is a significant public interest in extending Proutt Road to connect with Summit Drive to provide a second access point.

- The proposed plan of subdivision will meet the lot number requirements of the approval authority.
- The technical studies required for the development of the land support the development of the proposed plan of subdivision.
- The development of the subject property was supported by the Township of Scugog throughout the OP Review process.
- The development would provide housing for rural residents whose options for rural housing type and location in the countryside are now restricted by the policies of the Greenbelt Plan.
- With the eastern extension of Highway 407 and the planned interchange at Regional Road 57, Caesarea will be serviced with easy access to the 400 series highway network.

We would like to move forward with rezoning and draft plan of subdivision applications as soon as possible and request that Council endorse the proposed modification to the deferral area and the partial lifting of Deferral D2-2 as it covers the subject property to effect a rounding out of the Caesarea hamlet boundary, considering that the development of the subject property is in conformity with the Greenbelt Plan, the PPS 2014, the Growth Plan and the Region of Durham Official Plan.

Please contact us should further information be required or if you have any questions or concerns.

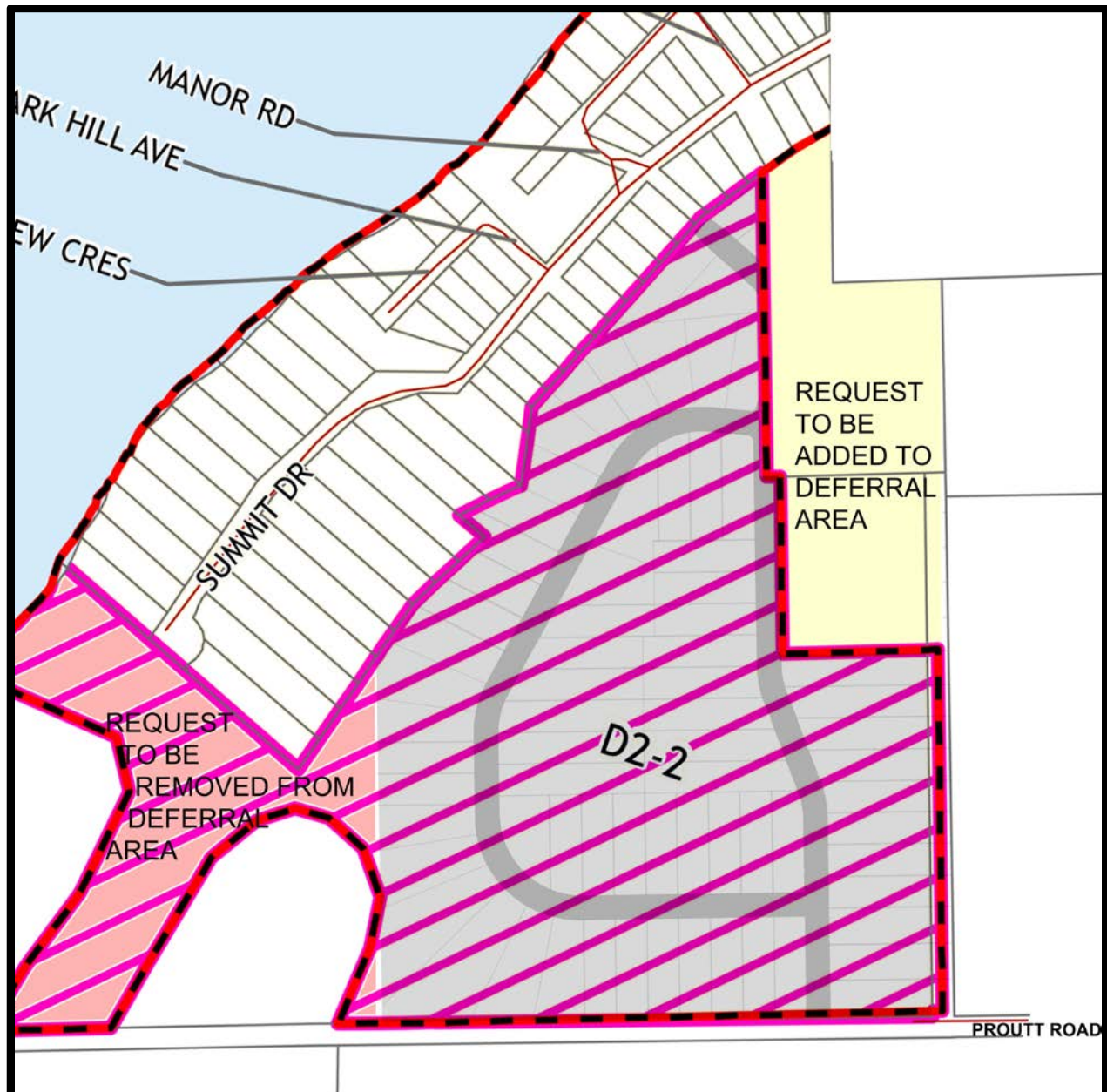
Best regards
CM PLANNING INC.

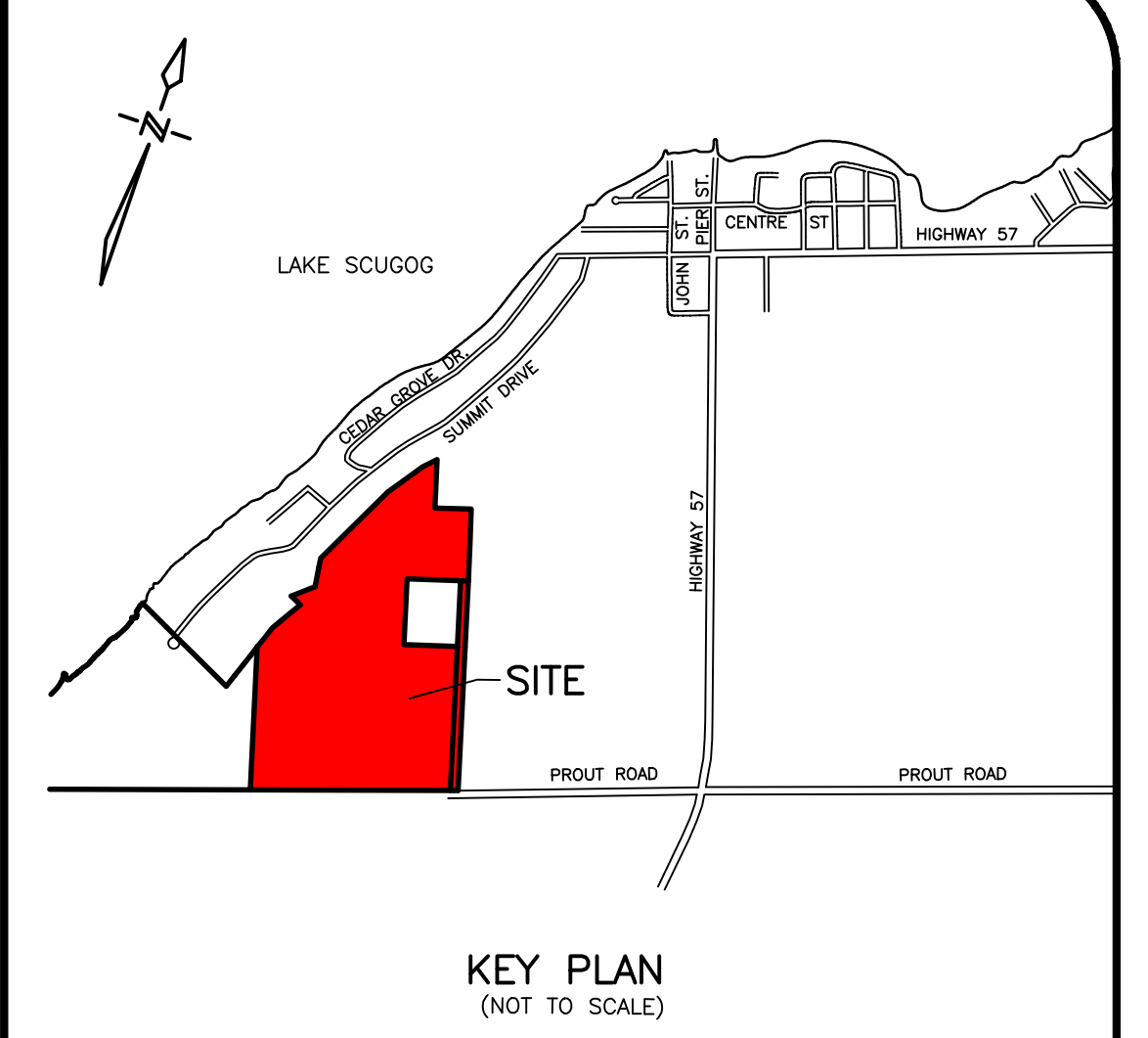
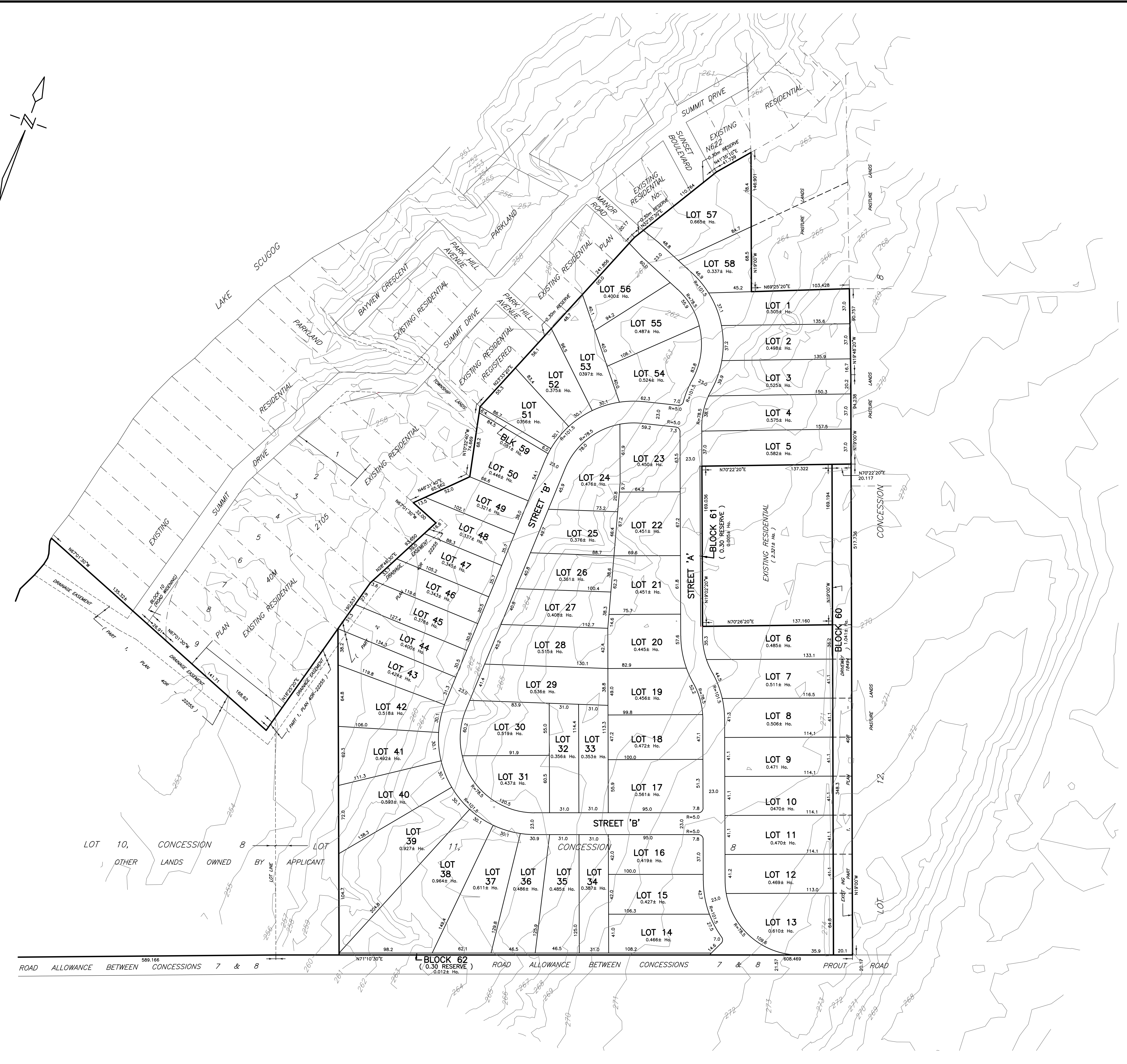
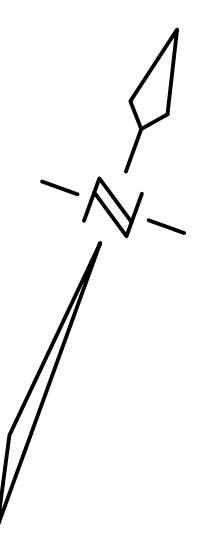


