



planning for community infrastructure and phasing

draft

policy discussion paper

November 2011

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APPENDICES

appendix 'A' – Programs and Services

note:

This draft policy discussion paper has been prepared to provide context, stimulate discussion and allow for comment by council, agencies and the public.

A draft direction in a policy discussion paper is a proposal to modify or enhance existing official plan content or propose new official plan content. The draft directions do not necessarily represent the position of the Town of Whitby or changes that may be considered to the official plan.

author:

This policy discussion paper has been prepared for the Town of Whitby by Meridian Planning Consultants with the assistance of GLPi.



GLPi

1.0 INTRODUCTION

An Official Plan is a general land use guide which is intended to provide Council with the basis for making decisions on development applications, changes in land use and community improvements. As set out in the Overview Paper, the Whitby Official Plan Review was initiated in 2007 and in addition to considering changes to Provincial and Regional policy as is required by the *Planning Act*, the Official Plan Review process provides the Town of Whitby with an opportunity to:

1. Re-inforce a number of key policies in the current Official Plan that have worked well and supported desirable development in the right places;
2. Incorporate new policies in the Official Plan that reflect society's desire to foster and encourage the establishment of both a healthy and complete community in Whitby; and,
3. Incorporate new policies on sustainable development that strike a balance between competing environmental, social and economic interests in order to ensure a high quality of life for future generations in Whitby.

The overall intent of the above has at its core the desire to enhance the quality of life for Whitby residents and establishing a very desirable community where residents can live, work and play. It is on this basis that the 'opportunities' identified above are the principal goals of the current Whitby Official Plan Review.

This Policy Paper deals with community infrastructure, which is defined by the Growth Plan as *“lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety and affordable housing.”* The components of community infrastructure that are dealt with in this Policy Paper are parks, recreational facilities and schools.

Public and institutional uses are important components of any community. Libraries, places of worship, parks, hospitals, schools and other institutions provide valuable services, educational and, recreational opportunities, gathering/meeting places and other benefits that contribute to the establishment, growth, stability and vibrancy of communities. Often, institutional buildings reflect the identity of a community, or provide focal points and landmarks unique to that area. And some uses are regarded as the 'core' or 'centre' of a community; this is especially true in smaller communities where there may be a limited number of public buildings or facilities.

In addition to the above, this Policy Paper includes a discussion on the phasing of development including community infrastructure, which is increasingly becoming an issue in fast growing communities throughout the Greater Toronto Area. The intent of this Policy Paper is to make recommendations on how the policies of the Official Plan could be enhanced to ensure that new development occurs in conjunction with the

required improvements to the transportation system and necessary community infrastructure.

A further purpose of this Policy Paper is to ensure that the community infrastructure policies of the Town of Whitby Official Plan are consistent with the Provincial Policy Statement (PPS) and conform to the Greenbelt Plan and Growth Plan as required.

2.0 FACTORS TO CONSIDER IN DEVELOPING POLICIES

2.1 PLANNING ACT

A long-ground philosophy in land use planning is that as urban areas grow and develop, parks and open spaces need to be preserved to allow people to meet and socialize, be outdoors and allow a space for nature. Examples of these in history include Central Park in New York City, High Park in Toronto and Mount Royal Park in Montreal, which were all set aside by municipal governments at the time to fulfill this function. Since then, the provision of parks and open space has become a key municipal responsibility and one that is established through legislation such as the Planning Act. In Ontario, all land use planning decisions are governed by the Planning Act.

Section 1.1 of the Planning Act sets out the purposes of the Act as follows:

- a) to promote sustainable economic development in a healthy, natural environment;
- b) to provide for a land use planning system led by Provincial policy;
- c) to integrate matters of Provincial interest in Provincial and municipal planning decisions;
- d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;
- e) to encourage cooperation and coordination among various interests; and,
- f) to recognize the decision making authority and accountability of municipal Council's in planning.

The Planning Act also requires that the Council of a municipality shall have regard to matters of Provincial interest, including the:

- Orderly development of safe and healthy communities;
- Adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- Protection of financial and economic well being of the Province and its municipalities;
- Coordination of planning activities of public bodies;
- Resolution of planning conflicts involving public and private interests; and,
- Appropriate location of growth and development.

Of the above matters of Provincial interest, the orderly development of safe and healthy communities provides the basis for ensuring that all communities have a balance of uses, including open space uses to support the overall health of the population.

Sections 42 and 51.1 of the *Planning Act* enable municipalities to require parkland to be dedicated at no expense to the municipality as a condition of permitting development to occur.

Section 42 of the Act sets out the means by which municipalities can acquire land for park purposes as a condition of development or redevelopment. Section 42(1) of the Act allows any municipality to pass a By-law requiring land for park purposes in an amount not exceeding 2% for commercial or industrial purposes and 5% in all other cases. Section 42(3) of the Act permits an alternative to land conveyance whereby the Municipality may require land, by By-law, at a rate of one hectare for each 300 dwelling units. Section 42(6) of the Act also permits Municipality to require payment in lieu of land conveyance. It is noted that the Planning Act requirements described above are considered to be maximums, meaning that a municipality can require less land depending on the circumstance.



The Whitby Waterfront

In addition to the above sections, Section 24(1) of the Act indicates that where an Official Plan is in effect, “no public work shall be undertaken and, except as provided in subsections (2) and (4), no by-law shall be passed for any purpose that does not conform therewith.” A public work is defined in the Planning Act as “any improvement of a structural nature or under undertaken that is within the jurisdiction of the Council of a municipality or a local board.” In the case of parkland, any structural components of a park would clearly be within the definition of public work and any other form of parkland development would be considered to be “an undertaken”. The above means that the Town of Whitby Official Plan is required to contain clear policies on how and where public parkland is to be developed in the Town of Whitby.

Under Section 51(25) of the Act, an approval authority may impose conditions to the approval of Plan of Subdivision including a requirement for dedication or cash-in-lieu of dedication for park or other public recreational purposes. Section 51(25.1) of the Act requires approval authorities to impose a condition of Plan of Subdivision approval requiring that land planned for a school site be offered to the School Board at a price

that does not exceed the value of the land determined as of the day before the day of the approval of the Draft Plan of Subdivision.

Section 51.1 of the Act sets out specific requirements for approval authorities to impose conditions for the dedication of land for park or other public recreational purposes, or cash-in-lieu of parkland.

