

Request for Township Endorsement of Minister Zoning Order – Avenu Properties Corp. (Castle Harbour Drive)



Paul Lowes

Tim Cane

September 16, 2024



Presentation Outline



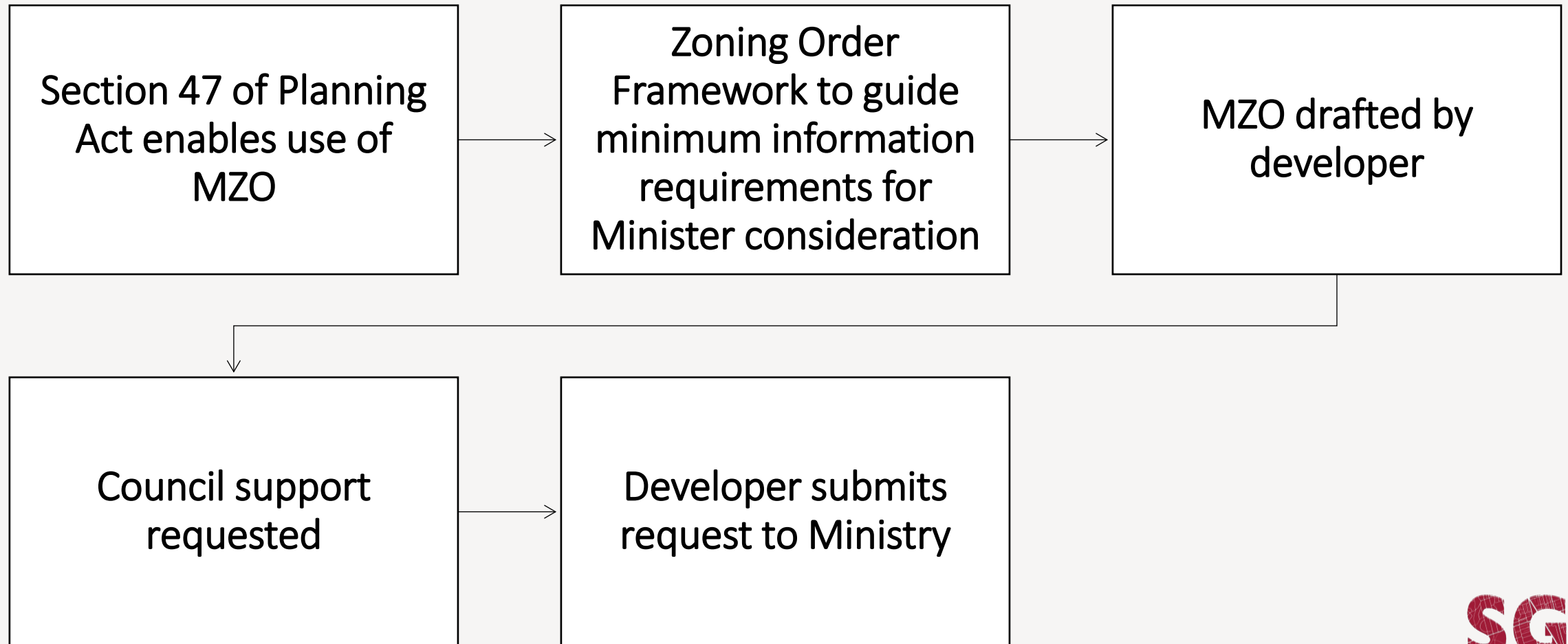
- Background
- Overview of MZO Process
- Township Planning Responsibilities
- Public Comment Themes
- Indigenous Community Input
- Township Peer Review Comments
- Staff Considerations
- Conclusions
- Key staff Recommendations

Background

- Avenu Properties requested Council to support a Ministerial Zoning Order (MZO) for up to 600 dwelling units
- Council asked staff to study the proposal and report back to Council in September 2024.
- Staff and peer review consultants reviewed the developer's MZO Briefing.



Overview of MZO Process



Township Planning Responsibility



- Township endorsement will assist Province by:
 - Confirming consistency with Provincial policy.
 - Reviewing and considering public submissions.
 - Documenting Indigenous consultation and concerns.
 - Reviewing and Addressing technical considerations with input from Public Agencies and Peer Review Consultants.

Consultation Integral Component of Land Use Planning Process



- **Before making a decision, Council shall be satisfied that:**
 - a) Enough information to enable a person to reasonably understand the nature of the proposal and its impacts is available prior to any public meeting;
 - b) All public and agency comments have been assessed and analyzed by Staff;
 - c) Council's decision will appropriately balance the overall public interest against the private interests expressed in the application.

