

# General Technical/ Housekeeping Updates DISCUSSION PAPER

As part of the  
Town of Whitchurch-Stouffville  
Official Plan Review

July 2021



Re-Imagine Stouffville





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# 1 INTRODUCTION

General technical / housekeeping updates, including the incorporation and application of major Provincial planning policy tools, need to be considered when preparing the new Official Plan for the Town of Whitchurch-Stouffville. General Technical / Housekeeping updates will improve the overall readability and clarity of the Official Plan, modernize definitions and terminology, update pre-consultation and community engagement requirements, and expand development approvals and supporting study requirements.

This Discussion Paper is one of four Papers, which follow the focus areas of the Official Plan Review (OPR). This Discussion Paper was completed within Phase 2 'Background Studies and Discussion Papers' of the OPR program and was prepared based on background review and research, consultation with the Town and engagement with the public. The four Discussion Papers should be read in conjunction for a comprehensive understanding of the interrelated community planning components that are the focus of the OPR. The four Discussion Papers, in addition to the Community Visioning Report, completed in Phase 1, follow the five Focus Areas of the Official Plan Review, which are identified in Figure 1.

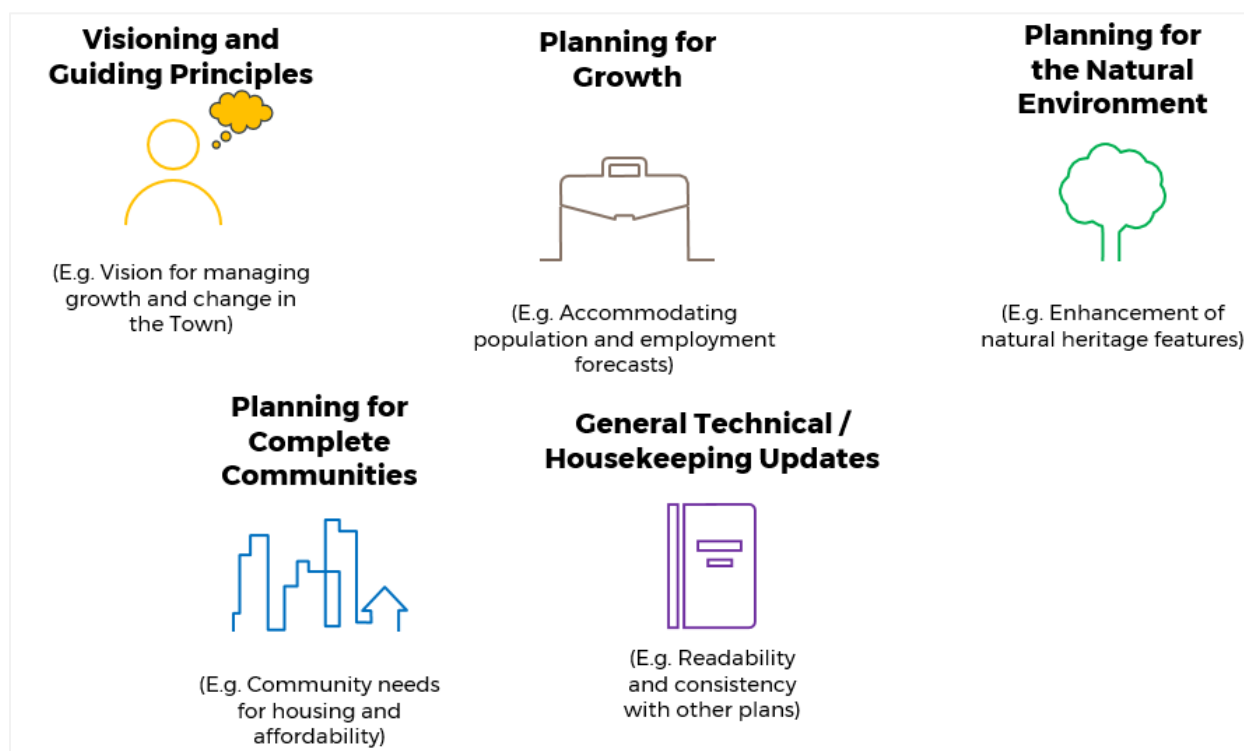


Figure 1: Focus Areas of the OPR

## 1.1 Purpose of this Discussion Paper

The purpose of this Discussion Paper is to identify general technical housekeeping updates, including major Provincial policy tools, that need to be considered when preparing the new Official Plan for the Town of Whitchurch-Stouffville. This Paper also identifies approaches to improve the



overall readability and clarity of the Official Plan, modernize definitions and terminology, update pre-consultation and community engagement requirements, and expand development approvals and supporting study requirements.

This Discussion Paper is a starting point for generating discussion about general policy issues as part of the Official Plan Review (OPR) process. The information contained herein will help formulate a Policy Directions Report and the development of a brand-new Official Plan and Schedules to implement the preferred policy directions and to address policy conformity gaps identified throughout the OPR.

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## 1.2 What is an Official Plan?

Official Plans are guided and developed under a framework established by the Province of Ontario to ensure that short- and long-term growth is coordinated in a manner to meet local social, economic, built and natural environment needs and aspirations. Municipal Official Plans must be consistent with the Provincial Policy Statement, 2020 (PPS, 2020) issued under the *Planning Act*, and must conform to, or not conflict with any applicable Provincial and Regional Plans, including the A Place to Grow: Growth Plan for the Greater Golden Horseshoe, including amendment 1, 2020 (the Growth Plan), the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan, and the Region of York Official Plan, as they relate to the Town of Whitchurch-Stouffville. These overarching policy documents provide direction to the Town on land use planning matters. Overall, Official Plan policies establish:

- Where new housing, industry, offices and shops will be located;
- What community services, such as roads, transportation, utilities, parks, trails and schools will be needed to accommodate growth and develop healthy and sustainable communities;
- Where, and in what order, parts of the community will grow;
- How to promote economic development and develop community improvement initiatives;
- How to protect and conserve cultural heritage resources; and
- How to protect the Town's agricultural lands and environmentally-sensitive areas.

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## 1.3 Why Is the Town Undertaking an Official Plan Review?

The OPR work program consists of four phases which are summarized below and will result in a detailed review and the preparation of a new Official Plan. The impetus for undertaking a review of the Town's Official Plan is predominantly three-fold:

- First, the Town is required to review its Official Plan in accordance with the requirements of the *Planning Act* to ensure consistency with the PPS, 2020 and to ensure conformity with the Growth Plan for the Greater Golden Horseshoe, including Amendment 1 (2020), applicable Provincial Plans, and the Region of York Official Plan.
- Second, the Region of York initiated a work program in 2018 to undertake a Municipal Comprehensive Review (MCR) to comprehensively implement the policies of the Growth Plan, and guide the Region's population and employment growth to 2051. The Town's



Official Plan is required to be updated within one year of the approval of the Region's Official Plan.

- Lastly, the context within which the Town continues to evolve has changed since the current Official Plan was prepared and adopted (adopted in 1980, and last comprehensive update was in 2004).