As a consequence of changes made to the Planning Act in 2007 (Section 42(6.2)), a municipality is now permitted to reduce a Planning Act parkland requirement if a developer meets “*sustainability criteria set out in the official plan*” if the Official Plan first contains such criteria and if “*no land is available to be conveyed for park or other public recreational purposes*”. This new policy could serve as an incentive for sustainable development in the Town.

2.2 DEVELOPMENT CHARGES ACT

The purpose of the Development Charges Act is to allow municipalities to impose development charges against land in order to cover increased capital costs resulting from development related increases in service needs. Capital costs include costs to:

- Acquire land or interest in land;
- Improve land;
- Acquire, lease or improve buildings and structures;
- Acquire, lease or improve facilities including furniture and equipment;
- Acquire materials for library purposes;
- Interest on money borrowed to pay for costs or to undertake studies in connection with land or building acquisition or improvement; and,
- Development charge background study.

The Act specifies that charges can only be imposed on development that requires Planning Act approvals for zoning by-law amendment, minor variance, plan of subdivision, or consent, and Condominium Act approval, or building permit issuance, under the Building Code Act, in relation to a building or structure [Section 2(2)].

Section 2(4) of the Act identifies the following services that are ineligible for the imposition of development charges:

- Cultural or entertainment facilities, including museums, theatres and art;
- Galleries but not including public libraries;
- Tourism facilities, including convention centres;
- Acquisition of land for parks;
- Hospital as defined in the *Public Hospitals Act*;
- Waste management services; and,
- Headquarters for the general administration of municipalities and local boards.

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Municipalities cannot use development charges for the acquisition of parkland, which means that the Planning Act is the only mechanism utilized by municipalities to acquire parkland as a condition of development approval.

2.3 PROVINCIAL POLICIES

2.3.1 Provincial Policy Statement

The Provincial Policy Statement, 2005 (PPS) issued under the authority of Section 3 of the Planning Act, provides policy direction on matters of provincial interest related to land use planning and development. The PPS requires Official Plans to “be consistent with” the policy statement, a higher order of compliance than the previous PPS language required.

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained, in part, by:

- b) *accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;*
- f) *improving accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*



Section 1.5.1 of the PPS states that “*healthy, active communities should be promoted by:*

- a) *planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, and facilitate pedestrian and non-motorized movement, including but not limited to, walking and cycling;*
- b) *providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, open space areas, trails and, where practical, water-based resources;*
- c) *providing opportunities for public access to shorelines; and*

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- d) *considering the impacts of planning decisions on provincial parks, conservation reserves and conservation areas.*

The PPS defines “public service facilities” as *“land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure”*. Section 1.6.1 of the PPS states that infrastructure and public service facilities *“shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs. Planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs”*.

The PPS also requires planning authorities to *“establish and implement phasing policies to ensure the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs”* (1.1.3.8). Section 1.4.3 states that *“planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area”* by directing the *“new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs”*, and *“promoting densities for new housing which efficiently use land, resources, transportation modes and public transit in areas where it exists or is to be developed”*.

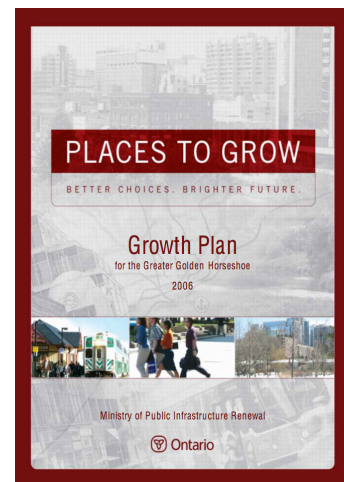
The key components of the PPS to consider in reviewing the Town’s Official Plan:

- Recreational and open space uses contribute to healthy and complete communities;
- Public streets, spaces and facilities should be safe, accessible and provide a range of options for pedestrian and cyclists; and,
- Phasing policies are necessary to ensure in the timely provision of infrastructure and public service facilities.

2.3.2 Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe, 2006, is intended to be a framework for implementing the Province’s vision for building stronger, prosperous communities by guiding decisions on a wide range of issues. This vision is grounded in principles identified in the Plan including building compact, vibrant and complete communities.

“Community infrastructure” is defined in the Growth Plan as *“lands, buildings and structures that support the quality of life*



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for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and affordable housing". For the purposes of this Policy Paper, those components of the community infrastructure that are discussed are the recreational and educational components.

Section 1.2 of the Growth Plan establishes the vision for the GGH to 2031 where residents will have easy access to shelter, food, education and health care facilities, parks and recreation, and information technology. The vision also sees open spaces in our cities, towns and countryside as providing people with a 'sense of place'. Section 2.2.2 of the Growth Plan further states that population and employment growth should be managed and accommodated by encouraging cities and towns to develop as complete communities with a diverse mix and range of uses, high quality public open space and easy access to local stores and services.

Section 3.2.6 of the Growth Plan sets out policies for community infrastructure and like the Provincial Policy Statement, planning for community infrastructure is to be undertaken in a coordinated fashion and should account for the availability and location of existing and planned community infrastructure so that it can be provided efficiently and effectively. Section 3.2.6.4 of the Growth Plan also states that service planning and delivery sectors are encouraged to develop a community infrastructure strategy to facilitate the coordination and planning of community infrastructure.

2.4 REGION OF DURHAM OFFICIAL PLAN

The Region of Durham Official Plan contains a number of policies that are intended to provide for the development of compact communities that are serviced by a range of facilities and services including parkland.

In this regard, Section 8.1.10 indicates that one of the goals of the Region with respect to centres, corridors and waterfront places is to *"create people oriented places that are accessible by public transit and an extensive pedestrian network, including civic squares, parks and walkways."*

In addition, Section 8A.1.2 of the Region's Plan indicates that centres (which are regional centres and urban centres) shall be developed *"as the focal point of culture, art, entertainment and assembly through the provision of public squares, in addition to cultural facilities, parks and other public facilities."* Section 8A.2.14 then indicates that in the preparation of area municipal Official Plans, the area municipalities shall include policies that provide for a network of walkways, civic squares and parks in each community. Section 8B.2.3 then indicates that in the consideration of development applications in the living area regard shall be had for *"the provision of convenient pedestrian access to public transit, educational facilities and parks."* In addition, the Region requires that the provision and distribution of parks, trails, pathways and educational facilities be a consideration as well.