Carolyn Molinari

cc Mayor and Councillors, Township of Scugog
Valerie Cranmer, Valerie Cranmer and Associates
Rick Rondeau, Fourteen Estates

Attachment 1:
Lands Requested to be Added/Removed from Deferral Area D2-2
Hamlet of Caesarea





LAND USE SCHEDULE				
PROPOSED USE	LOT/BLK #	# OF LOTS/BLKS	# OF UNITS	AREA (ha)
LOW DENSITY RESIDENTIAL SINGLE DETACHED	LOTS 1-58	58	58	27.630
TOTAL		58	58	27.630
NON RESIDENTIAL UTILITY EASEMENT EX RESIDENTIAL DRIVEWAY 0.30m RESERVE	BLOCK 59 BLOCK 60 BLOCK 61 & 62	1 1 2		0.051 1.041 0.017
ROAD ALLOWANCE				3.722
TOTALS		62	58	32.461

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 OF THE PLANNING ACT

F NORTH - RESIDENTIAL
SOUTH - OPEN SPACE
EAST - AGRICULTURAL LANDS
WEST - RESIDENTIAL/OPEN SPACE
H - PIPED MUNICIPAL WATER
I - TILL
K - ALL MUNICIPAL SERVICES AVAILABLE

OWNER'S AUTHORIZATION	SURVEYOR'S CERTIFICATE
LAND OWNER BEING THE REGISTERED OWNER OF THE SUBJECT LANDS HEREBY AUTHORIZE D.G.BIDDLE AND ASSOC. LTD. TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL	I HEREBY CERTIFY THAT THE BOUNDARY OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ONTARIO LAND SURVEYOR ONTARIO LAND SURVEYORS
SIGNED _____ TITLE _____ DATE _____	SIGNED O.L.S. _____ DATE _____

No.	REVISION	DATE	BY	APPROVED

PROPOSED
DRAFT PLAN
PART OF LOT 11, CONCESSION 8
GEOGRAPHIC TOWNSHIP OF CARTWRIGHT,
COUNTY OF ONTARIO, NOW IN THE
TOWNSHIP OF SCUGOG
REGIONAL MUNICIPALITY OF DURHAM

	D.G. Biddle & Associates Limited consulting engineers and planners 96 KING STREET EAST • OSHAWA, ON L1H 1B6 PHONE (905) 576-8500 • FAX (905) 576-9730 info@dgbiddle.com	
	SCALE: 1:2000	114105
	DRAWN BY: B.B.	DP-1
	DESIGN BY: M.B.C.	
	CHECKED BY: M.B.C.	
PLOT DATE: 24/11/2015		

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LOCATION MAP

GENERAL NOTES

THE LOCATION OF PROPERTY LINES, ELEVATIONS AND FACILITIES ON THIS PLAN WERE DRAWN ON THE BASIS OF A DIGITAL SITE PLAN OR SURVEY DATA PROVIDED BY OTHER CONSULTANTS.

IT IS THE RESPONSIBILITY OF THE CLIENT AND HIS CONTRACTORS TO CONFIRM THE ACCURACY OF THE SETBACKS, LOCATIONS AND GRADES ETC. ANY VARIATIONS BETWEEN EXISTING CONDITIONS AND THIS PLAN SHOULD BE ADJUSTED ON SITE AND REPORTED TO THE CONSULTING LANDSCAPE ARCHITECT TO DETERMINE THE IMPACT OF THE VARIATIONS ON THE SUITABILITY OF THE PROPOSED DEVELOPMENT.

CONSTRUCTION MUST CONFORM TO ALL CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

REVISIONS

1	DATE	NOTES	BY
NO.	DATE	NOTES	BY

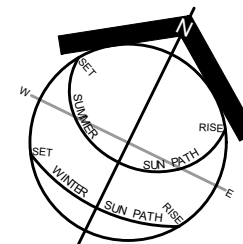
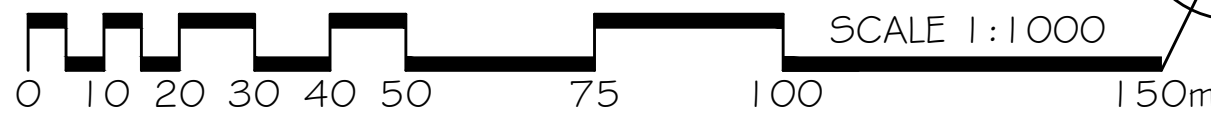
THESE LANDSCAPE DRAWINGS SHALL ONLY BE USED FOR THE PURPOSES INDICATED BELOW AS NOTED AND WHEN SIGNED BY THE CONSULTING LANDSCAPE ARCHITECT.