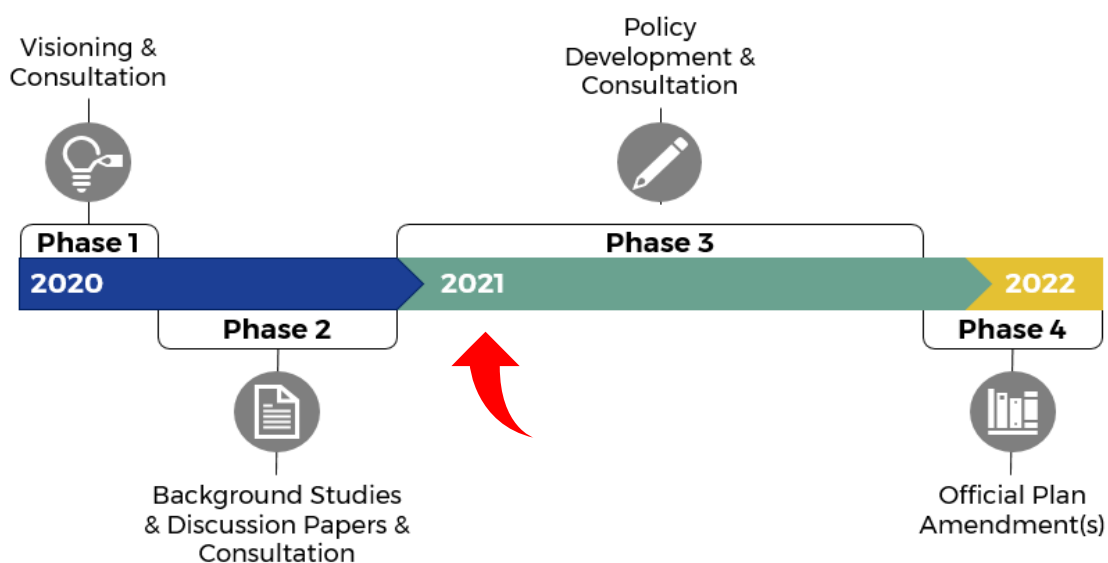
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## 1.4 Official Plan Review Work Program

The OPR offers an opportunity to adopt contemporary land use and development policies that will guide growth and development over the planning horizon, and manage and direct physical change and the effects on the social, economic, built and natural environment of the Town.

The comprehensive OPR work program includes the following phases:

- **Phase 1: Visioning and Consultation** – will result in a community vision and guiding principles summarized in a Community Visioning Report to inform future planning directions, by establishing what the community values and how the Town is envisioned to evolve over the planning horizon.
- **Phase 2: Background Studies and Discussion Papers** – will focus on data collection and the review of background information required to advance the OPR. This will involve the critical analysis of policy gaps, such as the need to conform to provincial and regional plans and policy, appropriate energy and climate change considerations, etc. This phase will also involve the preparation of four Discussion Papers, in addition to the Community Visioning Report completed as part of Phase 1, to address the key themes related to growth management, the natural environment, healthy and complete communities, and general technical and housekeeping matters.
- **Phase 3: Policy Development** – will involve the preparation of a Policy Directions Report and the development of new and updated Official Plan policies to implement the preferred policy directions.
- **Phase 4: Draft New Official Plan** – will involve the technical writing, reviewing, evaluating, and implementing policies for the new Official Plan based on work completed to-date.



**Figure 2: Official Plan Review Timeline**

The Town’s OPR process provides an opportunity to identify updates that may be necessary for the implementation of policies related to pre-consultation and community engagement requirements, expanding development approvals and supporting study requirements, and other housekeeping matters. This process will allow the residents and businesses of the Town to engage through meaningful thought and consideration to define how the Town should evolve over the next 25 years. Provincial legislation identifies municipal official plans as the most important vehicles for implementation of the PPS, 2020 and for achieving comprehensive, integrated and long-term planning. As such, Official Plan policies must be clear, reasonable and attainable to protect provincial interests and direct development to appropriate areas.



## 2 CONTEXT AND COMMUNITY PROFILE

Whitchurch-Stouffville, located within the Region of York, is one of Canada's fastest growing municipalities. The Town is located in the heart of the Greater Toronto Area, giving it easy access to transportation routes as well as to recreational and cultural destinations. Highway 404 forms the western boundary of the Town, with links to all of Ontario's "400" series Highways. The Town has access to commuter trains and buses as well as regional transit services.