3.0 ANALYSIS

3.1 INTRODUCTION

The Provincial Growth Plan sets out a vision for the Greater Golden Horseshoe where residents will have easy access to shelter, food, education and health care facilities, parks and recreation, and information technology. The vision also sees open spaces in our cities, towns and countryside as providing people with a 'sense of place'. Parks provide our communities with opportunities for recreation, exercise and to meet with our friends and neighbours.

However, parks contribute much more to this 'sense of place' and the creation of complete, healthy and sustainable communities. Parks also provide valuable social and other functions by providing: opportunities for picnics and family get-togethers; a setting for meditation and relaxation; contact with nature (natural areas, gardens and arboretums); and cultural opportunities (music, art, etc.).

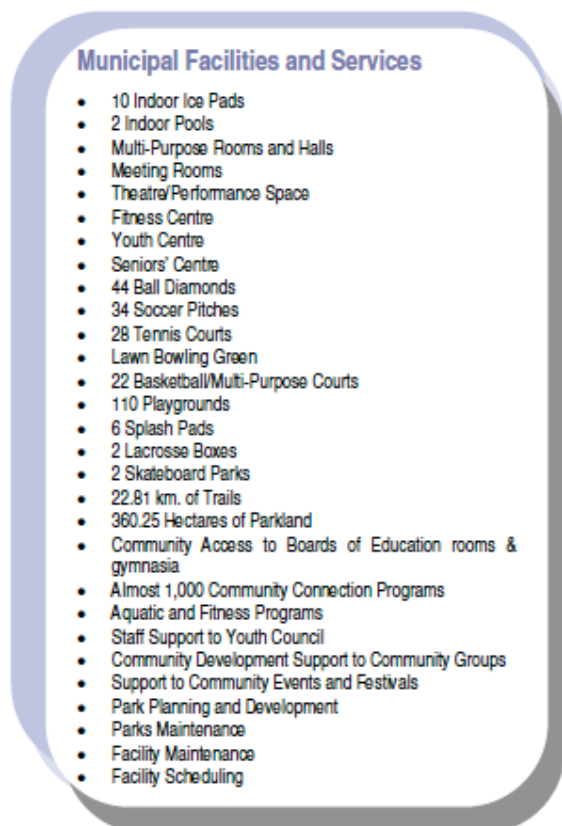
Parks also contribute to the character of our neighbourhoods, and connect our neighbourhoods. Parks and open space areas also 'soften' our sometimes-harsh urban environments, while contributing to the aesthetic quality and identity of our communities. As noted above, park and open space areas allow us to connect to and protect natural areas, including providing buffers and 'natural filters' for our watercourses and other natural features and areas. Also, our natural areas help to reduce air pollution and prevent soil erosion.

3.2 TOWN CULTURE, PARKS, RECREATION AND OPEN SPACE STRATEGIC MASTER PLAN

3.2.1 Introduction

The Town's Culture, Parks, Recreation and Open Space Strategic Master Plan dated February 2006 "*is a strategy to guide the provision of leisure facilities, program, services, parks and open*" until 2016. The Town has a wide variety of facilities and services available as shown in the diagram on this page. The Town maintains:

- 22.8 kilometres of trails, excluding paths that may exist in municipal parks; and,
- Over 360 hectares of park land in more than 100 properties.



In addition, there are 556 hectares of non-municipal public open space within Heber Down and Lynde Shores Conservation Areas.

The purpose of this section of the Policy Paper is to consider trends related to culture, parks and recreation, primarily as set out in the Town's Strategic Master Plan (SMP).

3.2.2 Trends

A number of service trends and best practices have been identified in the SMP as set out below:

Arts and Culture

- Household spending and participation in arts and heritage is increasing.
- Canadians are interested in art, heritage and cultural activities that reflect a wide spectrum of interests and cultures.
- Municipalities increasingly view arts and heritage aspects as beneficial to the community's economic well-being and overall quality of life. Many communities have or are developing cultural policies and plans in response to this trend.
- There is a trend to developing multi-component/multi-interest arts and heritage facilities to encourage congregation and cross programming among arts and heritage providers and consumers.

Facility and Open Space Design and Development

- New community recreation facilities are typically multi-purpose facilities that blend a variety of leisure spaces, and are accessible by alternative transportation including cycling, walking, trails and public transit.
- Most new facilities (indoor or outdoor) are built as multiples rather than single facilities.
- Crime Prevention Through Environmental Design (CPTED) – a concept based on the assumption that the proper design and effective use of the built environment can lead to a reduction in the incidence of crime and improve quality of life – is an important consideration in leisure facility and park development.
- Underutilized facilities are often re-purposed to respond to growing needs in new areas (e.g. underused tennis courts or older arenas are being used to develop outdoor and indoor skateboard parks).
- Preserving community cultural and heritage features is a key component of developing public open spaces. Municipalities showing leadership in the development of public open space are integrating arts and heritage into traditional park and trail systems. Linking community parks and heritage sites through a trail network services as a tourism asset when it is promoted to and used by visitors.

Other Trends

In addition to the trends identified in the SMP, there are other societal trends to consider in reviewing the Town's Official Plan:

- Declining participation in sports – especially in organized sports like ice hockey;
- Participation and activity levels of seniors – resulting from an aging population that is generally more active than previous generations; and,
- Health issues / childhood obesity – resulting from lack of physical exercise and unhealthy eating habits.

3.2.3 Strategic Master Plan Service Directions

The service goals and principles establish priorities for service direction for the Strategic Master Plan (SMP) and are crystallized through Strategic Directions in four categories: (1) Programs and Services; (2) Facilities; (3) Parks and Open Space; and, (4) Organizational.