<input checked="" type="checkbox"/>	CONCEPTUAL	<input type="checkbox"/>	TENDER
<input type="checkbox"/>	PRELIMINARY	<input type="checkbox"/>	CONTRACT
<input type="checkbox"/>	SITE PLAN	<input type="checkbox"/>	CONSTRUCTION
<input type="checkbox"/>	PERMIT	<input type="checkbox"/>	AS-BUILT



THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND THE LANDSCAPE ARCHITECT RETAINS OWNERSHIP OF THESE DRAWINGS. THEY ARE FOR SITE PLAN APPROVAL ONLY AND MAY REQUIRE FURTHER CONSTRUCTION DETAILING AND COORDINATION WITH OTHER ASSOCIATED PROFESSIONAL DESIGN SERVICES BEFORE ACTUAL TENDER AND CONSTRUCTION COMMENCES. DIMENSIONS ARE TO BE VERIFIED PRIOR TO CONSTRUCTION. DRAWINGS ARE NOT TO BE SCALED. IT IS ADVISED THAT CONTRACTORS CONTACT THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION TO ENSURE THE USE OF THE LATEST REVISED DRAWINGS. THE LANDSCAPE ARCHITECT IS NOT LIABLE FOR ERRORS OR OMISSIONS ARISING FROM UTILIZATION OF THESE PLANS BEFORE THE SAID DRAWINGS ARE SEALED, SIGNED AND DATED. AND THE LANDSCAPE ARCHITECT IS CONTRACTED TO PROVIDE CONSTRUCTION ADMINISTRATION AND CERTIFICATION SERVICES BY THE OWNER. ALL APPARENT DISCREPANCIES ARE TO BE REPORTED IN WRITING TO THE LANDSCAPE ARCHITECT BEFORE CONSTRUCTION COMMENCES.

PROJECT:	SPA FILE # CAESAREA	
DRAWING:	CONCEPT PLAN	
DRAWN BY: LZH	SCALE: 1:1000	L-CP DRAWING 1 of 1
CHECKED BY: TM	DATE: 2023 MARCH	
JOB NO.:	2021-030	
File #2021-030.		



ATTACHMENT 3

April 27, 2023

The Regional Municipality of Durham
Planning and Economic Development Department
605 Rossland Road East, PO Box 623
Whitby, Ontario, L1N 6A3

Attention: Brian Bridgeman, Commissioner of Planning and Economic Development

Dear Mr. Bridgeman,

RE: Envision Durham
Addendum Comments
Draft Durham Regional Official Plan
Part of Lot 10 & 11, Concession 8, former Township of Cartwright in Caesarea
Township of Scugog
TBG Project No. 21803

The Biglieri Group Ltd. ("TBG") is the planning consultant for Fourteen Estates Limited, the owner of the lands legally known as Part of Lots 10 & 11, Concession 8, former Township of Cartwright in Caesarea, in the Township of Scugog ("Subject Site" or "Site"). The Subject Site is located outside the Caesarea *Hamlet* Boundary and is currently designated as *Prime Agricultural Areas* and *Waterfront Areas* (**Figure 1**) in the Durham Regional Official Plan (May 2020 Consolidation). A Settlement Area Boundary Expansion request ("SABE") was submitted to expand the Caesarea Hamlet Boundary to include the Subject Site. The SABE for the Subject Site is identified as BER-30 in Durham Region Staff Report #2021-INFO-84.

We are writing further to our submission dated March 31, 2023 regarding the SABE for the Site, which was submitted to Durham Region staff as part of the public consultation on the Draft Regional Official Plan ("Draft ROP") released on February 10, 2023. In the Draft ROP released by the Region, the Subject Site was included within the Caesarea *Hamlet* boundaries. However, following that submission, we were advised on April 14, 2023, by Durham planning staff that the inclusion of the Subject Site within the Caesarea *Hamlet* boundaries in the Draft ROP mapping was apparently the result of a technical mapping error, and that the Subject Site will not be included within the *Hamlet* in the final version of the new Regional Official Plan submitted to Council for approval (**Attachment 1**). This information was provided to us after the commenting period on the Draft ROP had concluded, and as a result we were not afforded an opportunity to make submissions on the version of the mapping that staff intend to present to Council.

In our March 31, 2023, submission regarding the Draft ROP mapping, we supported the Subject Site's inclusion in the Caesarea *Hamlet* boundary (**Figure 4**) as was originally provided for in the Draft ROP mapping and requested a refinement to the boundary (**Attachment 2**). This addendum letter has been prepared to again provide support of the Subject Site's inclusion in the *Hamlet* boundary, in order to resolve Deferral D2-2, deferred by Durham Region in 2010 when the

Township of Scugog Official Plan was approved (**Figure 2**). Our request for a refinement to the deferral area is maintained.

TBG supports the rounding out of the Caesarea *Hamlet*, given its historic status and that fact that the original issues pertaining to the previous deferral have since been resolved, as previously demonstrated through earlier letters to the Township of Scugog from CM Planning Inc. ("CM Planning") (**Attachment 3**). This background is explained in more detail, below.

BACKGROUND

In 2009, the Subject Site was added to the Caesarea *Hamlet* Boundary and designated as *Hamlet* and *Natural Core Area* in the Township of Scugog Official Plan. In 2010, Durham Region approved the new Scugog Official Plan, however deferred consideration of the designation of the Subject Site as *Hamlet* as Deferral D2-2 (**Figures 2 and 3**). Upon approval of the Scugog Official Plan by the Ontario Municipal Board (OMB) in 2011, the Subject Site remained as Deferral D2-2 based on the need for "*further analysis to support the proposed rounding out for Caesarea*" per Durham Region Staff Report 2010-P-15, dated February 23, 2010.

In September 2015, CM Planning submitted a letter to the Township of Scugog on behalf of the owner supporting the partial rounding out of the Caesarea *Hamlet* to include the Subject Site. The purpose of this letter was to request the partial lifting of the deferral and to outline how provincial concerns leading to the deferral, as outlined in the Ministry of Municipal Affairs and Housing comment letter dated May 11, 2009 regarding the Scugog Official Plan (**Attachment 4**), had been addressed or were no longer applicable.

One concern from the Province related to the extent of the planned expansion to the Caesarea *Hamlet* areas. CM Planning highlights that the proposed amount of lots within the Subject Site are less than the 83 units of growth potential identified in the Caesarea *Hamlet* by the Scugog *Planning Directions Report* (July 2008). Therefore, the partial lifting of the deferral on the Subject Site would be an appropriate extent to round out the Caesarea *Hamlet* as determined by the Township of Scugog planning report.

Another concern from the Province was the requirement in the Provincial Policy Statement 2005 ("PPS 2005") to limit individual on-site services to 'a new development of five or less lots'. The PPS 2005 had been superseded by the PPS 2014 which replaced that earlier policy with new Policy 1.6.6.4 that allows for individual on-site sewage and water services where the "site conditions are suitable for the long-term provisions of such services with no negative impacts" and in settlement areas "for infilling and minor rounding out of existing development". As supporting hydrogeological reports confirm, long-term private septic and water services can be provided with no negative impacts, and the development would be implemented through a minor rounding out of the *Hamlet*, thus meeting the updated Policy 1.6.6.4. Since this 2015 letter was submitted, the PPS 2020 has taken effect, with no change to the content of Policy 1.6.6.4 above, and so this original issue remains no longer applicable and can be considered resolved.

The final concern from the Province was that the proposed *Hamlet* expansion was intended to redirect growth otherwise meant for Port Perry due to servicing constraints. CM Planning finds that the rounding out of Caesarea or any *Hamlet* is independent of this issue, as it is meant as a single occurrence and not a mechanism for long-term growth. The letter also highlights that the

servicing constraints in Port Perry Urban Area were soon to be resolved or mitigated by the expansion of the Nonquon Sewage Treatment Plant.

CM Planning additionally provides that the Caesarea *Hamlet* is well suited for a minor rounding out, being unconstrained by water or soil conditions and that the rounding out will solve the current emergency access and public safety issue of only a single access point to the entirety of the Summit Drive area (refer to **Figure 3**).

CM Planning concludes that all provincial concerns have been mitigated or have become no longer applicable, and therefore the rounding out of the Caesarea *Hamlet* should be able to proceed with the lifting of Deferral D2-2 on the Subject Site.

The 2015 letter from CM Planning Inc. also requested a technical modification to the deferral area. The proposed technical modification recommended amending the northeastern boundary of the deferral area to match the limits of the ownership of the Subject Lands and to include a small parcel of land under different ownership. These additional lands were proposed by CM Planning Inc. to be included within the border of the *Hamlet* rounding out deferral area. The reason for this request was because the added lands are well suited for development and their inclusion allows for the optimized layout for the subdivision proposed by the owner for the Subject Site. The owners intend on developing the Subject Site as a 57-lot subdivision. New public roads are planned to be built through the Subject Site with provision for a secondary emergency access point from Summit Drive via Manor Road to Proutt Road (**Attachment 5**). In order to properly accommodate this secondary access point, the additional northeast lands are required to be included in the boundary of the *Hamlet* deferral area as proposed.

DRAFT REGIONAL OFFICIAL PLAN DESIGNATION

As part of Envision Durham, a Settlement Area Boundary Expansion request (“SABE”) was submitted by D.M. Wills Associates Limited on behalf of the owners to expand the Caesarea *Hamlet* Boundary to include the Subject Site. The SABE for the Subject Site is identified as BER-30 in Durham Region Staff Report #2021-INFO-84. As outlined in Attachment 1 to Staff Report #2021-INFO-84, it was requested that “*Deferral D2-2 to the Scugog Official Plan be resolved through the ROP review in order to include additional lands within the boundary of the Hamlet of Caesarea*”.