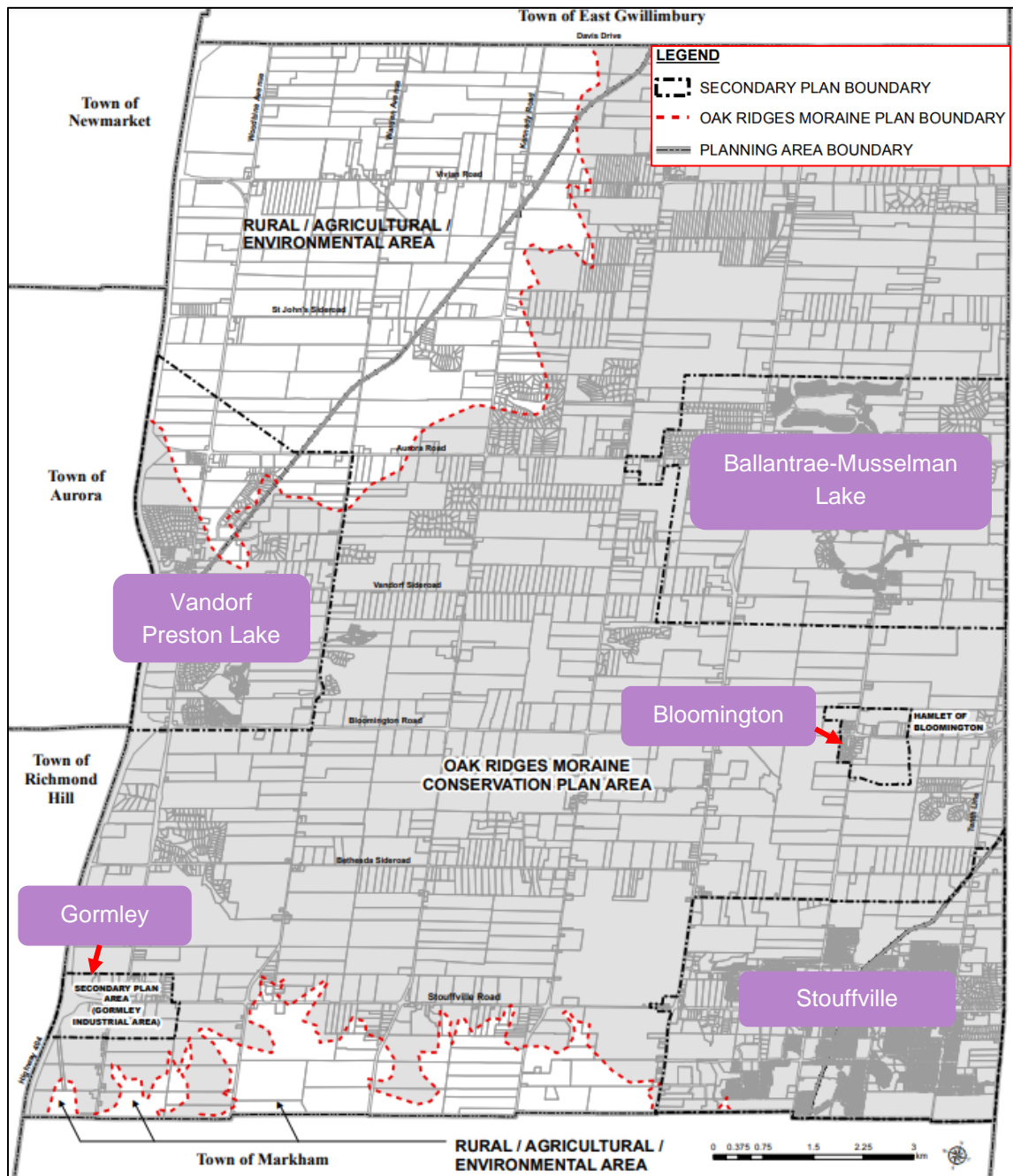


Figure 3: Community Structure, Town of Whitchurch-Stouffville



The Town is a mix of urban and rural settlements within the Oak Ridges Moraine and the Province's Greenbelt Plan Area, comprised of prime agricultural and rural lands and an expansive natural heritage system.

The Official Plan identifies four Secondary Plan areas which provide more detailed land use direction for specific communities, and complements the policies of the Official Plan:

- **Stouffville** - Represents the largest urban settlement area in the Town and the area where most of the Town's growth will be accommodated. Accordingly, the Stouffville Secondary Plan has been amended several times to address a variety of issues reflective of the increasing level and complexity of new developments.
- **Vandorf Preston Lake** - Comprised of the Vandorf-Preston Lake Community existing residential areas, the Ram Forest Drive Industrial Area, existing commercial areas and significant environmental areas. The Secondary Plan provides for limited infill development opportunities within the Oak Ridges Moraine portion and Potential Employment, Potential Residential and Potential Mixed-Use areas within the Non-Moraine portions of the Secondary Planning Area, which are located within the Greenbelt Plan.
- **Ballantrae-Musselman Lake** – Contains predominately residential communities and related commercial and institutional uses. The Secondary Plan Area includes a significant amount of adjoining rural/environmental lands. The Ballantrae area is serviced by a municipal water system, and most of the community is serviced by private sewage disposal systems. Lands in Ballantrae associated with the Ballantrae Golf and Country Club are serviced by a private sewage treatment facility.
- **Gormley** - Contains the largest supply of lands in the Town which are designated and available for employment development along the Highway 404 corridor. There are currently no municipal services in the Gormley Industrial area, although non-potable water is available for emergency purposes.

There are also several rural clusters, including:

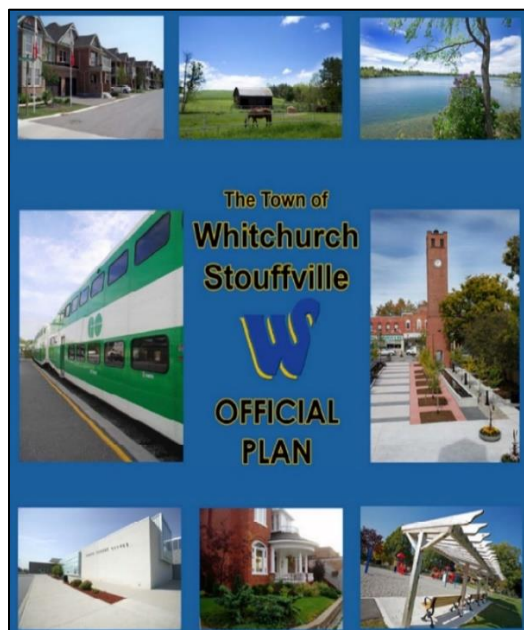
- Bethesda;
- Bloomington;
- Cedar Valley;
- Lemonville;
- Lincolnville;
- Pine Orchard;
- Pleasantville;
- Ringwood;
- Vivian; and
- Wesley Corners.



The Town of Whitchurch-Stouffville has a very diverse local economy with strengths in knowledge-based industries, advanced manufacturing, building and construction and the agriculture and tourism sectors. According to the 2016 Canada Census, the Town of Whitchurch-Stouffville was the third fastest growing community in Canada, and the second fastest growing municipality in Ontario. The Town has seen an increase in family size, increase in population diversity, and has welcomed a significant increase in new Canadians. With a growing and diversifying population within the Town of Whitchurch-Stouffville, it is important that the Official Plan is updated to reflect these changes to best serve its evolving communities well into the future.

## 2.1 Town of Whitchurch-Stouffville Official Plan (December 2020 Consolidation)

The Town's Official Plan was adopted by Council in October 1980 and approved by the Province in August 1982. The Official Plan has been subject to nearly 145 amendments since that time to address both site-specific development applications and various policy initiatives. Official Plan Amendment No. 109 (OPA 109) was the last comprehensive amendment to the Town's Official Plan which was approved in 2004. However, since that time there have been major policy updates related to: Oak Ridges Moraine Conservation Plan conformity (OPA 112/113); Implementation of Bill 51 Amendments to the *Planning Act* (OPA 125); Town's Residential Intensification Strategy and Growth Plan, 2005 Implementation (OPA 128); Phase 2 Development Area (OPA 129); Phase 3 Development Area (OPA 137); and most recently, the Gateway Mixed Use Area Study (OPA 145).



**Figure 2: Official Plan Cover, Town of Whitchurch-Stouffville**

The Town of Whitchurch-Stouffville Official Plan contains the land use designations and policies which establish the general pattern of development for the existing and future use of the lands in the Town. The policies of the Official Plan seek to implement the vision statement and principles



through policies related to an Environmental Conservation Strategy, a Land Use Strategy, Functional Community Services (Parks, Roads, Trails, Waste Management, Wellhead Protection), and Social, Cultural and Design Directions (Housing, Community Improvement, Heritage, Community Design). The Official Plan further includes detailed policies on development applications, pre-consultation and submission requirements, and the implementation and interpretation of the Official Plan policies. These are typical operational Official Plan policy components, which provide direction on the way the Official Plan is to be implemented through various means including development approvals (e.g. subdivisions, re-zonings, site plan control agreements) and Town initiated works.

Sections 1 to 4 of the Official Plan contain policies that are primarily applicable to the rural / agricultural area of the Town. These sections include the vision, principles and objectives as well as the schedules for this area of the Town.