The following is a listing of Strategic Directions from the SMP that are relevant to the Official Plan Review:

Programs and Services

Establish the Civic Recreation Complex as the hub of the Town's health and wellness initiatives (SDP-002)

Foster closer relations with the cultural community to enhance the role that arts and culture can play in supporting the Town's economic viability and quality of life experiences (SD-P-003)

Facilities

In new development and when adding significant space to existing indoor and outdoor facilities, consider opportunities to incorporate space for general interests, art and cultural activities as well as displays of public art, heritage and outdoor spaces (SD-F-004)
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Facilities that are not consistent with the facility model of this Plan, and that are no longer viable for their original use, will be assessed for ability to respond to alternate needs, or decommissioned (SD-F-005)

Pursue opportunities to develop and manage future leisure facilities in partnership with other providers in a manner that meets the goals and service delivery principles of the Plan (SD-F-007)
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Parks and Open Space

Plan for the development of a comprehensive, linked green space system as the planning framework for the Town, comprised of parks and open space areas, boulevard trails, valley systems, natural environment areas and utility corridors (SD—POS-001)
Provide for the consolidation of lit Town sports field park to better address current field usage and the changing role of local parks and district parks, and to facilitate cost savings in development and Maintenance (SD-POS-002)
Continue efforts to develop a continuous publicly accessible waterfront (SD-POS-003)
Develop a linked system of bikeways and pathways, which incorporate trail-based recreational activities and encourage cycling as an alternate mode of transportation. (SD-POS-004)
Rejuvenate older and develop new Local and District Parks to create a stronger neighbourhood focus, and more opportunities for a diverse range of residents to use facilities and parkland. (SD-POS-005)
Investigate and implement environmentally sustainable management and maintenance best practices in all aspects of parks planning and development (SD-POS-006)

Charts summarizing these Strategic Directions and related Action Steps relevant to the Official Plan Review are provided in appendix 'A' of this Policy Paper.

3.3 PARKLAND CLASSIFICATION SYSTEM IN WHITBY

Municipal Official Plans typically establish a parkland classification system based on the size and function of different types of parkland. Section 4.8.3.10 of the Whitby Official Plan classifies and defines the functions and facilities of three classes of parks as follows:

- a) *Local Parks which include parkettes and tot-lots, are intended to serve the recreational needs of the immediate neighbourhood for active and passive recreational opportunities. Facilities may include sports fields, landscaped areas, walkways, tennis courts and playgrounds. Local parks are not intended to attract users beyond the neighbourhood being served, and shall generally be accessible within a 500 metre walking distance. Local parks shall be strategically located to discourage the crossing of arterial roads;*
- b) *District Parks are intended to serve the recreational needs in a community area or series of neighbourhoods with outdoor and indoor recreational opportunities. They shall be primarily active recreation areas with illuminated major sports fields and facilities, recreation/ community centres, tennis and other ball courts, playgrounds, landscaped and passive recreation areas and parking. They shall*

front onto major collector or arterial roads, and where possible, be located adjacent to secondary schools; and

- c) *Town Parks are intended to serve the existing and future population throughout the Municipality with major Town-wide park, recreational, civic, historic and cultural opportunities. This shall include municipally-owned open spaces along the waterfront.”*

Local parks and district parks are identified on the Schedule 'B', Residential Community Structure, of the current Official Plan. Schedule 'B' also identifies low, medium and high-density residential areas, local and convenience commercial, and public and separate elementary and secondary schools. Schedule 'B' provides the schematic location and distribution of schools, parks, local commercial areas and higher residential density areas for those Residential areas not contained within Secondary Plan areas. It is noted that Town Parks are not shown on Schedule 'B'. The Town's parkland classification system is fairly common in southern Ontario municipalities and there has been no need identified to modify it.

However, in addition to the three classes of parkland identified above, the Official Plan also provides for other types of parkland as well. For example, Section 4.3.3.5 indicates that within Community Central areas and Local Central areas, regard should be had to the provision of public spaces through a network of walkways, civic squares and parks and their integration with other public facilities. Of interest in this regard is the reference to civic squares, which are currently not identified in the Park Classification System as a type of park in the Town of Whitby. Section 4.3.3.6 then indicates that public squares shall be integrated with walkways, streets, malls, parkland and open spaces.

Section 10.1.11.2, which deals with bonusing, indicates that increases in height and/or density may be considered in order to obtain the following public benefits, one of which is the provision of public squares, arcades and walkways within the development that have functional benefit.

In addition to there being a number of policies in the parent Official Plan dealing with parkland, there are a number of specific policies contained within Secondary Plans that also provide the basis for civic squares. For example, Section 11.1.5.6 of the Port Whitby Community Secondary Plan indicates that a future local park north of Victoria Street shall include a landscape public open square. The Downtown Whitby Secondary Plan in Section 11.3.8.4 indicates that the feasibility of developing a civic square shall be investigated on lands that are designated as Open Space.

Within the Brock/Taunton Major Central Area Secondary Plan in Section 11.8 there are provisions in Section 11.8.4.4 that indicate *“a publicly accessible pedestrian urban square shall be provided.”* This publicly accessible urban square is required to be located at the northeast corner of Garden Street and Taunton Road East, and at the intersection of Brock Street and Taunton Road. Section 11.8.14.3 then indicates that

the purpose of urban square at the northwest corner of Brock Street and Taunton Road is to promote the identity of the central area, to add a visually attractive feature to that corner and to provide the opportunity for pedestrian comfort, convenience and enjoyment.

The West Whitby Secondary Plan also contains policies on urban squares as well. Specifically, the Secondary Plan requires the development of urban squares in the Mixed Use One designation. It is indicated in the Secondary Plan that these spaces are intended to provide an internal focal point for the area and function as a public gathering area serving the immediate neighbourhood and visitors to the area. These spaces shall be easily accessible and visible to the public, contain seating amenities, hard landscaping and natural elements and provide passive recreation uses, possible public or private programmed activities and a display of public art. Adjacent commercial uses are encouraged to be integrated with and front upon these spaces. The policies further indicate that urban squares may be developed in public or private ownership or a combination thereof.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 1 – that the Official Plan contain a new park classification (urban square) and that its function, role and potential for public and/or private ownership be as set out in Section 11.12.2.1.6(g) of the West Whitby Secondary Plan (OPA 91).

3.4 ROLE OF PARKLAND BY CLASS

According to Section 4.8.3.9 of the Official Plan, it is the goal of the Town that public parks are to be provided in the Municipality on an aggregate basis at a rate of 2.0 hectares per 1,000 population, exclusive of Hazard Lands and Environmental Sensitive Areas. It is noted that the standard is really intended to function as a goal that provides the Town with the basis for its park development program and that only a portion is intended to be dedicated as per the Planning Act. The rest is to be made up of lands owned by the Conservation Authority, another level of government or through a public/private partnership.

According to the Official Plan, the required 2.0 hectares is to be provided as follows:

- a) Local Parks at 0.8 hectares per 1,000 population - each such Local Park “*shall not normally be less than 1.5 hectares in size, except in the case of residential parkettes or tot-lots, where the size shall be less than 1.0 hectare but a minimum of 0.1 hectare*”;
- b) District Parks at 0.8 hectares per 1,000 population - each such District Park shall not normally be less than 4 hectares in size; and

- c) Town Parks “shall be provided for at 0.4 hectares per 1,000 population at appropriate locations throughout the Town”.