On February 10, 2023, the Draft ROP was released to the public for review and comment. The majority of the Subject Site was designated as *Hamlet* on Map 1 – Urban Structure in the Draft ROP (**Figure 4**). The southern portion of the *Hamlet* boundary corresponded to the Deferral D2-2 area in the Scugog Official Plan. The Subject Site also contained portions of the *Regional Natural Heritage System* overlay as shown on Map 2a – Regional Natural Heritage System (**Figure 5**). On March 31, 2023, TBG submitted a letter supporting the inclusion of the majority of the Subject Site within the *Hamlet* boundary, and requested a refinement to the boundary.

As noted, TBG received e-mail correspondence from Durham Region on April 14, 2023, responding to our March 31, 2023 submission informing us that the inclusion of the Subject Site within the *Hamlet* boundary in the Draft ROP was apparently the result of a technical mapping error, and that the Subject Site will not be included within the *Hamlet* in the final Regional Official Plan (**Attachment 1**).

The correspondence from Durham Region provided that the rounding out of Hamlets located within the Greenbelt Plan boundary is not possible due to current provincial policy. Nonetheless, it also stated that Durham Region “recognize[s] the historic status of the deferral and it will remain as a deferral area in the Scugog Official Plan until the issues related to the subject site are resolved”. As of the writing of this addendum letter, no clarification has been provided as to the “issues” referenced, and they are assumed to be the original Provincial concerns that resulted in Deferral D-2. As noted, CM Planning’s 2015 letter outlined how these issues have been resolved or become no longer applicable. We have provided an updated analysis below outlining how all issues related to Subject Site have been resolved.

TBG COMMENTARY AND RECOMMENDATIONS

Partial Lifting of Deferral 2-2

TBG requests the resolution of Deferral D2-2 to the Scugog Official Plan through the partial lifting of the portion of Deferral 2-2 covering the Subject Site, as it corresponds with the Township of Scugog’s longstanding intention to designate the Site as *Hamlet* and for the Subject Site to be developed for residential uses. In addition, the designation of the Subject Site as *Hamlet* will allow for more housing to be built to meet the Province’s goal of 1.5 million homes built over the next 10 years.

Durham Region has identified that the historic status of the deferral is recognized and will remain as deferred until the issues related to the Subject Site are resolved. The issues identified originally by the Ministry of Municipal Affairs and Housing comment letter dated May 11, 2009 (**Attachment 4**) have been previously addressed in the letter by CM Planning in 2015.

The Province originally had concerns with the extent of the planned expansion areas. The proposed number of units on the Subject Site (see **Attachment 5**) remain less than the 83 units of growth potential identified in the *Caesarea Hamlet* by the *Scugog Planning Directions Report* (July 2008). This report analyzed hydrogeological factors, soil conditions, impact on the existing character, environmental impact, and more, in its determination of the available growth potential. With limited applications and development pressures since 2010 for the remaining areas of the deferral, the partial lifting of the deferral on the Subject Site would be an appropriate extent to round out the *Caesarea Hamlet* as determined by the Township of Scugog in the July 2008 *Planning Directions Report*.

The second concern from the Province was the requirement in the PPS 2005 to limit individual on-site services to ‘a new development of five or less lots’. The PPS 2005 has now been superseded by the PPS 2020 which allows for individual on-site sewage and water services where the “site conditions are suitable for the long-term provisions of such services with no negative impacts” and in settlement areas “for infilling and minor rounding out of existing development” (PPS 2020, Policy 1.6.6.4).

The final provincial concern was that the proposed development was intended to redirect growth otherwise meant for Port Perry due to servicing constraints. In 2015, CM Planning found that the minor rounding out of Caesarea or any *Hamlet* is independent of the servicing constraints in the Port Perry Urban Area, as it is meant as a single occurrence and not a mechanism for long-term growth. Since then, the expansion of the Noquon Sewage Treatment Plant which serves the Port Perry Urban Area has resulted in additional capacity, and the 2022 Annual Performance Report

finds the plant is now operating at 50.6% of its rated capacity. The partial lifting of the deferral would result in a minor rounding out of the Caesarea *Hamlet*, and is not proposed as means of directing growth away from the Port Perry Urban Area.

The deferral has always been mainly a concern of the *extent* of the rounding out, but rounding out in general of the Caesarea *Hamlet* was not opposed by the Province at the time of the deferral. As previously identified in letters by CM Planning (2015, 2016) and Valerie Cranmer & Associates (2007) the Caesarea *Hamlet* is well suited for a minor rounding out (**Attachments 3, 8, 9 & 10**). The Subject Site is able to be serviced, and the lifting of the deferral would allow for additional access points to Summit Drive which currently only has one access, posing an emergency access and public safety issue (refer to **Figure 3**). The requested partial lifting of the deferral only on the Subject Site would result in a “minor” rounding out, and the proposed development would help to provide housing for rural residents.

There has never been a mechanism identified by Durham Region to resolve the deferrals on the Township of Scugog Official Plan. In the recommendation approving the Township of Scugog Official Plan with modifications at the Regional Council of Durham (March 31, 2010), it is specified that as deferrals (including Deferral D2-2) are resolved “*the Commissioner of Planning be authorized to approve the corresponding portions of the Township of Scugog Official Plan*” (**Attachment 6**, recommendation 1.c)). Since 2010 there have been multiple letters aiming to resolve the deferral, but no decision has been made. All provincial concerns which led to Deferral D2-2 have been mitigated or have become no longer applicable.

Further, CM Planning's 2015 letter was submitted while the Greenbelt Plan 2005 was still in effect that permitted one-time rounding out *Hamlets* within the *Protected Countryside* (policy 3.4.3.2). The Envision Durham process is the opportune time to address this outstanding historic deferral, by partially lifting part of Deferral D2-2 on the Subject Site area in order to round out the Caesarea *Hamlet*, as was intended by the Township of Scugog when they adopted their Official Plan in 2009.

Refinement of Hamlet Boundary

As an additional matter, we are requesting a refinement to the deferred *Hamlet* area boundary, similar to that shown in the 2015 request by CM Planning Inc. The proposed modification would include the northeast portion of the Subject Site and abutting lands within the *Hamlet*. The reason for this proposed modification is because the northeast portion of the Subject Site is an integral part of the proposed subdivision. As noted above, this area allows for the optimized layout for the subdivision by permitting the creation of a link from the subdivision to Summit Drive, providing the Summit Drive/Cedar Grove Drive neighbourhood with a second access point (to Proutt Road) for emergency purposes. The abutting lands are not owned by Fourteen Estates Limited and are indicated as ‘Existing Residential’ in the proposed Draft Plan (**Attachment 5**). Similar to the lands owned by Fourteen Estates Limited, these lands are appropriate and have potential for residential uses, and therefore are suitable to be included within and round out the *Hamlet* boundary.

Additionally, the southwest portion of the current *Hamlet* designation area is constrained by a provincially-designated Area of Natural and Scientific Interest (“ANSI”). It is also designated *Significant Forest Area* on Schedule E in the Scugog Official Plan and zoned *Environmental Protection (EP)* in Scugog Zoning By-law 14-14 (**Figure 6**). The developable area of the southwest portion of the Site is suitable and intended for community and recreational uses, as shown in the

preliminary conceptual landscape plan (**Attachment 7**). As a result, much of the new residential development intended by the *Hamlet* designation will need to be accommodate on other areas of the Subject Site, and the boundaries should be modified to include additional lands that are appropriate and have the immediate potential for residential uses. The extent of the natural heritage features will be delineated through an Environmental Impact Study ("EIS") to be completed as part of a future development application.

For the reasons explained above, we therefore request that the *Hamlet* boundary be modified as shown on **Figure 7**.

We wish to thank staff for their efforts throughout the Envision Durham process. We trust you will find all in order, however if you have any questions or require additional information, please contact the undersigned at your earliest convenience.

Respectfully,
THE BIGLIERI GROUP LTD.

A handwritten signature in black ink, appearing to read 'Mark Jacobs', written in a cursive style.