Public Comment Themes



- **Density and Growth** – density and developable area, amount of units
- **Environment/Natural Heritage** – confirm development limit, impact on features
- **Infrastructure** – Region vs private servicing, responsibility, local/lake impacts
- **Road Access/Traffic** – access to site, new road to Simcoe St, local/wetland impact
- **Affordable Housing** – attainable vs affordable housing, secure affordable housing

Public Comment Themes



- **Community Services** - enough local facilities, financial impact to Township
- **Consultation/Available Information** – unanswered questions, lack of information, Indigenous input
- **Process** – MZO process unnecessary, more transparency if Township approval
- **Taxes** – property tax increases, financial shortfall for Township

Indigenous Community Input



- MSIFN, Hiawatha First Nation and Alderville First Nation
- Province requires description of Indigenous community engagement
- Developer MZO Brief limited to MSIFN
- Concerns include:
 - Insufficient engagement and information
 - Natural and cultural heritage impacts
 - Undermining of Constitutional and Treaty Rights
 - Impact on relationships with The First Nation communities

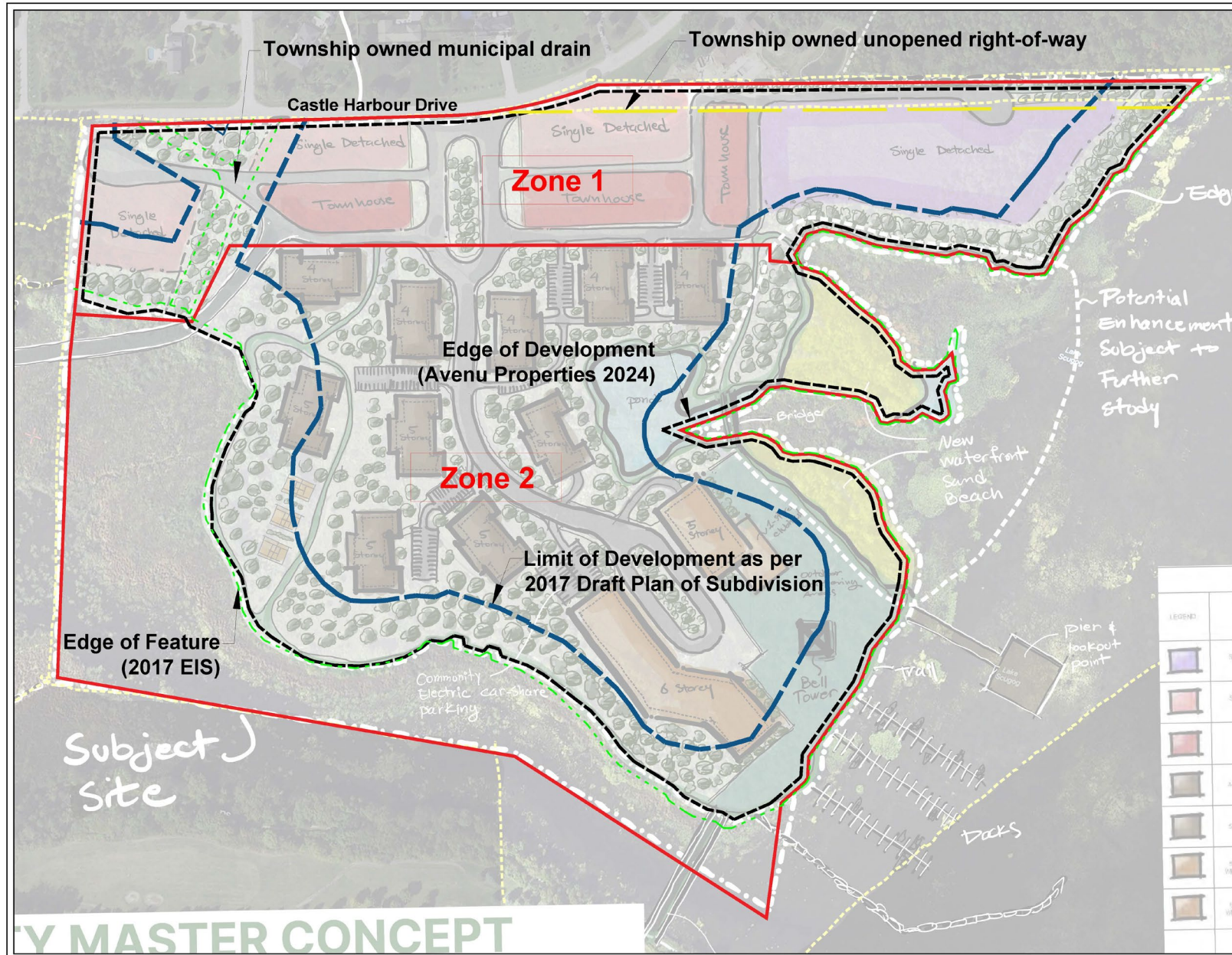
Township Comments



Review of MZO Brief identified:

- Planning policy conformity issues.
- Unknown development limit and setbacks to sensitive land uses.
- Access to Simcoe Street.
- Servicing feasibility.
- Limited control during Minister MZO review.
- Mechanisms to secure stated community benefits.