While the standards above are appropriate, it is recommended that the Town consider using ranges instead of fixed numbers for parkland size to provide some flexibility in the future.

On the basis of the above, it is suggested that the following Directions be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 2 – that the Official Plan policies on the size of parkland by classification be modified to provide for ranges in size to take different circumstances into account.

3.5 PARKLAND DEDICATION IN ACCORDANCE WITH THE PLANNING ACT

Section 4.8.4.1 of the current Official Plan sets out implementation policies for the acquisition of park, recreation and Open Space lands through:

- a) *the land dedication and cash-in-lieu provisions of the Planning Act, as amended from time-to-time;*
- b) *monies allocated in the Municipal budget;*
- c) *donations, gifts, contributions or bequests from individuals or corporations;*
- d) *monies and subsidies allocated by any Authority having jurisdiction for land acquisition; and*
- e) *expropriation.*

Section 4.8.4.2 of the Official Plan establishes parkland requirements for the Town as follows:

Council shall require that land be conveyed at no cost to the Municipality for park space or other public recreational purposes, based upon the following requirements

- a) *for the development or redevelopment of land uses for residential purposes, up to 5.0% of the total land holdings, or a cash-in-lieu equivalent. Alternatively, Council may require the conveyance of lands for park or other public recreational purposes at a rate of 1 hectare for each 312 dwelling units proposed, or a cash-in-lieu equivalent, or at such lesser rate as may be determined by the Municipality;*

- b) *for the development or redevelopment of land for commercial or industrial purposes, up to 2.0% of the total land holdings or an equivalent amount of cash-in-lieu of land;*
- c) *for the development or redevelopment of land for mixed use development as permitted by Section 4.5 of this Plan, the lands for park or other public recreational purposes shall be calculated at the rate of 1 hectare for each 312 dwelling units, or the cash-in-lieu equivalent, or at such lesser rate as may be determined by the Municipality. However, in no case shall such contribution be less than 2% of the land area or the cash-in-lieu equivalent, assessed on the basis of the percentage of the total floor space used for non residential purposes; and*
- d) *where new development is proposed on lands, part of which is Hazard Lands or an Environmentally Sensitive Area, or a significant mature woodlot then such lands shall not be acceptable as part of the dedication of parkland for public recreation purposes or cash-in-lieu payment under the Planning Act. In addition, the open-space setbacks from the top-of-bank, as required by Section 4.9.3.3 of this Plan, shall not be included as part of the dedication of parkland or cash-in-lieu payments under the Planning Act.*



Notwithstanding the above discussion on what could be part of the parkland dedication, the remaining policies do implement the *Planning Act* permissions, except that the number the Town requires 1 hectare for every 312 dwelling units, which is less than the 1 hectare per 300 dwelling unit maximum established by the *Planning Act*. It is recommended that the Town adopt the 1 hectare for every 300 dwelling unit standard. However, the Official Plan does not provide any guidance on when the 1 hectare for every 300 dwelling unit standard should be applied. This alternative standard was included in the *Planning Act* to allow for the dedication of more land than the 5% would provide in circumstances where a greater number of dwelling units were proposed on smaller parcels of land in medium and high density building forms. However, the Town's Official Plan does not indicate when the 1 hectare for every 300 dwelling unit standard should be utilized or what percentage/proportion of the standard would be acceptable.

Consideration should also be given to implementing Section 42(6.2) of the *Planning Act*, which permits a reduction in the amount of parkland dedication in exchange for meeting certain specified sustainability criteria. However, it is noted that this reduction can only be considered in a circumstance where the maximum dedication permitted by the

Planning Act is not to be met. More detail on this policy issue is found in the Planning for Healthy and Complete Communities Policy Paper.

On the basis of the above, it is suggested that the following Directions be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 3 – that the Official Plan require 1 hectare per 300 dwelling units instead of 1 hectare per 312 dwelling units.

COMMUNITY INFRASTRUCTURE DIRECTION 4 – that the Official Plan include policies that provide guidance on when the alternative parkland dedication standard of 1 hectare per 300 dwelling units is to be relied upon and what the appropriate standard should be for the purposes of determining cash-in-lieu of parkland values.

3.6 PERMITTED LAND USES

As set out in Section 4.8.3.1 of the current Official Plan, permitted uses in the Major Open Space designation *“shall be for active and/or passive recreational and conservation uses, including waterfront parks, trails, conservation areas and greenways. In addition, such uses as forest, wildlife and fisheries management, agriculture, nurseries, gardening and other private recreational uses may be permitted.”*

The Town may wish to consider providing additional clarity to *“trails”* by specifying types of trails permitted (e.g. equestrian trails, mountain bike trails, cross county skiing trails). In addition, it is recommended that the Town consider modifying Section 4.8.3.1 by replacing *“waterfront”* with *“parks, open space”* to not limit this section to waterfront parks only. It is also recommended that the Town consider what was intended by permitting *“other private recreational uses”* as this could be interpreted as including a wide range of uses that may not be intended for the Major Open Space designation. It is noted that this section of the Official Plan also requires an Amendment to the Official Plan to permit golf courses.

It is also recommended that the Town consider identifying additional permitted uses to reflect the urban nature, new opportunities and changing usage patterns in many of our parks. Uses that could be considered include urban plazas and squares, urban agriculture, snack bars and food vendors, and public art.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 5 – that the Official Plan permit the broadest range of uses and facilities in public parks to reflect the Town's evolving urban nature and changing usage patterns in parks and open spaces.

3.7 DESIGN AND LOCATION OF PARKS

Section 4.8.3.8 of the current Official Plan sets out general policies respecting access to parks and open space as follows:

- a) *street frontage and physical access shall be provided, to the satisfaction of Council, to all recreational areas, open space, parks and facilities at appropriate locations and in accordance with the Municipality's design standards and requirements; and*
- b) *Council shall encourage a barrier free environment for all recreational areas, open space, parks and facilities.*

Section 4.8.3.11 of the current Official Plan sets out general design and locational policies for parkland and Open Space in the Town, including requirements such as:

- Connection of parkland areas and the Major Open Space system, but linkages must avoid crossing arterial roads between intersections.
- Ensuring appropriate measures to reduce adverse noise and visual impacts for parkland that immediately abuts or is adjacent to residential areas.
- Centrally locating parks in communities or neighbourhoods.
- Generally ensuring that Local Parks have frontage on local or collector roads and District Parks with frontage on collector or arterial roads.
- Encouraging the integration of park and school sites by ensuring no physical barriers or separation of facilities that would prevent joint usage, complementary design, integration of Local Parks with elementary schools and integration of District Parks with Secondary Schools or one or more elementary schools.