Mark Jacobs, MCIP, RPP
Senior Planner

cc. Gary Muller, Director of Planning, Durham Region
Kevin Heritage, Director of Development Services, Township of Scugog
Rick Rondeau, Fourteen Estates Limited

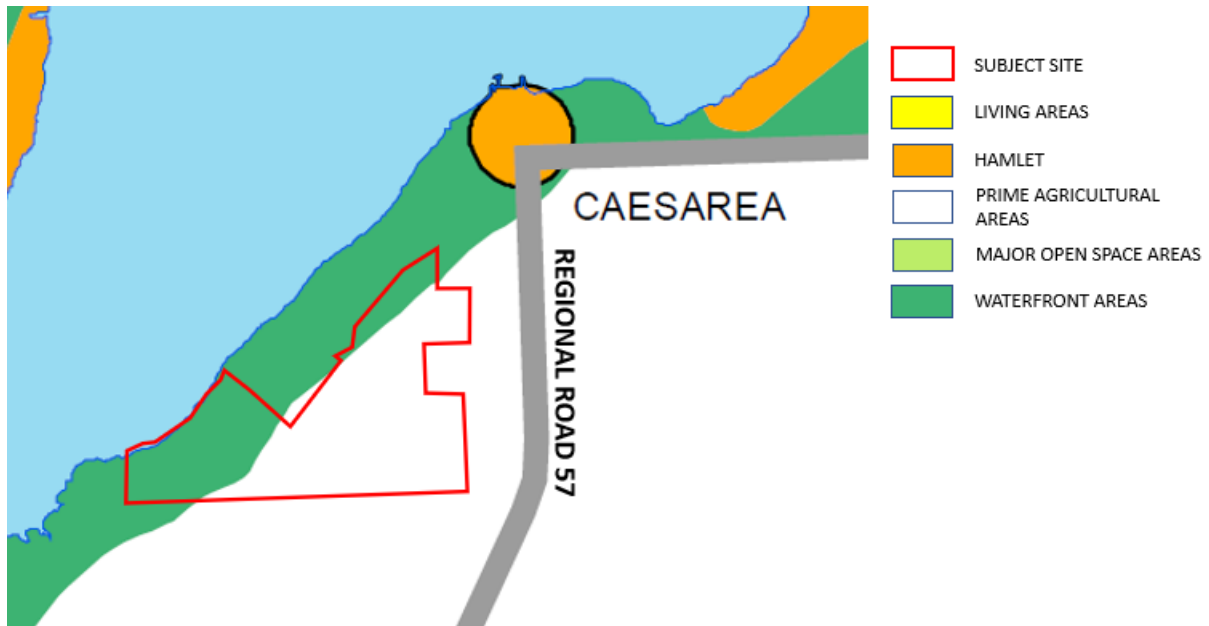


Figure 1: Subject Site in Schedule 'A', Map 'A3' – Regional Structure, of the Durham Official Plan (2020) (Source: Durham Region, 2020)

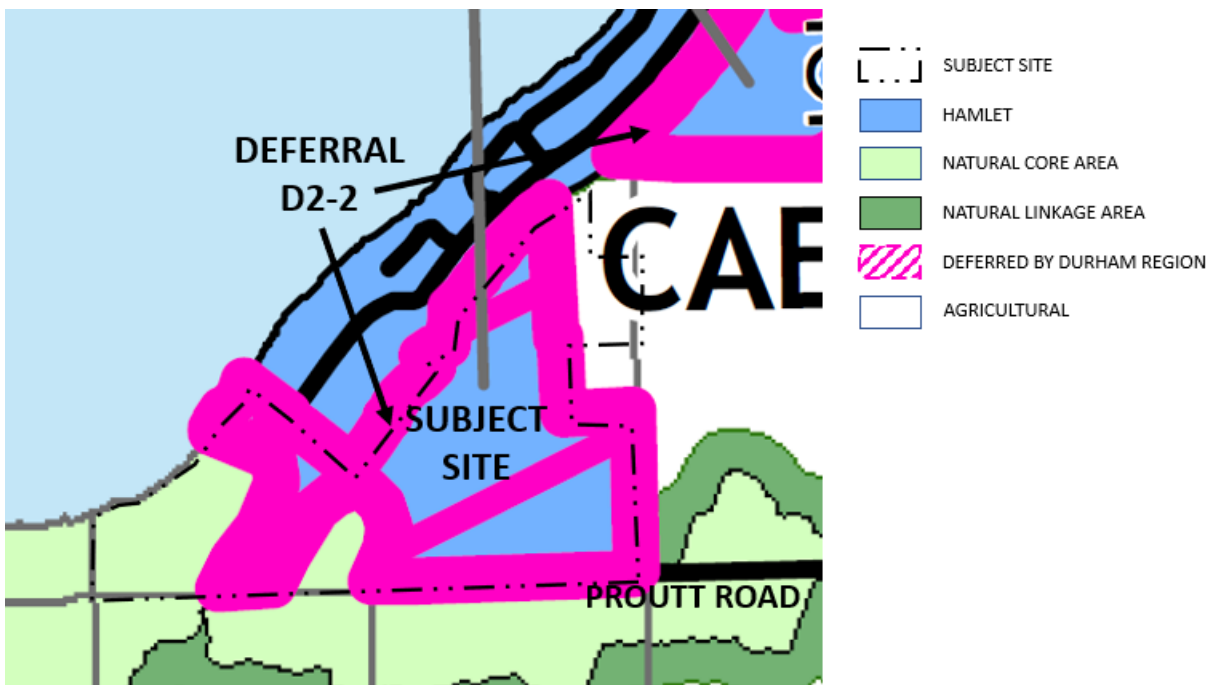


Figure 2: Subject Site in Schedule A of the Township of Scugog Official Plan (2017) (Source: Township of Scugog, 2017)

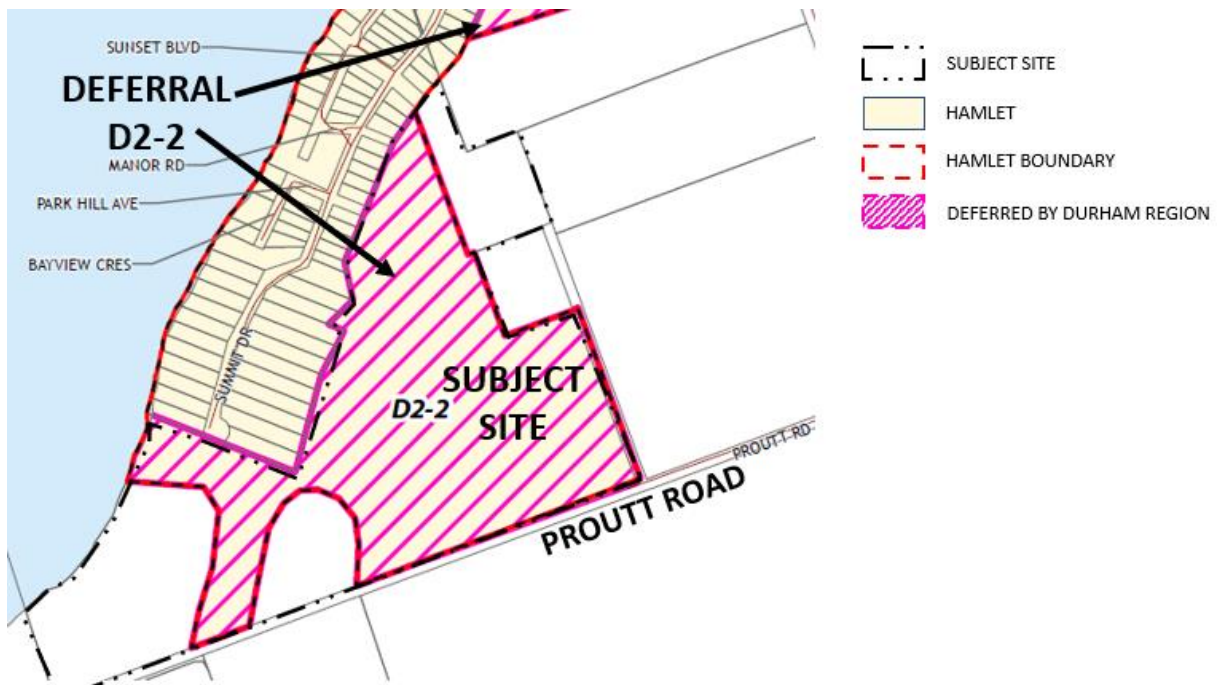


Figure 3: Subject Site in Schedule H-9 of the Township of Scugog Official Plan (2017)
(Source: Township of Scugog, 2017)

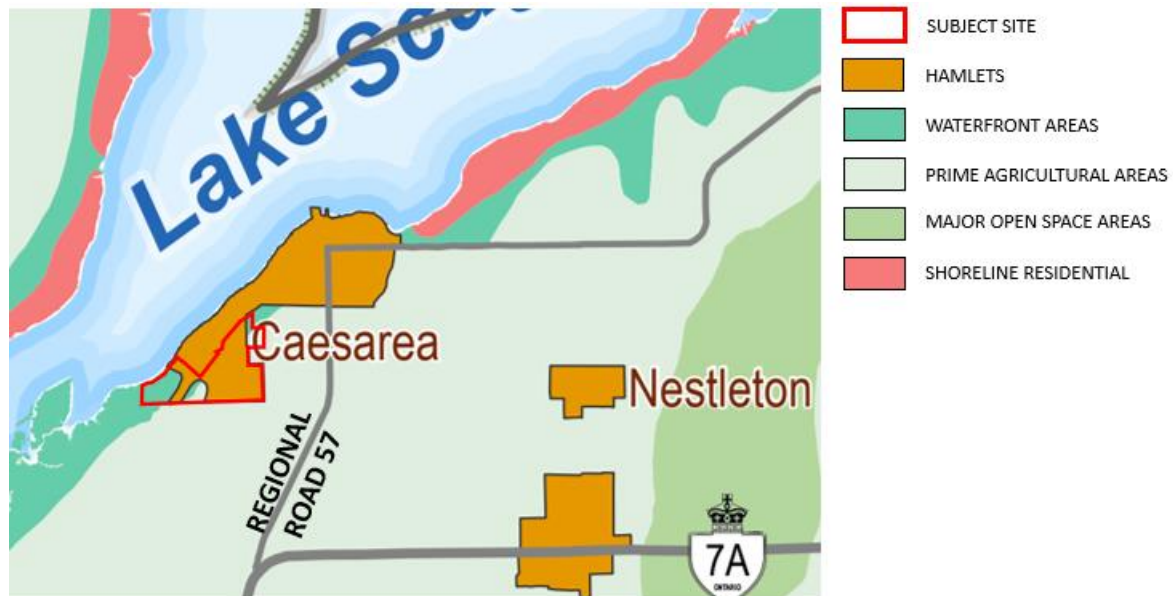


Figure 4: Draft Durham Regional Official Plan: Map 1 – Regional Structure
(Source: Durham Region, February 10, 2023)