Development Limit Comparison



AVENU PROPERTIES
 DEVELOPMENT LIMIT OVERLAY
 Castle Harbour Drive, Port Perry

- Proposed edge of development and MZO boundary
- - - Limit Of Development as per 2017 Draft Plan of Subdivision
- - - Edge of Feature (2017 EIS)
- - - Edge of Development as per Concept Plan 2024

LEGEND

	100
	150
	200
	250
	300
	350
	400
	450
	500
	550



Scale: 1:1000
 September 13, 2024



*Linework shown is an estimate based on scanned images of previous plans and schedules-subject to verification by EIS/Survey.

TY MASTER CONCEPT

Township Peer Review Comments



Required Additional Studies:

- Environmental Impact Study
- Flood Mitigation/Hazard Study
- Financial Impact Study
- Functional Servicing Options/Infrastructure Study
- Cultural Heritage Landscape/updated Archeological Study
- Land Use Compatibility Study
- Updated Planning Justification Report
- Revised Concept Plan

Staff Considerations



- Outstanding threshold issues prevent staff from recommending Council endorsement.
- Limits of development need to be established that avoid natural features, buffers and areas subject to flooding.
- Township owned lands need to be appropriately considered.
- Need confirmation of Responsibility Agreement for communal servicing.
- Suitable accesses to the site.
- Concerns of Indigenous Communities have been addressed.
- Updated technical studies.
- Need for realistic site plan to inform MZO based on additional studies.

Staff Considerations



- Loss of Township control once MZO approved and uses permitted as-of-right:
 - Subdivision/condominium cannot control use
 - Site Plan control limited to access, parking, lighting, landscaping, grading, infrastructure
- Well-coordinated application with supporting information likely as efficient as MZO process.
- If MZO process pursued, at minimum staff recommend complete supporting reports be submitted for review.

Conclusion



- Staff report based on review of developer's MZO briefing document.
- Staff cannot support proposal as submitted.
- Many unanswered questions and missing information need to be resolved before Council endorses the MZO.
- Fundamental to establishing principles of development.
- Requested additional information is critical to determine zoning regulations.

Key Staff Recommendation



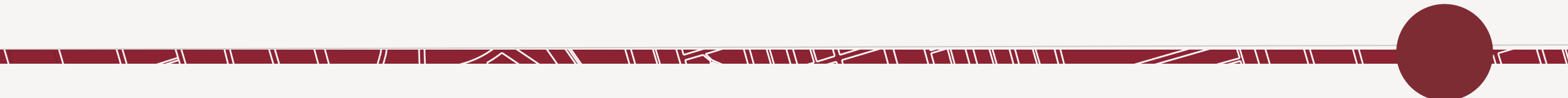
The following conditions be fulfilled to the Township's satisfaction:

- a. The submission and acceptance of an updated Environmental Impact Statement/Natural Heritage Evaluation and Flood Mitigation Study to determine the limits of development;
- b. The submission and acceptance of an updated Draft MZO that addresses zoning limits of development, permitted uses, maximum density and gross floor area, and performance standards;

Key Staff Recommendation



- c. The submission and acceptance of other technical studies including a Financial Impact study, Hydrogeological and Geotechnical studies, Functional Servicing Options and Infrastructure study, updated Archaeological Study (including a Cultural Heritage Landscape Assessment), updated Planning Justification Report, and Land Use Compatibility study

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- d. The submission of a revised concept plan that reflects the findings of the above study findings and limits of development, together with:
 - i. revisions to the concept plan that reflect the Township's requirements for the right-of-way and municipal stormwater management drain.
 - ii. confirmation that the Region will enter into a Responsibility Agreement for private communal services or alternative to the satisfaction of the Ministry of Conservation, Energy and Parks, and that any alternative does not include a Township responsibility.
 - iii. confirmation from the Region that a second entrance to Simcoe Street will be permitted and if not, a full traffic analysis be undertaken to assess the impacts of one access point and the necessary upgrades required to the surrounding road network.

Key Staff Recommendation



- e. That staff be authorized to hold a public meeting once the additional information has been submitted for staff and agencies to review and comment;
- f. That the Township undertake meaningful consultation with Indigenous Peoples, such as the Mississaugas of Scugog Island First Nation.