It is also recommended that the Town consider improving the above policies by including wording that encourages the location and design of parks and open spaces to:

- Have as much street frontage and open views as possible to maximize visibility from adjacent streets and promote safety.
- Integrate as multi-purpose community/recreational centres using the campus approach; integration would not be limited to schools but could include cultural facilities, libraries, cultural heritage resources, day nurseries and recreational facilities.

Lastly, it is recommended, based on our experience in other municipalities that consideration be given to including very specific objectives regarding the location and design of parkland to ensure that the Town's expectations are clearly articulated. It is recommended that the Town consider specific policies that:

- Encourage the provision of benches, shaded seating, drinking fountains and washroom facilities in strategic locations in parks (and along trails);

- Require the design of safe and accessible parks and open space by considering property size, visibility, configuration and location of fixtures and facilities;
- Promote the design and location of parks to create community focal points, and to take advantage of vistas and views;
- Encourage the efficient and maximum use of land to provide a range of recreational and public use opportunities (e.g. festivals);
- Incorporate natural heritage features wherever possible into the design of the parkland;
- Require parkland to be integrated into the fabric of the adjacent neighbourhood by promoting open space or walkway linkages to adjacent facilities, neighbourhoods and natural features; and,
- Provide for informal play fields in parks for unstructured and organized activities

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 6 – that the Official Plan contain additional objectives and policies to encourage the location and design of parks and open spaces in a manner that promotes safety, provides amenities (e.g. benches, drinking fountains), incorporate natural heritage features, and provide the necessary connections for neighbourhood integration.

3.8 COMMUNITY INFRASTRUCTURE AND URBAN STRUCTURE

The current Town of Whitby Official Plan has as one of its strong points a policy framework with supporting mapping (Map 1 – Municipal Structure) that clearly articulates the structure of the community and how the community is intended to evolve over time in accordance with that structure. A well articulated community structure is required to ensure that there is a context for all planning decisions. The key element of the Town's Municipal Structure plan in the Official Plan is the Brock Street/Baldwin Street Central Spine - which essentially serves as the Town's main street linking Brooklin through to Downtown Whitby and then to the Waterfront/Town Park.

All Town departments have generally relied upon this planned urban structure in making decisions on the location of facilities and services. In addition, as the Town's population continues to increase, primarily in the Brooklin area, it is planned to locate any new major recreational facilities on or near the 'spine' to provide highly visible and ease of access for all of the residents of the Town.

To ensure that infrastructure, parks, schools and facilities are high accessible to residents, the Town should continue with the Central Spine approach. The Central Spine approach makes a lot of sense since it is in close proximity to existing and future transit routes, existing and planned facilities related to Iroquois Park Sport Complex, and the anticipated centrally-located Town Park to be generally located in and around the former Lake Iroquois Beach and Heber Down Conservation Authority. In addition, it

is anticipated that there will be a future Town or District scale park near the Brooklin area, similar in scale and function to Iroquois Park, to serve the Brooklin area and also in the vicinity of the Central Spine.

This continued and sustained focus on the 'Central Spine' will be entirely consistent with the current overall land use vision for the Town expressed in the Town's Official Plan, which anticipated for example that intensification would be directed to those parts of the Town that were the most suited, and which continue to be the most suited for this type of development. In addition, directing intensification to the 'right places' (mostly in the vicinity of the Brock Street/Baldwin Street corridor) will increase the vibrancy of the urban area, bring new people in to support local businesses, create new jobs where people live, provide a broader range of housing choices for Whitby residents and improve the quality of the Town's streets and public spaces.

This is also supported by the Culture Parks Recreation and Open Space Master Plan that directs major indoor and outdoor recreation facilities along a central spine.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 7 – that the Official Plan continue to support and encourage the siting of recreation facilities that are intended to serve significant portions of the Town's population in locations that are accessible to the Brock Street/Baldwin Street Corridor.

3.9 COMPREHENSIVE AND LINKED GREEN SPACE SYSTEM

Through the Public Open Houses held in the spring of 2011, members of the community indicated a desire for connectivity of green and open spaces, and a large, pedestrian-friendly trail network with connectivity to different municipalities. The Culture Parks Recreation and Open Space Strategic Master Plan (SMP) includes a Strategic Direction encouraging the development of a comprehensive, linked green space system comprised of parks and open space areas, boulevard trails, valley systems, natural environment areas and utility corridors. There are specific Action Steps identified to achieve this Strategic Direction. These Action Steps are the basis for the following recommended policy areas for the Official Plan:

- In planning for growth and new community areas, identify and acquire strategic lands to contribute to the building of a linked green space system for environmental and recreational purposes. The SMP suggests that there should be particular focus on east-west connections however, given that there is broad support for completing the north-south valley trails and the Waterfront Trail link into Ajax, we recommend that this policy apply to all identified corridors and opportunities.
- Collaboration between the Town and the Central Lake Conservation Authority in the identification of lands to support the linked green space system.

- Investigate and encourage all legislative and non-legislative mechanisms in the strategic acquisition of land to support the green space system including dedication of environmental lands, parkland dedications under the Planning Act, land trusts, conservation easement and private donations of land for tax purposes.
- In collaboration with the Region and other Town departments, investigate and implement opportunities for the development/redevelopment of road corridors to accommodate pedestrian, bicycle etc. with green boulevards that support trails development.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 8 – that the Official Plan contain policies to facilitate the identification and securement of key lands, in collaboration with the Central Lake Conservation Ontario Conservation Authority and other agencies, to support the expansion and linkage of the Town’s green space system.

3.10 OTHER TRENDS TO CONSIDER

As discussed in this Paper and in the Town’s Culture, Parks, Recreation and Open Space Strategic Master Plan, there are a number of trends and issues that should be considered in reviewing the Town’s Official Plan, including:

- Changing ethnic diversity;
 - increasing demands to provide for non-traditional sports (e.g. cricket)
 - new artistic experiences
- Emerging needs and preferences for newer sports;
 - Ultimate Frisbee, beach volleyball, skateboarding, BMX biking, etc.
- Declining participation in sports;
- Participation and activity levels of seniors; and,
- Health issues / childhood obesity.