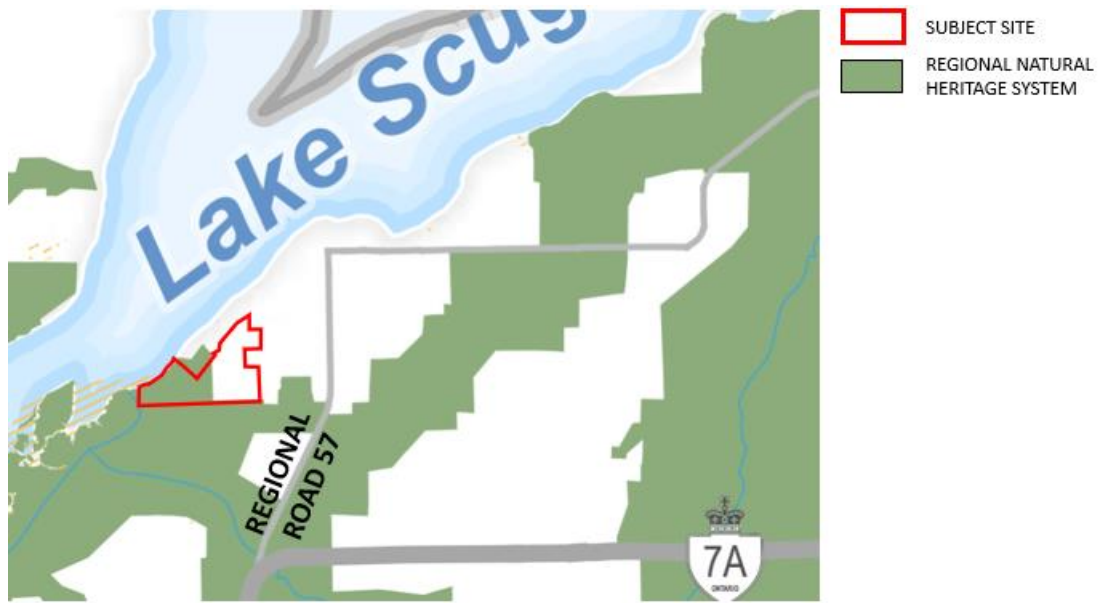


Figure 5: Draft Durham Regional Official Plan: Map 2a – Regional Natural Heritage System
(Source: Durham Region, February 10, 2023)

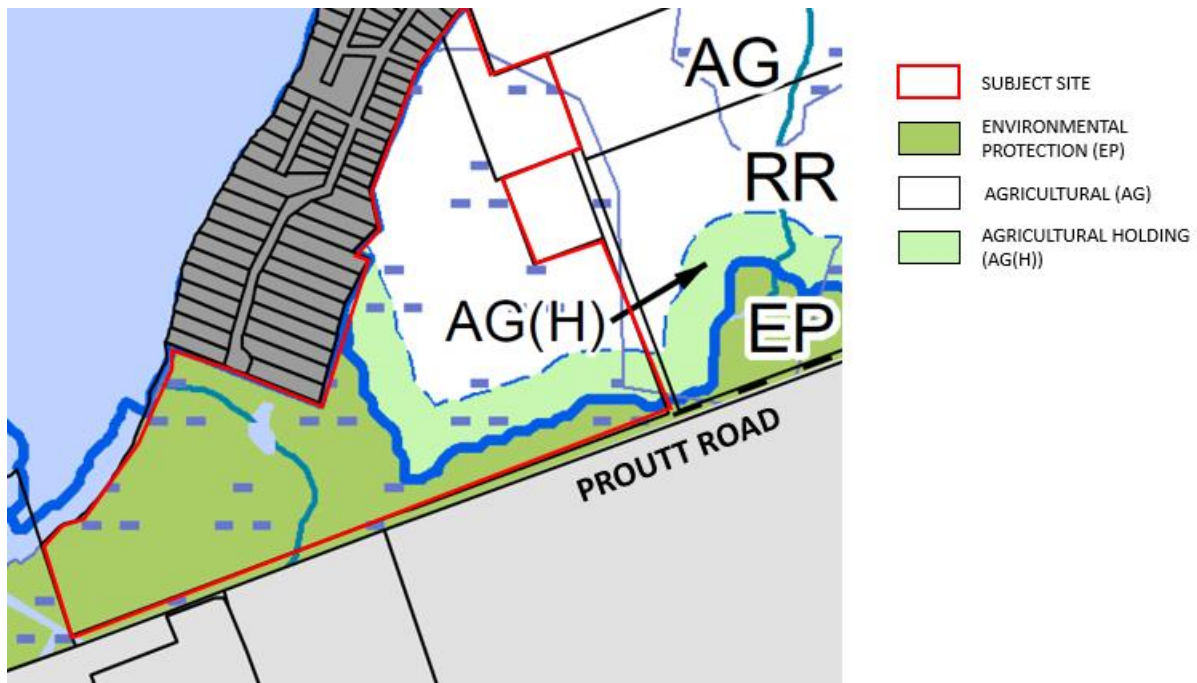


Figure 6: Subject Site in Township of Scugog Zoning By-law 14-14
(Source: Township of Scugog, 2022)

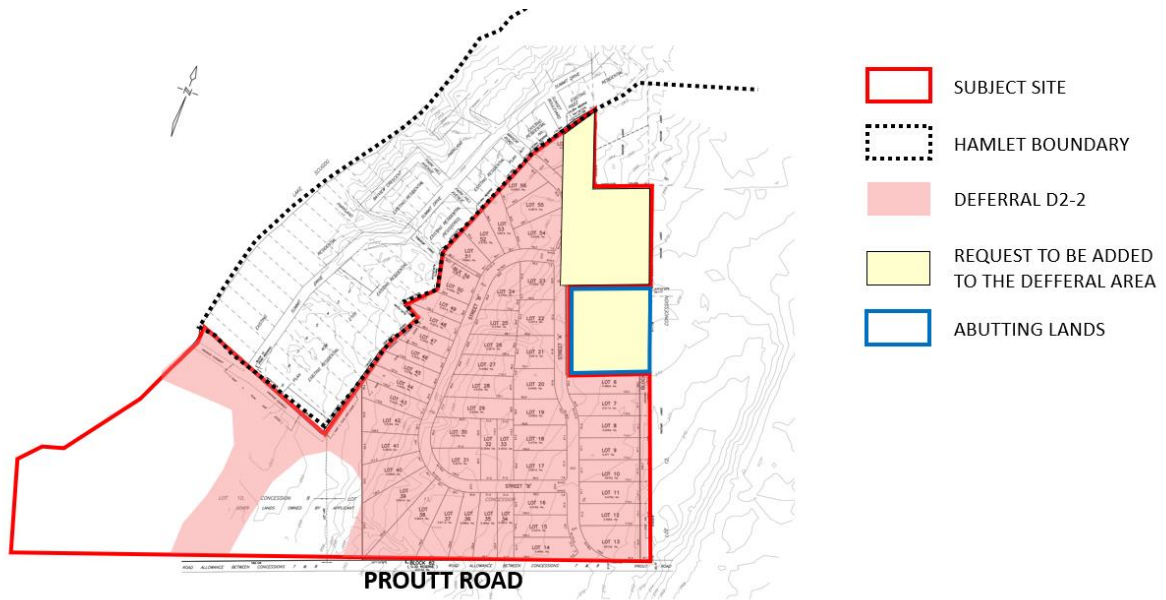


Figure 7: Proposed Modification to Hamlet Boundary
(Basemap source: D.G. Biddle, 2015)

ATTACHMENT 4

September 24, 2015

Mr. Donald Gordon
Director of Community Services
Township of Scugog
181 Perry St., PO Box 780
Port Perry, Ontario
L9L 1A7

Dear Mr. Gordon

**Re: Part of Caesarea Official Plan Deferral Area D2-2
Lands owned by Honey Heights Developments Ltd. northeast of Proutt Road
Part of Lots 10 and 11, Concession 8, Township of Scugog**

CM Planning is the planning consultant for Fourteen Estates, the owners of the property described as Part of Lots 10 and 11, Concession 8, located west of Regional Road 57 and north of an eastern extension of Proutt Road, bordering the south limit of the Hamlet of Caesarea.