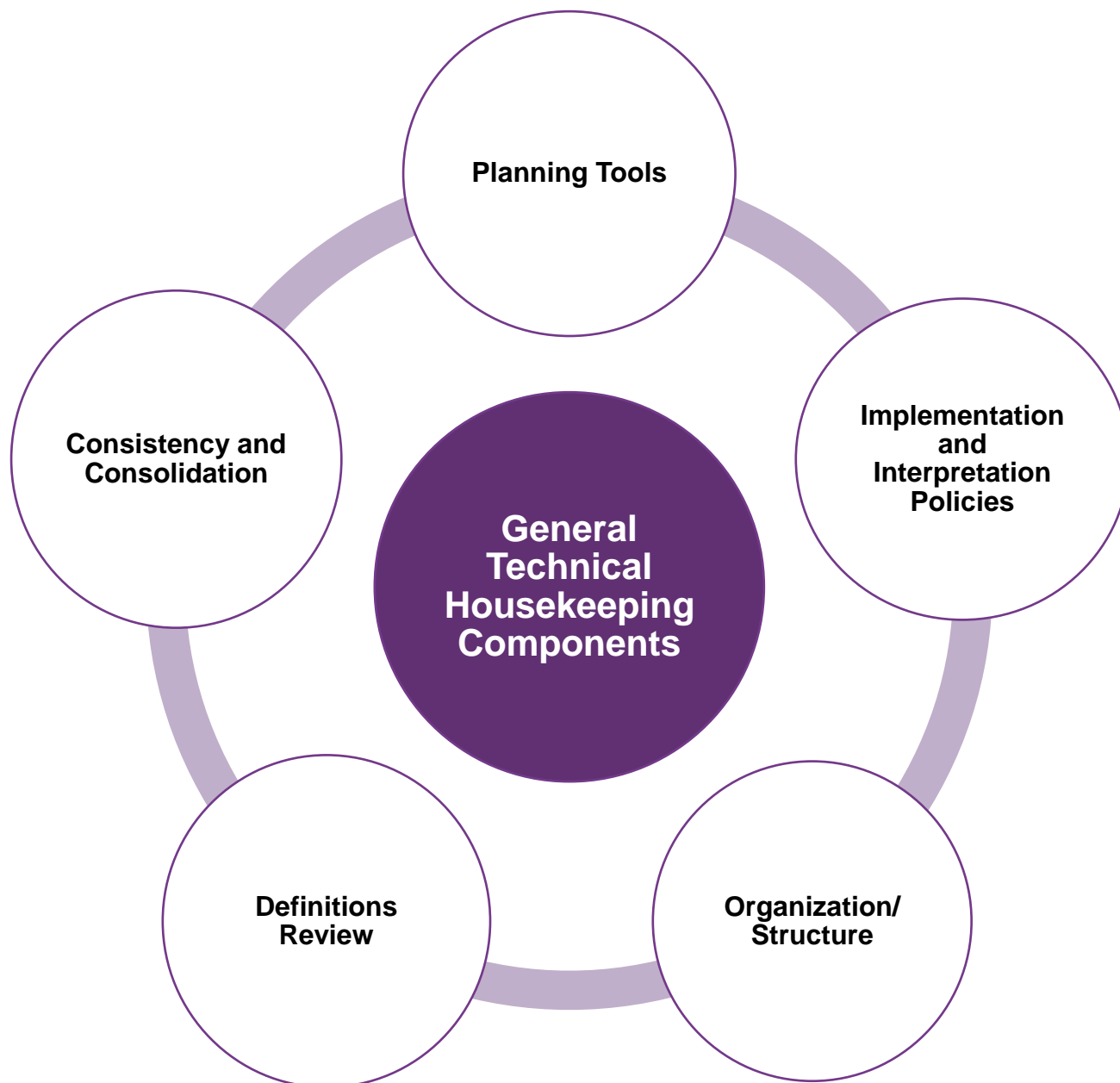
Sections 5 to 9 of the Official Plan contain general policies related to Functional Community Services (i.e. Cultural Heritage, Housing, etc.), Development Application Requirements, Implementation and Interpretation, including definitions.

Sections 10 to 13 of the Official Plan contain the four Secondary Plans, which consist of detailed land use plans and policies for the communities of Stouffville and Ballantrae-Musselman Lake, the Gormley Industrial Area and the Vandorf - Preston Lake Area. Each of the Secondary Plans contains their own Implementation and Interpretation policies, which in some cases duplicate and overlap with the Implementation and Interpretation sections of the Official Plan. Through this OPR there will be an opportunity to streamline some of these policies.



### 3 GENERAL TECHNICAL HOUSEKEEPING COMPONENTS

This Section identifies the key Provincial and regional policy and legislative thrusts which will inform the development of the new Official Plan. The policies of the Official Plan will generally be re-written, however there may be an opportunity to carry forward certain policies which already conform to or implement the various Provincial and Regional documents. The preliminary policy recommendations contained within this Section are based on a thorough review of the current Town Official Plan, relevant Provincial legislation and regional policy documents and Town background information (i.e. plans, studies, and strategies).



**Figure 5: General Technical Housekeeping Components**



## 3.1 Planning Tools

One of the impetuses for undertaking this OPR stems from the fact that the Town is required to review its Official Plan in accordance with the requirements of the *Planning Act* to ensure conformity with Provincial Plans such as the Growth Plan, as well as the York Region Official Plan, and to ensure consistency with the PPS, 2020.

The last comprehensive amendment to the Town's Official Plan was approved in 2004. Since then, the planning regime in the Province, and the Town itself have changed dramatically. Therefore, this OPR presents an opportunity for the Town to incorporate and implement recent planning tools to guide the Town's land use and development decisions over the planning horizon.

### 3.1.1 Recent Changes to the Planning Act

The *Planning Act*, R.S.O. 1990, Chapter P.13 provides the fundamental land use planning framework in Ontario. It governs the overall content and direction of Official Plans through section 16, addressing key policy themes including the social, economic, built and natural environment of the municipality, affordable housing, and other matters. In addition to policies for land use and development, the Official Plan must also include policies and procedures for informing and obtaining the views of the public in respect of planning instruments such as zoning by-laws, plans of subdivision, consent applications and others.

The *Planning Act* identifies 20 matters of Provincial interest that municipal councils "shall have regard to" when carrying out their responsibilities under the *Act* (Section 2). These matters address themes of environmental protection, cultural heritage conservation, health and safety, energy efficiency, transportation and infrastructure, accessibility, affordable housing, and meeting the needs of the community. The Provincial Policy Statement, 2020 (discussed in Section 3.1.2), provides additional direction for addressing matters of provincial interest.

The *Planning Act* authorizes planning authorities to implement a wide variety of planning tools to guide development and direct growth within their jurisdiction. Many of these instruments, including Community Improvement Plans, Community Planning Permit Systems and others, require enabling policies in the Official Plan.

The *Planning Act* has been impacted by key provincial legislation statutes, which will inform the development of the new Official Plan including:

- **Smart Growth for Our Communities Act, 2015** - The *Smart Growth for Our Communities Act*, 2015, largely took effect on June 1, 2016, and made significant amendments to the *Planning Act*, along with changes to the *Development Charges Act*. In broad terms, the reforms introduced by Bill 73 were intended to improve citizen engagement and the appeals process in Ontario. Other changes were meant to give municipalities more tools to fund community services and growth.
- **Promoting Affordable Housing Act, 2016** - The *Promoting Affordable Housing Act* received Royal Assent on December 8, 2016 and allowed municipalities to implement inclusionary zoning to require affordable housing units to be included in residential



developments. As contemplated in Bill 108 (see below), the applicability of inclusionary zoning is limited to protected Major Transit Station Areas (MTSAs) and Community Planning Permit System (CPPS) areas. These areas must be adopted by Council and approved by the Minister of Municipal Affairs and Housing.