The Official Plan alone cannot resolve these types of issues; however, the Plan can provide policy and land use tools to assist the Town in planning for and responding to issues and community changes in the future. For example, the Official Plan could contain policies to ensure that parks and recreational opportunities are located in such a manner to reasonably allow for (and indirectly encourage) easy access for all residents. The policies of the Official Plan can encourage parkland locations in central locations and/or within walking distance of homes, and by ensuring connections between neighbourhoods, streets and parks.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 9 – that the policies of the Official Plan be inclusive and expansive enough to ensure that any future emerging recreational needs of the community can be accommodated.

3.11 ARTS AND CULTURE

Many municipalities, including Whitby, are recognizing the contributions art and culture make to the vibrancy, attractiveness and economic viability of our communities.

Thriving and visible local arts and culture also help to define the identity of communities, can help revitalize neighbourhoods (economically and socially) and create a legacy.

The policies in the current Official Plan are somewhat limited with respect to arts and culture in the Town. The Town should consider inclusion of more specific policies in the Official Plan to encourage and support arts and culture. As a starting point, the Official Plan can promote an environment where arts, culture and creativity can thrive. The Official Plan should also recognize the growing demand for and importance of arts and culture to the community, and can include policies that identify public art as important in areas of Town that have high pedestrian traffic. The Town's Culture, Parks, Recreation and Open Space Strategic Master Plan recommends a Public Art policy; the Town should consider these policies for inclusion in the Official Plan:

- Guidelines for displaying and including art in public places, responsibility for managing displays and financial contribution to public art.
- Support art in the forms of gardens, streetscapes, preservation of heritage elements etc.
- Recognition that art and artistic places and spaces contribute to distinctive communities.

To support arts and culture in Whitby, we also recommend consideration of goals, objectives and policies in the Official Plan that:

- Recognize the value of cultural programs in developing social cohesion and recognizing diversity in our community;
- Work towards increased participation in arts and cultural activities;
- Identify and support cultural 'nodes' and 'corridors' in the Town (e.g. Waterfront, the Downtowns, etc.) – the starting point for identifying these cultural nodes and corridors should be based on the Intensification Areas and Corridors in the Official Plan as these areas are intended to be the focal points for urban living in the Town – these cultural nodes and corridors will also help to attract new residents and visitors into these areas, which will in turn bring a new urban vibrancy to these areas;
- Encourage the development industry to provide public art, or provide opportunities for local arts and culture; and,

- Provide access to Town-owned facilities for non-profit activities, performances, displays, etc.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 10 – that the Official Plan recognize the growing demand for and importance of art and culture to the community and include policies to identify cultural nodes/corridors/focal points, encourage public art in new developments and identify and provide access to facilities for performances, displays, etc.

3.12 SCHOOLS

Public and institutional uses are important components of any community. Libraries, places of worship, parks, hospitals, schools and other institutions provide valuable services, education, recreational opportunities, gathering/meeting places and other benefits that contribute to the establishment, growth, stability and vibrancy of communities. Often, institutional buildings reflect the identity of a community, or provide focal points and landmarks unique to that area. And some uses are regarded as the ‘core’ or ‘centre’ of a community; this is especially true in smaller communities where there may be a limited number of public buildings or facilities.

Schools, in particular, are integral parts of most communities providing residents with more than basic educational services; schools provide indoor facilities for community group usage (e.g. adult night classes, meeting space) and outdoor space for active and passive recreational opportunities. Many older urban schools were established on larger tracts of land providing important recreational space and parkland for the community.

However, School Boards in Ontario are currently subject to unique pressures due to decreases in average student enrollment and constraints resulting from the current Provincial funding formula for schools. From a land use perspective, the process of planning for the required number and location of schools in a community or municipality has been the responsibility of both School Boards and municipality. However, the responsibility for opening and closing schools rests with the appropriate School Board in accordance with the Education Act. While the Town of Whitby does not have the ability to control the closing of a school, it does have jurisdiction on land use.



3.12.1 Current Official Plan

The current Town Official Plan provides a Residential Community Structure (4.2.3.2) “development outside of detailed Secondary Plan areas....based on well defined boundaries such as major roads, railways, watercourses, or other clearly defined major physical features. These Community Areas are indicated on Schedule “B” Residential Community Structure”. Schedule “B” identifies the core land uses in these residential communities through the identification of low, medium and high density residential areas, local and district parks, local and convenience commercial, and public and separate elementary and secondary schools. In addition, some of the Residential Community Structure policies state that:

- b) *Each Community Area will have focal points of activity provided within planned central areas and through community facilities such as parks, schools, places of worship, and higher residential densities. Focal points shall be in character with the area and developed in accordance with urban design concepts;*
- c) *Schedule “B” provides the schematic location and distribution of schools, parks, Local Commercial areas and higher residential density areas for those Residential areas not contained within Secondary Plan areas. Reference should be made to the appropriate Secondary Plan schedules for the distribution of land uses contained therein;*
- d) *The symbols shown on Schedule “B” are not intended to control the precise locations of the particular land uses they represent, but shall be implemented through the consideration of development applications and Zoning By-law amendments. Detailed Council approved Development Plans may also be prepared for Community Areas, or portions thereof, to give further guidance to the location and distribution of these land use symbols;*
- e) *Where it is demonstrated that a designated school site is not required, the site may be developed for residential or open space purposes without an amendment to this Plan and in accordance with the Zoning By-law;*

It is recommended that the policies supporting focal points of activity in communities be maintained.

Section 4.7.3.8 of the Official Plan states that:

Residential uses may be permitted on parcels of land occupied by and associated with institutional uses subject to a site-specific by-law amendment and satisfactorily demonstrating compliance with the following criteria:

- a) *compatibility with the general physical character of the area and, in particular, adjacent uses;*
- b) *capacity of existing infrastructure services and roads to accommodate the proposed use(s);*

- c) *proximity to community services and facilities;*
- d) *availability of adequate parking;*
- e) *structural/physical character of a host building to accommodate intensification, re-use and/or redevelopment;*
- f) *proximity to parks and open spaces; and,*
- g) *proximity to public transit services, where available.*

The above section permits the use of former school sites for residential uses without an Amendment to the Official Plan.