The subject property is currently subject to Deferral D2-2 on Schedule H-9 of the Township of Scugog Official Plan. The deferral was based on the need for 'further analysis to support the proposed rounding out for Caesarea' as described in the 2010 Region of Durham Planning Report 2010-P-15.

It has been demonstrated in the past through various letters from Valerie Cranmer & Associates to the Township that Caesarea is a hamlet well suited for a minor rounding out. Caesarea is not constrained by water or soil conditions. Scugog Council has supported the inclusion of the majority of the property in the hamlet in the past. In addition, the rounding out of the hamlet to include the subject property will solve the current emergency access and public safety issue of having only one access point to the entire Summit Drive area (refer to Attachment 1).

The purpose of this letter is to: a) provide further analysis to support a partial rounding out for Caesarea, b) request a slight modification to the boundary of the deferral area as it relates to the subject property and c) request a partial lifting of the deferral.

a) Further Analysis to Support a Partial Rounding Out of Caesarea

With respect to the provincial concerns leading to the deferral (as outlined in the Ministry of Municipal Affairs and Housing comment letter dated May 11, 2009 regarding the Scugog Official Plan), those concerns have now either been addressed or are no longer applicable, as addressed below.

At the time of the deferral, the Province was concerned with:

1. the extent of the planned expansion to Caesarea

The number of single detached dwelling lots proposed for the property will come in under the 83 units recommended in the Scugog 'Planning Directions Report'. The request to lift

the deferral applies only to the lands owned by Fourteen Estates and therefore does not extend to the full area of the deferral.

2. *the requirement in the Provincial Policy Statement 2005 (PPS 2005) limiting individual on-site sewage and water services to 'a new development of five or less lots' (Policy 1.6.4.4), and*

With the issuance of the PPS 2014, the limitation in the PPS 2005 for new development on private services of 'five or less lots' was removed and replaced with Policy 1.6.6.4 which allows for individual services to:

'be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In settlement areas, these services may only be used for infilling and minor rounding out of existing development.'

As such, this concern of the Province is now moot. The supporting engineering reports for the development of the subject property show that the site conditions are, in fact, suitable for the long-term provision of septic and water services with no negative impacts which meets the requirement in the PPS 2014. In addition, as the development of the land will be implemented through a minor rounding out of the hamlet, the requisite criteria of Policy 1.6.6.4 are fully met.

3. *the justification that the proposed development was intended as a means for redirecting growth otherwise meant for Port Perry due to servicing constraints.*

The rounding out of Caesarea in particular, and of any of the hamlets in general, should have minimal relation to servicing constraints facing Port Perry. As well, with the expansion of the Nonquon Sewage Treatment Plan servicing the Port Perry Urban Area, the servicing constraints should soon be resolved or mitigated.

The potential rounding out of hamlets is somewhat independent of this issue as it is meant as a one-time occurrence and not as a mechanism to direct growth over the lifespan of the Official Plan. With the development of rural severed lots now successfully restricted by various provincial policies, the rounding out of hamlets in general provides for a local housing option for rural residents otherwise wanting to live on rural severed lots.

In all, the provincial concerns are either mitigated or no longer applicable as reviewed above. Therefore, the consideration of the rounding out of Caesarea should now be able to proceed through the partial lifting of Deferral D2.2 and the rounding out of the hamlet limited to the subject property.

b) Modification to Deferral Area

As a technical matter, we would request that, in the consideration of a partial lifting of the deferral, the border of the deferral area be slightly modified to match the limits of the ownership of the lands, yet limited to the area to the east of the EP lands. As can be seen in Attachment 1 to this letter, the deferral area (shown in pink hatching) includes an area to the west of the proposed development area (shaded pink) that is zoned Environmental Protection,

and omits an area of the landholding and a separate small parcel of land not owned by Fourteen Estates to the northeast (shaded yellow). These two areas of land are similar in size although the lands to the northeast are much better suited for development than the EP lands.

The requested modification to the deferral area is based on the following:

1. The area to the northeast is an integral part of the proposed subdivision. As shown on Attachment 1, it allows for the optimized layout for the subdivision with a link to Summit Drive.
2. The area to the west is a separate parcel of land, is zoned Environmental Protection and a large portion of the parcel is designated 'Significant Forest Area' on Schedule E in the Scugog Official Plan. For these reasons this portion of the deferral area should remain separate from the development of the proposed subdivision and should therefore be removed from the deferral area.
3. The resulting land swap between the two areas provides for a more reasonable use of land and layout of the subdivision.

We therefore request that the area to the west be removed from the rounding out and the area to the northeast be included in the rounding out.

c) Partial Lifting of the Deferral

We provide the following justification for the partial lifting of the deferral for the portion covering the subject property, and for the inclusion of the subject property within the boundary of Caesarea as a rounding out of the hamlet:

- The issue related to the deferral has always been with respect to the extent of the rounding out, not whether or not Caesarea should have a rounding out.
- There have been no applications or development pressures since 2010 for the remaining areas of the deferral.
- The proposed plan of subdivision provides for development in depth rather than in strip form and proposes a grid system of roads that tie into the existing development along Summit Drive.
- Caesarea, and this property in particular, is not constrained by limiting water or soil conditions as supported by hydro-geological and geotechnical investigations.
- The proposed development will be complementary to, and consistent with, the character of the Summit Drive area. The character of the proposed development will be subject to architectural control to help ensure compatibility in this regard.
- The development of the subject property would provide for the connection of Proutt Road to the southwest residential area of Caesarea. This connection would solve the current access issue for the entire Summit Drive/Cedar Grove Drive area of Caesarea which currently functions as an extended cul-de-sac. This road network serves approximately 176 residential lots with only one access/egress point at the intersection of Cedar Grove Drive and Marina Drive, which is clearly not supportable or acceptable for emergency access purposes. As the number of lots served by a single access point

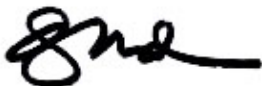
increases, the potential for temporary blockage also increases which can have a critical effect on emergency services and public safety. As such, there is a significant public interest in extending Proutt Road to connect with Summit Drive to provide a second access point.

- The proposed plan of subdivision will meet the lot number requirements of the approval authority.
- The technical studies required for the development of the land support the development of the proposed plan of subdivision.
- The development of the subject property was supported by the Township of Scugog throughout the OP Review process.
- The development would provide housing for rural residents whose options for rural housing type and location in the countryside are now restricted by the policies of the Greenbelt Plan.
- With the eastern extension of Highway 407 and the planned interchange at Regional Road 57, Caesarea will be serviced with easy access to the 400 series highway network.

We would like to move forward with rezoning and draft plan of subdivision applications as soon as possible and request that Council endorse the proposed modification to the deferral area and the partial lifting of Deferral D2-2 as it covers the subject property to effect a rounding out of the Caesarea hamlet boundary, considering that the development of the subject property is in conformity with the Greenbelt Plan, the PPS 2014, the Growth Plan and the Region of Durham Official Plan.

Please contact us should further information be required or if you have any questions or concerns.

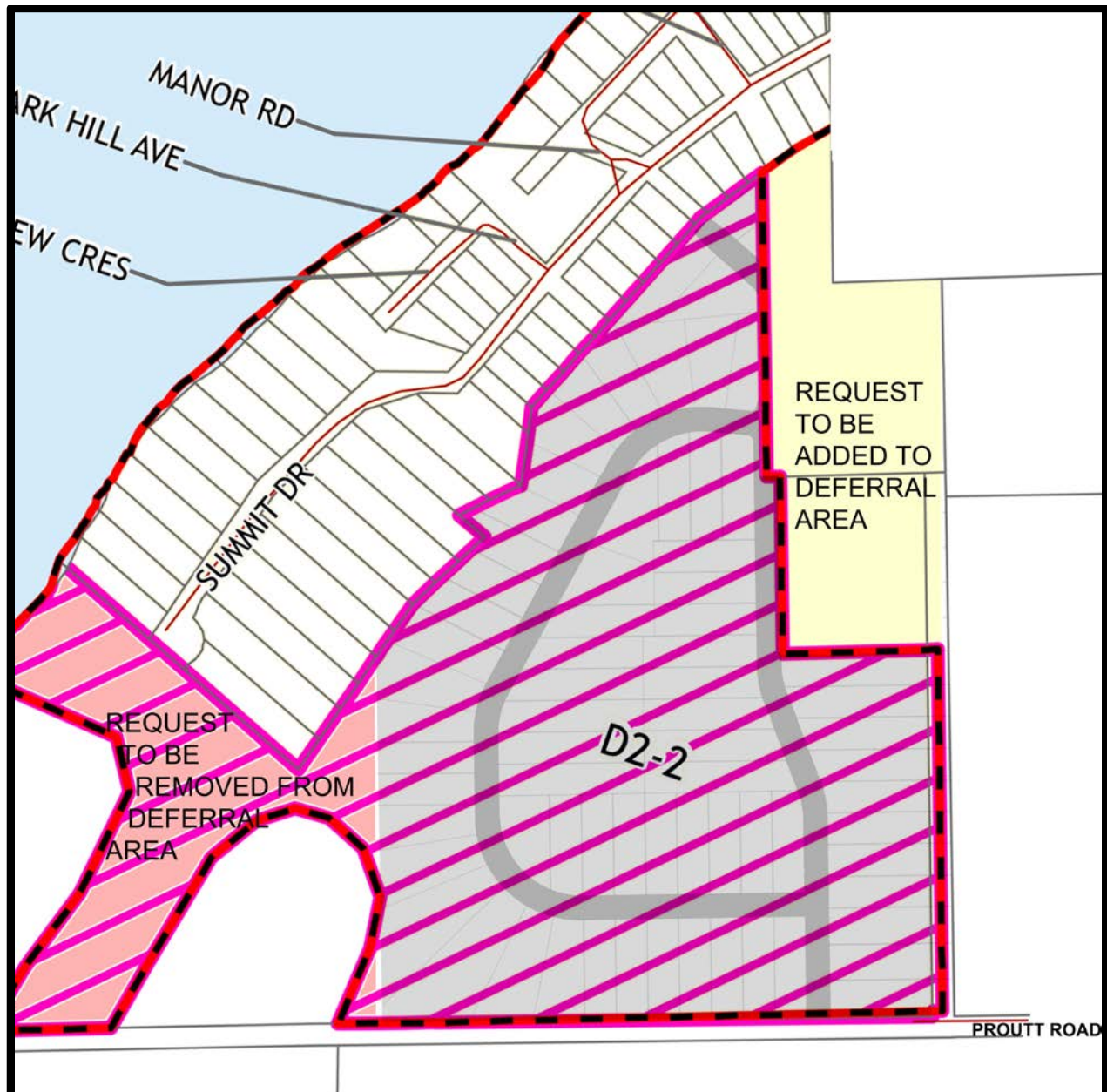
Best regards
CM PLANNING INC.