- ***Building Better Communities and Conserving Watersheds Act, 2017*** - On December 12, 2017, Bill 139 (*Building Better Communities and Conserving Watersheds Act*) received Royal Assent. Bill 139 resulted in an extensive range of reforms related to planning appeals including placing a greater priority on the decisions of planning authorities. Many changes made by Bill 139 were further amended by Bill 108 (see below).
- ***More Homes, More Choice Act, 2019*** - Bill 108 (*More Homes, More Choice Act*) received Royal Assent on June 6, 2019 and aims to address the needs of Ontario's growing population, its diversity, and local priorities. It includes amendments to several pieces of legislation, including the *Planning Act* and other acts that affect planning and development. Bill 108 also introduces amendments to the *Planning Act*, permitting an additional residential unit in a detached house, semi-detached house or rowhouse as well as another residential unit in an ancillary building or structure. Lastly, one of the most significant changes introduced as part of Bill 108 relates to planning appeals, development charges and community benefits charges (formerly known as Section 37 Benefits).

### 3.1.2 Community Planning Permit System (CPPS)

The community planning permit system (CPPS) is a land use planning tool that municipalities can use when planning for the future of their communities (formerly referred to the Development Permit System). The CPPS tool can help to make development approval processes more streamlined and efficient, get housing to market quicker, support local priorities (for example, community building, developments that support public transit, and greenspace protection), and create greater certainty and transparency for the community, landowners and developers.

The CPPS combines three separate planning application processes: Zoning By-law Amendments, Minor Variances, and Site Plan applications, into one application submission and approval process. Like a Zoning By-law a CPPS by-law identifies permitted uses and, minimum and maximum development standards for a site or area. However, a CPPS by-law can set conditions for building to those standards as well as additional conditions for variances from them. Conditions might include infrastructure requirements, community contributions, and environmental impact mitigation among others. Establishing such a system requires a policy to be in the Official Plan that outlines several requirements for the community planning permit by-law and process.

Additionally, the Minister of Municipal Affairs and Housing may require municipalities to use the CPPS in specified areas, such as around major transit stations for GO rail, light rail, bus rapid transit and subways. In these cases, only the Minister can appeal the official plan policies or community planning permit by-law to implement the tool.

As the CPPS requires enabling policies in the Official Plan, and since the current Town's Official Plan does not contain any policies related to CPPS, through this OPR, the Town will have the opportunity to include enabling policies to establish a CPPS, according to *O. Reg. 173/16*.



### 3.1.3 Inclusionary Zoning (IZ)

In April 2018, the Province of Ontario enacted legislation that allows municipalities to implement Inclusionary Zoning and outlines the process that needs to be undertaken. Before the Town can implement Inclusionary Zoning, the Town must complete required background work, including preparing an Assessment Report, undertaking public consultations, and drafting Official Plan policies.

On September 3, 2019, the Province of Ontario made changes to the legislation for inclusionary zoning through *Bill 108: More Homes, More Choice Act*. The changes specifically dictate where municipalities can implement Inclusionary Zoning, such as protected MTSAs, or areas where a CPPS has been required by the Minister of Municipal Affairs and Housing.

These recent changes to Provincial legislation have resulted in allowing municipalities to implement Inclusionary Zoning in certain areas. The City of Toronto and City of Markham have recently introduced draft Inclusionary Zoning policies to increase the supply of affordable housing units.

Similar to the PPS, Inclusionary Zoning requires enabling policies in the Official Plan. Given that the Region's Intensification Strategy Background Report proposes 2 MTSAs to be located in Whitchurch-Stouffville, the Town may want to consider undertaking an Inclusionary Zoning Study, or MTSA specific studies, to determine the feasibility of implementing Inclusionary Zoning within the MTSAs, and develop draft Official Plan policies and Zoning By-law regulations and recommendations for an administrative framework and process to implement the Inclusionary Zoning policy.

### 3.1.4 Community Benefit Charges (CBCs) and Parkland Dedication

On June 6, 2019, the *More Homes, More Choice Act, 2019* (Bill 108) received Royal Assent. The *Act* aims to address the needs of the Province's growing population, its diversity, people, and local priorities. Schedule 12 of the *Act* establishes a new authority under the *Planning Act* for municipalities to charge for community benefits for land being developed or redeveloped. Community Benefits Charges (CBCs) are envisioned to fund municipal infrastructure for community services, including parks, affordable housing, and childcare facilities.

On September 18, 2020, *Ontario Regulation 509/20* came into force under the *Planning Act* to support the implementation of CBCs and parkland regulation. This starts the two-year transition period for municipalities to implement the new framework. CBCs are to be implemented under the "new" section 37 of the *Planning Act* and will give municipalities the ability to fund various community services not otherwise covered by development charges. This new Regulation provides additional details to section 37 of the *Planning Act* by outlining the requirements of a Municipal Community Benefits Strategy, development exclusions, maximum charge percentage, notice requirements for passing CBC By-laws, minimum interest rate rules, appraisal report timelines and municipal reporting requirements. Should municipalities decide not to pursue a CBC By-law, the current standard parkland dedication requirements of the *Planning Act* would continue to apply.



Should the Town wish to implement a CBC By-law under the Community Benefits authority, the Town will be required to complete a Community Benefits Charge Strategy. The Town is currently undertaking a study to assess the feasibility and potential benefits of implementing a CBC By-law.

### 3.1.5 Preliminary Policy Recommendations

Revisions to the Official Plan will address the following legislative changes:

- Include enabling policies for the Town to establish a Community Planning Permit System;
- Incorporate enabling policies related to Inclusionary Zoning and examine the feasibility of implementing Inclusionary Zoning within the Lincolnville Major Transit Station Area (MTSA) or Stouffville GO MTSA; and,
- Update policies related to parkland dedication and the preparation of a Parks Plan to reflect the Town's direction as it relates to the potential implementation and collecting funds through the Community Benefits Charge Authority.

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## 3.2 Implementation and Interpretation Policies

Section 7 (Development Application Pre-Consultation and Submission Requirements), Section 8 (Implementation) and Section 9 (Interpretation) of the Town's Official Plan summarize the tools that the Town is authorized to use under the *Planning Act* and other legislation in order to achieve its policy objectives. These include powers to regulate development such as site plans, as well as public notification, land acquisition, pre-consultation and submission requirements and developer agreement policies that are required in the Official Plan.

Over the last few years, the Province has introduced legislation modernizing public consultation requirements, providing clearer direction related to consultation with Indigenous Communities and clarifying requirements related to complete applications. These matters will be considered as part of the OPR process and will be addressed by updating the Implementation and Interpretation Sections of the Official Plan.

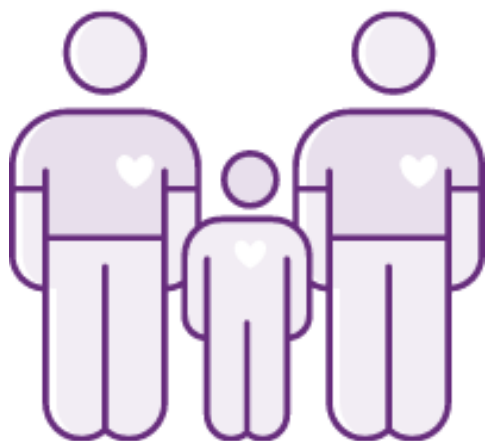
### 3.2.1 Public Consultation

The *Smart Growth for Our Communities Act*, 2015 (Bill 73), largely took effect on June 1, 2016, and made significant amendments to the *Planning Act*, along with changes to the *Development Charges Act*. In broad terms, the reforms introduced by Bill 73 were intended to improve citizen engagement and the appeals process in Ontario. Some of the most significant changes dealing with public consultation include the requirement for municipalities to explain the effect of public input on planning decisions, the requirement for Official Plans to include public consultation procedures regarding Official Plan Amendments, and the need for municipalities to establish Planning Advisory Committees with public representation.

