

**BY-LAW NUMBER 27-2015**  
**OF**  
**THE REGIONAL MUNICIPALITY OF DURHAM**

Being a by-law to adopt Amendment #155 to the Durham Regional Official Plan

WHEREAS the Planning Act, R.S.O. 1990, c.P.13, as amended, authorizes the Regional Municipality of Durham to pass by-laws for the adoption or repeal of Official Plans and amendments thereto; and

WHEREAS Amendment #155 to the Durham Regional Official Plan is exempt from approval of the Minister of Municipal Affairs and Housing by Ontario Regulation 525/97, as amended by Ontario Regulation 344/98, made pursuant to Section 17(9) of the Planning Act;

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a By-law of the Regional Municipality of Durham by the Council thereof as follows:

1. Amendment #155 to the Durham Regional Official Plan is hereby adopted.
2. The Clerk of the Regional Municipality of Durham is hereby authorized and directed to give Notice of Adoption of the aforementioned Amendment to the Durham Regional Official Plan in accordance with the procedure adopted by Council for exempt amendments.
3. This By-law shall come into force and take effect on the day of final passing thereof.

This By-law Read and Passed on the 3<sup>rd</sup> day of June, 2015.

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R. Anderson, Regional Chair and CEO

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D. Bowen, Regional Clerk

- Purpose:** The purpose of this Amendment is to redesignate the subject lands from “Employment Areas” to “Living Areas” in the Regional Official Plan (ROP) to facilitate the designation of the subject lands as a Gateway Regeneration Area in the Township of Scugog Official Plan. The Amendment adds a site specific policy exception under “Living Areas” and also removes the site specific policy exception under “Employment Areas”.
- Location:** The subject lands are legally described as Part of Lot 19, Concession 5, former Township of Reach, in the Township of Scugog. The subject lands are located on the east side of Simcoe Street, immediately north of Oyler Drive in Port Perry. The three properties affected by this amendment are known municipally as 14325 Simcoe Street, 14375 Simcoe Street and 21 Oyler Drive.
- Basis:** The Township of Scugog Official Plan Review proposed the designation of the subject lands as a Gateway Regeneration Area in 2009. This designation was deferred by the Region pending consideration of an amendment to the ROP. Subsequently, an application to amend the ROP was submitted by the Township.
- The subject lands include an existing Canadian Tire store and a restaurant. Additionally, the foundation of a former industrial building is located on the subject lands.
- The application has been considered in the context of the ROP and Provincial Plans and policies as detailed below:
- Policy 2.2.6.6 of the Growth Plan addresses the conversion of employment lands in regeneration areas, and states that in such cases, Policy 1.3.2 of the 2005 Provincial Policy Statement (PPS) applies.
  - Policy 1.3.2 of the 2005 PPS has been renumbered 1.3.2.2 in the 2014 PPS and states “Planning authorities may permit conversion of lands within employment areas to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.”
  - The Region’s Growth Plan Implementation Study (Growing Durham) and the subsequent Township of Scugog Official Plan Review are municipal comprehensive reviews.
  - Growing Durham determined that in relation to the employment allocation for the Township of Scugog, there is a 62 hectare (152 acre) surplus of employment lands to the year 2031.
  - The subject lands comprise approximately 10.4 hectares (25.7 acres) of developable land. Given the documented surplus of employment land, the redesignation of the subject lands will not adversely affect the Township’s ability to accommodate its assigned employment forecast.

The redesignation of the subject lands to “Living Areas” in the ROP offers the potential to regenerate the area and make more effective use of the overall site. The mix of uses being proposed on the subject lands will accommodate intensification with residential, limited commercial, light industrial, and office uses on full municipal services. The Township of Scugog’s Official Plan and Zoning By-law shall further define the range and scale of specific uses on the site, including food-related retail uses, automotive, hardware and household supply-related retail uses, and clothing and apparel-related retail uses.

Moreover, delegated matters of Provincial Plan Review, such as site contamination, noise, land use compatibility and archaeology shall be addressed through subsequent applications submitted under the Planning Act (e.g. zoning and site plan).

In summary, the comprehensive planning reviews undertaken by the Region and the Township have demonstrated that the subject lands are not required for employment purposes over the long-term. The Township’s comprehensive review identified the subject lands as a Gateway Regeneration Area based on their redevelopment potential. The redesignation of the subject lands meets the conversion policies of the PPS.

Amendment: The Durham Regional Official Plan is hereby amended by:

1) Redesignating the subject lands on Schedule ‘A’ – Map ‘A3’ Regional Structure from Employment Areas to Living Areas as indicated on Exhibit “A” attached to this amendment;

2) Adding a new Policy Exception 8B.3.2 as follows:

The Township of Scugog’s Gateway Regeneration Area, intended to define the southern boundary of the Port Perry Urban Area, is located at Part of Lot 19, Concession 5, former Township of Reach, in the Township of Scugog, and is known municipally as 14325 Simcoe Street, 14375 Simcoe Street and 21 Oyler Drive. The subject lands comprise approximately 10.4 hectares (25.7 acres) of developable land. The Township of Scugog’s Official Plan and Zoning By-law shall further define the range and scale of specific uses permitted within the Gateway Regeneration Area designation, including food-related retail uses, automotive, hardware and household supply-related retail uses, and clothing and apparel-related retail uses.

3) Deleting Policy 8C.3.1 in its entirety

Implementation: The provisions set forth in the Durham Regional Official Plan regarding implementation of the Plan shall apply in regards to this Amendment.

Interpretation: The provisions set forth in the Durham Regional Official Plan regarding the interpretation of the Plan shall apply in regards to this Amendment.