Carolyn Molinari

cc Mayor and Councillors, Township of Scugog
Valerie Cranmer, Valerie Cranmer and Associates
Rick Rondeau, Fourteen Estates

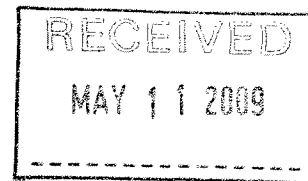
Attachment 1:
Lands Requested to be Added/Removed from Deferral Area D2-2
Hamlet of Caesarea



ATTACHMENT 5

**Ministry of
Municipal Affairs
and Housing**
Municipal Services Office
Central Ontario
777 Bay Street, 2nd Floor
Toronto ON M5G 2E5
Phone: 416-585-6228
Fax: 416-585-6882
Toll-Free: 1-800-668-0230

**Ministère des
Affaires municipales
et du Logement**
Bureau des services aux municipalités
Centre de l'Ontario
777, rue Bay, 2nd étage
Toronto ON M5G 2E5
Téléphone: 416-585-6228
Télécopieur: 416-585-6882
Sans frais: 1-800-668-0230



May 11, 2009

Kim Coates, AMCT
Clerk
Township of Scugog
181 Perry Street
P.O. Box 780
Port Perry ON L9L 1A7

Copy to: Mr. Dymant ✓
Mr. Chartier ✓
Ms. Crammer ✓
Mr. Maitland ✓

Dear Ms. Coates,

**Subject: Township of Scugog Official Plan Review
Draft Official Plan, dated February 2009 (Version 2)
MMAH File No.: 18-DP-2591-07008**

Thank you for circulating a copy of the new Draft Official Plan ("OP") for the Township of Scugog Official Plan Review for comment. It is understood that the final recommended Draft OP is to be presented to Council for adoption on June 22, 2009 and that after adoption the new OP will be submitted to the Region of Durham for approval.

The current plan is being updated to incorporate recent provincial planning initiatives, including the municipal conformity exercise to implement the Greenbelt Plan. The Township of Scugog lies within the Greenbelt Area and is subject to the requirements of the Greenbelt Plan, released February 28, 2005. The *Greenbelt Act, 2005* requires that all decisions on planning applications shall conform to the policies in the Greenbelt Plan and that municipalities amend their official plans to conform to the Greenbelt Plan. The effective date of the Greenbelt Plan is December 16, 2004.

The following Ministry of Municipal Affairs and Housing ("MMAH") pre-consultation comments relate to conformity with the Greenbelt Plan, in particular, the proposed minor rounding out of hamlets as shown in the Draft OP.

Hamlets

The Draft OP proposes to round out certain hamlets as identified in Sections 1.4 and 2.1 and shown on Schedules A, B, C, D, E, and further delineated in maps provided in Appendix 1 to the Plan for an estimated growth potential of 220 total units.

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may 11 2005 01:13PM 1.003/004

In the Greenbelt Plan, section 3.4.1 describes Settlement Areas, which include Towns/Villages and Hamlets. Hamlets are described as, "substantially smaller than Towns/Villages and play a lesser role in accommodating concentrations of residential, commercial, industrial and institutional development. Further, they are typically serviced with individual on-site sewage and water services and thus are not locations to which growth should be directed."

Section 2.1.1.d) of the Draft OP states that it is "accommodating limited growth in the hamlets", however it appears to identify an estimated expansion for all hamlets generally based on a 25% growth potential associated with an assessment of environmental conditions. MMAH is concerned with the amount of growth, up to 25%, proposed outside the existing Hamlet boundaries as section 3.4.1 of the Greenbelt Plan states; Hamlets are not locations to which growth should be directed. In particular, the Ministry is concerned with the estimated number of units allocated to the following hamlets: Blackstock (69), Caesarea (72), Epsom (12), Nestleton Station (20) and Seagrave (18).

Further, Policy 1.6.4.4 of the Provincial Policy Statement, 2005 states that in planning for sewage and water services, *individual on-site sewage services* and *individual on-site water services* shall be used for a new development of five or less lots or private residences where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not provided and where site conditions are suitable for the long-term provision of such services.

In addition to the MMAH concerns regarding the scale of the proposed expansion to hamlets, section 3.4.3.2 of the Greenbelt Plan permits a one time minor rounding out of hamlet boundaries at the time of municipal conformity. A hamlet expansion should be a 'round out' of a hamlet and the 'round out' should be 'minor' in nature, and should not be utilized as a means to direct growth to hamlets that otherwise cannot be accommodated within the Port Perry Urban Area due to servicing constraints. For example, the expansions proposed to Nestleton Station, Utica and Seagrave appear to be linear extensions and promoting strip development and not rounding out of the hamlet boundaries.

Further, as you are aware MMAH appealed Section No. 9B.2.7 in Durham Regional Official Plan Amendment No. 114 ("ROPA 114") dealing with the minor rounding out of hamlets which proposed a potential expansion of hamlets by 25% throughout the Protected Countryside of the Greenbelt Plan. A settlement was ultimately reached between MMAH and Durham Region that resulted in the removal of the 25% growth potential from the policy. The settlement was approved by the Ontario Municipal Board and revised Policy 9B.2.7 is now in effect in the Durham ROP. The Township of Scugog was a Party to MMAH's appeal and also supported the settlement reached between MMAH and Durham Region.

In light of the foregoing, MMAH does not support the Township proceeding with its estimated growth potential for Hamlets as it applies to the size and scale of the proposed minor rounding out of certain hamlets and encourages the Township to reconsider this direction in the context of the Greenbelt Plan and settlement of the

ROPA 114 hamlet appeal.

Blackstock

The Draft OP is proposing to reflect Blackstock as a potentially fully serviced Town/Village. More specifically Sections 5.3.1 f) and 5.3.4 propose to recognize Blackstock as a future Urban Settlement within the Township.

While Blackstock is shown as a Town/Village on Schedule 1 of the Greenbelt Plan, the Greenbelt Plan defers to municipal official plans for the identification and detailed delineation of settlement boundaries. Blackstock has always been and is currently identified as a Hamlet in the Durham ROP. Further, the status of Blackstock as a Hamlet was recently confirmed by the Region through its five-year review of the ROP and the adoption of ROPA 114.

Therefore, the Draft OP needs to be revised to reflect the status of Blackstock as a Hamlet to conform to the Durham ROP.

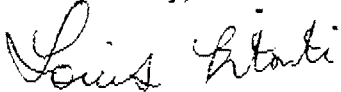
Ten Year Housing Supply

The Draft OP includes a policy to maintain a ten year supply of land for residential development [Policy no. 4.1.3 o)]. This policy needs to be linked to the allocation from Durham Region to Scugog of the growth forecasts (e.g. population and household forecasts) intensification targets and density targets for designated greenfield areas.

Further, the vast majority of the growth allocated by the Region should be accommodated within the Port Perry Urban Area as it is the primary settlement area within the Township. MMAH is concerned that the Township is using the ten year supply of housing as a basis to support the proposed expansions of hamlets due to the servicing constraints associated with Port Perry.

We appreciate the opportunity to provide comments on the Draft OP. Please contact me at (416) 585-6563 should you have any questions or wish to discuss this matter further.

Yours truly,



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