Additionally, Bill 73 provides municipalities with the option to offer alternative notice procedures when seeking citizen input. To this effect, various *Planning Act* regulations related to planning instruments (i.e. Official Plan Amendments, Zoning, Site Plans, etc.) were amended to enhance



relevant notice requirements and to modernize and simplify the content of notices for publishing in newspapers and posting on properties. For example, notices were previously required to be given in one of certain specified formats (e.g. personal service, mail or fax) to prescribed persons and public bodies, persons and public bodies who asked to be notified and, in some cases,, approval authorities. Bill 73 adds email as an additional notification option to those listed above. Furthermore, prior to Bill 73, for notices in multi-tenant residential buildings there was no previous requirement to provide notice to tenants. Additionally, previous requirements required a wider notice for the passing of a Zoning By-law than what was required for decision notices for other planning matters (i.e. Official Plan Amendments, Site Plans, etc.). Bill 73 changes align decision notice requirements for Zoning By-laws with those for Official Plan Amendments for example.



**Figure 6: Consultation, Town of Whitchurch-Stouffville**

Furthermore, prior to Bill 73, regulations required that newspaper (and written) notices contain specific statements regarding the need for public participation in order to maintain appeal rights. Bill 73 modernizes and simplifies required content - previously required statements in newspaper notices are replaced with a statement directing the public to where they can find essential information on participating in the process, including how to preserve their appeal rights, and a description of the property (e.g. map). The same statement would also be required for a notice given by posting a sign on the subject property.

Through Official Plan policies, municipalities provide opportunities for all—residents, property owners, businesses, Indigenous communities, agencies and other stakeholders—to participate in the planning process. As part of the OPR process, the Town has an opportunity to review public notification and consultation policies to drive more meaningful, effective and inclusive public involvement in planning decisions.

### **3.2.2 Indigenous Communities Consultation**

The Provincial Policy Statement, 2020 (PPS, 2020) came into effect on May 1, 2020, replacing the previous PPS, 2014. The PPS, 2020 provides direction on key Provincial interests related to land use planning and development in Ontario. The Town's Official Plan and subsequent land use planning decisions are required to be “consistent with” the PPS. The PPS, 2020 retains the



structure of the PPS, 2014 and provides policy direction related to building strong healthy communities, the wise use and management of resources and protecting public health and safety.

The PPS, 2020 also represents an improvement for Indigenous Communities seeking consultation and accommodation regarding land-use planning decisions. The PPS, 2020 provides stronger language that reinforces the Duty to Consult and the type of relationship that municipalities should have with Indigenous Communities. These changes include Ontario's recognition of Indigenous Communities unique relationship to land and resources, their role in land use planning and the contribution Indigenous knowledge has on land use planning decisions. The PPS, 2020 also clearly acknowledges the Duty to Consult on matters that may impact Aboriginal (Indigenous) rights as protected by *Section 35 of the Canadian Constitution* and encourages meaningful relationships that promote knowledge-sharing and inform decision-making on land use decisions. The PPS, 2020 also requires that Planning authorities shall engage and coordinate with Indigenous Communities on matters of land use planning and cultural heritage; and clearly acknowledges the potential benefits a healthy relationship with Indigenous Communities could have on the growth and development within Ontario. This policy shift is a step forward and should help address some of the basic gaps in consultation with Indigenous Communities.

The policies of PPS, 2020 represent minimum standards. Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the PPS, 2020. Through the OPR process, the Town should consider updating its consultation policies to drive more meaningful, effective and inclusive Indigenous involvement in planning decisions. The Town should also consider policies that speak to the interests of Indigenous communities not only in culture, archaeology and history, but also housing and economic development.

### **3.2.3 Development Applications and Supporting Studies**

The *Planning Act* allows municipalities to require an applicant to consult with the municipality prior to submitting *Planning Act* applications. Section 7 of the Town's Official Plan provides direction in regard to development application pre-consultation and submission requirements. The Town's Planning Pre-Consultation By-law was enacted in 2009 and is compulsory for the applicants to consult with Town staff in order to identify and discuss major challenges or constraints pertaining to proposed projects. The pre-consultation process provides an opportunity for Town Staff - in consultation with the applicant - to clarify the information and materials that the applicant may be required to submit with the planning application to constitute a complete application.

Through the OPR process, the Town has the opportunity to introduce new and modern policies related to the pre-consultation application process and submission requirements for a complete application. Also, new policy could be added to indicate that the Town may require a peer-review of any required studies or reports at the expense of the applicant. Furthermore, policies related to the Development Evaluation Criteria could either be relocated or removed altogether in order to streamline the Official Plan. Lastly, the Town should re-visit the list of required information and



materials to be submitted as part of a complete application in order to modernize and update the list. Potential additions include requiring a public consultation strategy, and a community services and facilities study as part of a complete application.



**Figure 7: Pre-consultation Application Process, Town of Whitchurch-Stouffville**

The suggested changes listed above can help improve the planning application process, by modernizing procedures and by ensuring development proposals include all necessary information prior to the submission of a formal application.

### **3.2.4 Landowner Coordination Requirements**

In order to ensure appropriate and orderly development, the Town, needs to ensure that the required agreements for the provision of infrastructure, including financial provisions and cost sharing arrangements, are in place prior to development proceeding.

The various Secondary Plans currently include policies which may require landowners with development applications to enter into an agreement or agreements (with the Town or other parties) to address the sharing of the common costs of development. The Secondary Plans also include policies that may require owners to enter into servicing and other agreements (with the Town and other parties), including front end requirements or accelerated payments that will ensure that the development can be adequately serviced and that an appropriate contribution has been secured toward the provision of community services.

The Official Plan Review presents an opportunity to streamline and consolidate the various requirements related to landowner coordination requirements contained in the Secondary Plans.

### **3.2.5 Preliminary Policy Recommendations**

Revisions to the Official Plan could consider the following policy recommendations:

- Review public notification and consultation policies to drive more meaningful, effective and inclusive public involvement in planning decisions;
- Incorporate policies related to consultation with Indigenous communities;
- Consider policies that speak to the interests of Indigenous communities not only in culture, archaeology and history, but also housing and economic development;



- Develop policies that are performance or results-based, where appropriate, so that development applications can be evaluated in a flexible, but consistent manner, in order to enable good development;
- Provide greater clarity in policies that enable the Town to require a peer-review of any required studies or reports at the expense of the applicant;
- Reconsider purpose and/or location of Development Evaluation Criteria;
- Update the list of required information and materials to be submitted as part of a complete application; and,
- Consolidate the various requirements related to landowner coordination requirements contained in Secondary Plans' policies.

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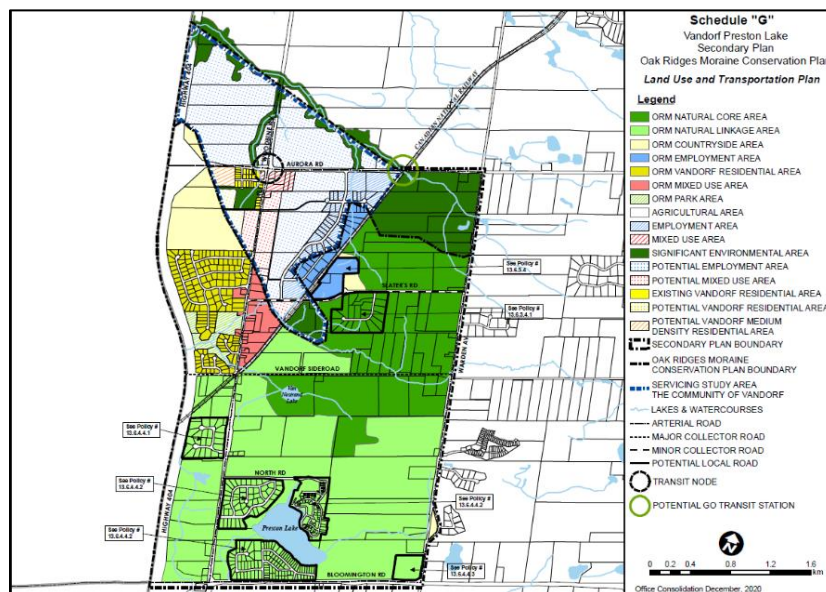
### 3.3 Organization/Structure

The Official Plan is divided into thirteen sections and contains over five-hundred pages. The Plan also includes close to thirty Figures and Schedules that are described in the policies and enhance the understanding of the Plan. The text and schedules are inter-related and are read in conjunction with one another.

The Official Plan Review will culminate into a new Official Plan document—a repeal and replace exercise, for technical purposes – to produce a concise and clean document that is easier to navigate. There are a number of reasons why a repeal and replace of the existing Official Plan is appropriate and recommended:

- Rather than preparing a surgical amendment with numerous individual revisions, preparing a concise and clear document (that includes a history or original source reference to maintained policies) will better demonstrate the intent of the project team and Council;
- In general, working within a new document also allows the Town to create a contemporary document that will be at the forefront of development decisions; and,
- There is also a desire to make the Official Plan easier to read and more intuitive. Care shall be taken to ensure the text and mapping is prepared to be accessible to the broadest possible audience. The aim is that this Review results in a user-friendly, graphically enhanced Official Plan which is accessible to all users.

The Accessibility for *Ontarians with Disabilities Act* (AODA) sets out a process for developing and enforcing accessibility standards in the Province. All governments, businesses, non-profits and public-sector organizations must abide by AODA standards and regulations to ensure people with disabilities can access services, goods, or facilities as required. As a result, the new Town of Whitchurch-Stouffville Official Plan must meet AODA standards such as providing it in a suitable format, using reasonable font sizes, high contrast and other format considerations.



**Figure 8: Schedule G: Vandorf Preston Lake Secondary Plan**

### 3.3.1 Preliminary Policy Recommendations

Revisions to the Official Plan could consider the following policy recommendations:

- Create a new Official Plan document that is streamlined and has improved formatting and organization;
- Develop contemporary Schedules and Figures with GIS data to complement the Official Plan text and provide for opportunities of analysis;
- Develop Schedules and Figures that are aligned with the most current parcel fabric and Provincial, Regional, and Conservation Authority mapping;
- Develop legible and easy-to-understand Schedules and Figures that will assist the readers in understanding the Official Plan policies and geographical features of the Town;
- Incorporate all new accessibility guidelines and requirements into a document that is easy to read and interpret, and will allow for frequent and new users alike to navigate and find information easily; and,
- Ensure the new Official Plan meets and considers AODA standards such as providing it in a suitable format, using reasonable font sizes, high contrast and other format considerations.

## 3.4 Definitions Review

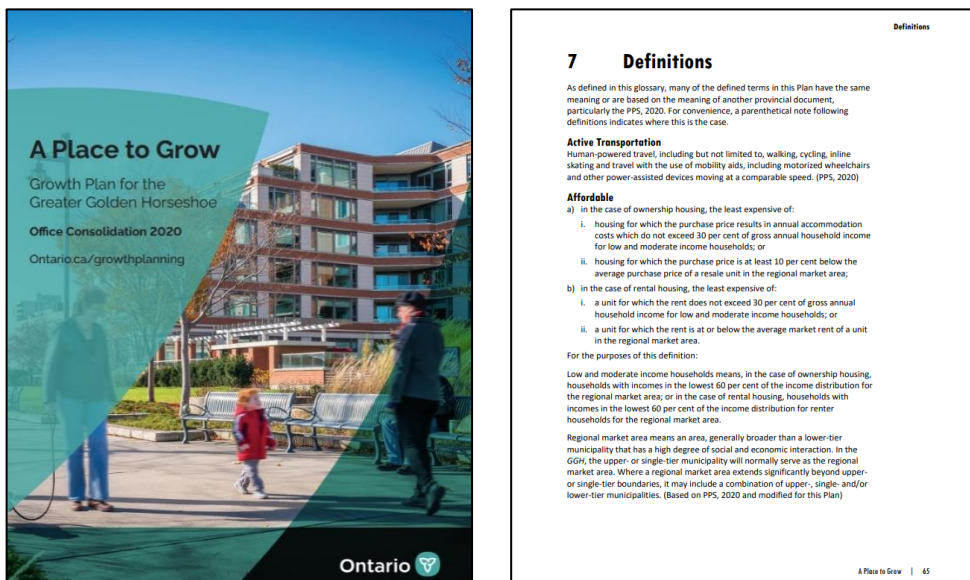
The Official Plan establishes defined terms in Section 9.5 - Definitions. There are nineteen definitions within Section 9.5. However, some of the Secondary Plans contain their own set of definitions, which currently leads to interpretation and consistency issues.

In general, a full review of the definitions will be undertaken to ensure that they are clear, contemporary, contain accessible language and are in conformity with Provincial legislation and the Regional Official Plan. It also provides an opportunity to modernize defined terms to reflect contemporary land uses or update outdated references to Provincial legislation. An update to the



definitions will also assist Town staff and the public with the interpretation and administration of the Official Plan. Defined terms in the Official Plan should be clearly indicated as distinct from other language to inform the reader that it is a defined term, and that reference should be made to the Definitions section.

As part of the PPS, 2020, and the Coordinated Review of the Provincial Plans, the Province modified and introduced various definitions in order to provide more consistency and clarity around land development in Ontario. As part of the new Official Plan, the definitions will be updated accordingly to ensure consistency with the PPS, 2020 and Provincial Plans.



**Figure 9: Growth Plan Cover Page and Definitions Section**

Specific definitions such as: Mixed Use, Kennels, Veterinarian Clinics, Doggy Day Cares, Community Core Area Net Density, Gross Density, General Commercial, Commercial Area, etc., will be examined in detail.

In addition to reviewing existing definitions, new definitions will also need to be incorporated to have regard and ensure consistency with Provincial and Regional plans and policies; and to provide greater clarity for the interpretation and implementation of Official Plan policies. Some of these new definitions include: Employment Areas, MTSAs, CPPS, etc.

### 3.4.1 Preliminary Policy Recommendations

- Undertake review of all definitions to ensure that they are clear, contemporary, contain accessible language;
- Review the definitions in the Official Plan and update/incorporate them accordingly to ensure consistency with the PPS, 2020 and Provincial Plans and updates to the York Region Official Plan; and,
- Consolidate all Secondary Plan definitions into a single section to ensure consistency throughout the Plan.



## 3.5 Consistency and Consolidation

The Town of Whitchurch-Stouffville relies on the use of Secondary Plans to provide finer-grain policies and direction for development in certain areas of the Town. The Official Plan includes four Secondary Plan Areas which provide more detailed land use direction for specific communities and complements the policies of the Official Plan. These Secondary Plan Areas include:

- Community of Stouffville Secondary Plan;
- Vandorf-Preston Lake Secondary Plan;
- Ballantrae-Musselman Lake and Environs Secondary Plan; and,
- Gormley Industrial Secondary Plan.

The Town will use this OPR as an opportunity to undertake a Secondary Plan consolidation exercise with the objective of streamlining the Official Plan. The new Official Plan will be structured to avoid duplication and conflicts with secondary policies; streamline implementation and interpretation policies; and eliminate conflicting policies and definitions.

### 3.5.1 Community of Stouffville Secondary Plan

The Community of Stouffville Secondary Plan was approved in September 1998. The Secondary Plan establishes principles, objectives and general policies as well as specific strategies with respect to community structure, community character, natural environment, servicing, land use and transportation to guide the planning of the existing urban area and the community expansion areas. The Secondary Plan contains a comprehensive land use strategy to guide and direct development approvals and public infrastructure investment.

The Community of Stouffville represents the largest urban settlement area in the Town and the area where the majority of Town's growth will be accommodated. Accordingly, the Stouffville Secondary Plan has been amended a number of times to address a variety of issues reflective of the increasing level and complexity of new developments. These amendments have introduced:

- a Regional Retail Area designation;
- the Western Approach Area - Mixed Use Area designations and policies;
- an Urban Medium Density Residential and High-Density Residential land use designation;
- policies to protect existing neighbourhoods;
- a Residential Intensification Strategy;
- the Phase 2 Lands and sustainable development policies;
- updated commercial policies (OPA 135);
- the Phase 3 Lands, residential intensification and Town wide employment policies (OPA 137) and an Urban Design Guidelines Addendum; and,
- the Gateway Mixed Use Area (OPA 145) and associated Urban Design Guidelines.

The policies of the Secondary Plan are further augmented by the Community of Stouffville Urban Design Guidelines (2002) and the Residential Intensification Urban Design Guidelines (2009), which provide more detailed urban design and built form direction for evaluating development



proposals. The Town is currently undertaking an update to the Urban Design Guidelines as they relate to Main Street Stouffville.

### **3.5.2 Ballantrae-Musselman Lake and Environs Secondary Plan**

The Town of Whitchurch-Stouffville Council originally adopted the Ballantrae-Musselman Lake and Environs Secondary Plan in 1994 as a basis for the planning and development of the Ballantrae-Musselman Lake area. The Plan has been amended a number of times to address various development proposals within the community and updated to address compliance with Provincial legislation.

The entire Secondary Plan area is located in the Oak Ridges Moraine, and OPA 112 brought the Secondary Plan into conformity with the ORMCP. The Ballantrae-Musselman Lake and Environs Secondary Plan includes two small existing settlement areas: Ballantrae and Musselman Lake, which are recognized as a settlement area and a hamlet respectively in the ORMCP. It also includes a significant amount of adjoining rural/environmental lands.

On December 17, 2013, Council approved in principle OPA 136 to amend the Secondary Plan to provide a strategy for the development of the Highway 48 corridor as the “main street” of the Community of Ballantrae. York Region was the approval authority for OPA 136.

OPA 136 is currently under appeal at the LPAT. Therefore, revisions to policies for Ballantrae Musselman’s Lake will be dependent on the results of the LPAT process.

### **3.5.3 Vandorf-Preston Lake Secondary Plan**

The Vandorf-Preston Lake Secondary Plan was enacted by two separate Official Plan Amendments, Amendment No. 113 Oak Ridges (Moraine Portion) and Amendment No. 120 Vandorf-Preston Lake (Non-Moraine Portion). The Secondary Plan is comprised of the Vandorf-Preston Lake Community existing residential areas, the Ram Forest Drive Industrial Area, existing commercial areas and significant environmental areas. The Secondary Plan provides for limited infill development opportunities within the Oak Ridges Moraine portion and Potential Employment, Potential Residential and Potential Mixed-Use areas within the Non-Moraine portions of the Secondary Planning Area, which are located within the Greenbelt Plan. Future development within the Potential Employment, Potential Residential and Potential Mixed-Use areas is contingent on a number of factors, particularly the completion of a Functional Servicing Study to identify a recommended servicing solution for the identified Servicing Study Area, which applies to the Non-Moraine portion.

### **3.5.4 Gormley Industrial Area Secondary Plan**

The Gormley Industrial Secondary Plan was approved by Town Council on December 8, 1992 and by the Ontario Municipal Board on June 26, 1995. The Gormley Industrial Secondary Plan establishes a land use strategy for the development of this predominately industrial area located on Stouffville Road, east of Highway 404. The Gormley Industrial area contains the largest supply of lands in the Town which are designated and available for employment development along the Highway 404 corridor. There are currently no municipal services in the Gormley Industrial area,



although non-potable water is available for emergency purposes, therefore, only dry-industrial uses are permitted.

The Gormley Industrial Secondary Plan has not been substantially updated since its adoption, with the exception of amendments undertaken as part of the Oak Ridges Moraine Conformity exercise (OPA 112). The Gormley Secondary Plan is fully contained within the Oak Ridges Moraine Conservation Plan.

### **3.5.5 Preliminary Policy Recommendations**

Policy recommendations related to the consistency and consolidation of Secondary Plans, as part of the Official Plan Review include:

- Streamline and update Secondary Plans policies, including consolidation of definitions, removal of repetitive designations/policies and consolidation of interpretation and implementation policies;
- Consolidate Secondary Plan Areas Schedules into a single settlement area boundary and remove the Oak Ridges Moraine designations from the Secondary Plans so they are only addressed in the Official Plan; and
- Consider updating urban design policies and directions within the Official Plan, based on ongoing review of the Community of Stouffville Urban Design Guidelines;
- Revisions to policies for Ballantrae Musselman's Lake will be dependent on the results of the ongoing LPAT process.

Note that the general Secondary Plan policies will still be reviewed and updated through the Official Plan Review process.



## 4 NEXT STEPS

This Discussion Paper is one of four Papers, which follow the focus areas of the OPR. This Discussion Paper was completed within Phase 2 'Background Studies and Discussion Papers' of the OPR program and was prepared based on background review and research, consultation with the Town and engagement with the public.

The information contained herein will help formulate a Policy Direction Report and the development of a brand-new Official Plan and Schedules to implement the preferred policy directions and to address policy conformity gaps identified throughout the OPR.

Discussion Papers detailing each of the Official Plan Review Focus Areas can be accessed online [www.cometogetherws.ca/opr](http://www.cometogetherws.ca/opr).