Section 4.7.3.10 encourages, where practical the joint use of institutional and community facilities, and campus development, *“through the location of schools adjacent to parks and public open space”*. This section of the Plan would seem to encourage joint use of institutional and community facilities but only through locating schools adjacent to parks and public open space. However, Section 4.7.3.10 (c) encourages *“the location of institutional and community facilities in close proximity to other centres of activity to encourage joint use of facilities and complementary relationships”*.

With respect to the location of schools in the community, Section 4.7.3.11 of the current Official Plan states that:

“Council shall select the location of schools in cooperation and consultation with the appropriate education authorities and, generally, according to the following school site standards:

a) *Elementary Schools*

Generally, elementary schools should have a site size of 3.0 hectares. Where an elementary school is located adjacent to a local or district park, then the site shall be a minimum of 2.5 hectares.

b) *Secondary Schools*

Generally, secondary schools shall have a site size of 8.0 hectares. Where a secondary school is located adjacent to a district park, then the site size shall be a minimum of 6.0 hectares.

3.12.2 School Closures

In new development areas, school sites are required to be identified up front and their preferred locations identified as a block on a Plan of Subdivision that implements the Secondary Plan. In cases such as these, the landowner is required to install the services for the school to the property line of the identified property. It is then up to the school board to negotiate a fair price for the purchase of the lands to construct a school.

Given that there are concerns about the closure of existing schools, there is a need to consider whether it is appropriate to utilize Planning Act mechanisms to affect the use of lands that are to be declared as surplus by a school board. While the Town does not have the ability to control the closing of a school, it does have jurisdiction on land use, which means that if a school site is sold, the purchaser could be required to rezone the lands for another use if that other use was not permitted in the By-law. This would ensure that an appropriate Planning Act consultation process was followed to consider the alternative use. In order to provide the basis for this consultation process, policies in the Official Plan would be required to provide some direction on the process and the types of lands uses that may be considered, depending on the land use context.

Currently, Section 4.2.3.2 (e) of the Town Official Plan states that *“where it is demonstrated that a designated school site is not required, the site may be developed for residential or open space purposes without an amendment to this Plan and in accordance with the Zoning By-law”*. It is recommended that policies be added to the Official Plan that have the effect of indicating the Town's preference for school sites to remain used for schools. The enhanced policy framework would also deal with after uses, land use compatibility and with school sites that have yet to be developed in Greenfield areas. This enhanced policy approach would make it clear to the public and the school boards that the Town's preference is that schools remain where they are in the community.

One option would be to include a policy, similar to the Milton Official Plan, that states that *“where all or part of a site which has been identified for an institutional use such as a school or a park is not required, or where an existing institutional use is proposed to be closed, alternative uses shall be permitted in order of priority as follows:*

- a) *other Institutional Uses or parks or other open space uses; and,*
- b) *Low Density Residential and Medium Density Residential uses.”*

In addition, policy similar to the following Burlington Official Plan policy for major parks and open space should be considered:

“when school/park combinations are declared surplus for educational purpose, the City shall consider alternative ways to maintain the existing parkland levels in the immediate area”

On the basis of the above, it is suggested that the following Directions be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 11 – that the Town consider including policies in the Official Plan to:

- **Reinforce the importance of elementary school properties as community hubs and neighbourhood gathering places.**
- **Encourage the retention of schools in existing neighbourhoods in consideration of the role they play as a focus for community activity and neighbourhood interaction.**
- **Prioritize consideration of alternative uses of elementary and secondary school sites, with other public institutional uses and parks and open spaces as the first priority, private institutional uses as the second priority, and commercial and residential uses subject to applicable Official Plan criteria as the third priority.**

3.12.3 Post-secondary Institutions

Through discussions with Town staff and with the community through the public workshops, it is clear that the public values the encouragement of and the permission for the establishment of post-secondary institutions, including satellite campuses, in Whitby.

It is recognized that these types of facilities help to built complete communities, and can have economic spin-off effects as educational facilities lead to housing requirements, commercial facilities to service students, educators and administrative staff, and often can have other unexpected benefits to the community from an economic development/employment generation perspective. A good example of this is the tremendous growth in the technology sector in Waterloo Region partly as a result of the computer science, engineering and other academic studies at the University of Waterloo. A number of residents at the public workshops noted the benefits that locating a post-secondary institution or satellite campus can have in bringing people and additional businesses to areas such as Downtown Whitby. Section 4.7.3.12 of the current Official Plan states that:

4.7.3.12 With the anticipated growth in the Municipality, Council will investigate the possibility of establishing a post-secondary institute, in appropriate areas of the Municipality.

It is recommended that the Town update Section 4.7.3.12 to include policies that “*promote*” instead of “*investigate*” opportunities for the establishment of post-secondary institutions and perhaps sets out specific criteria and allows for flexibility for such facilities to be located based on “*target areas*”.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 12 – that the Official Plan include policies to encourage the promotion and pursuit of opportunities for the establishment of post-secondary institutions in the Town, to set out specific criteria and to consider potential ‘target areas’ for these facilities.

In addition to the above, there is a need to consider the use of lands located adjacent to the Durham College campus (Skills Training Centre) on Champlain Avenue. The lands in the area of the college are designated Prestige Industrial along Champlain Avenue and General Industrial to the north. Most of the lands in the area are undeveloped.

As noted in the Planning for Employment Policy Paper, there has been pressure in the past to develop car dealerships along Champlain Avenue because of the location's visibility to the traveling public. In addition, given that it is planned to establish a new arterial road between where Champlain Avenue curves south just to the east of Thickson Road to Thornton Road in Oshawa, an opportunity also exists to open up the lands designated General Industrial for development, with such development also possibly complementing Durham College.

On the basis of the above, and given the potential that may exist for other uses in the area, it is recommended that the designation of the lands in the area be reviewed to review the nature of the uses that should be permitted in this area.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 13 - that the Official Plan contain policies that recognize the potential for development that complements Durham College on Champlain Avenue and that the designation of the industrial lands in the area be reviewed to determine the nature of the uses that should be permitted in this area.

3.13 SHARED USE OF FACILITIES

The Culture Parks Recreation and Open Space Master Plan provides a Strategic Direction whereby the Town should pursue opportunities to develop and manage future leisure facilities in partnership with other providers in a manner that meets the goals and service delivery principles of the Plan. On this basis, cooperation with Boards of Education to incorporate leisure facilities in new schools and or develop joint facilities is recommended. Section 4.7.3.10 of the current Official Plan encourages, where practical the joint use of institutional and community facilities, and campus development, *“through the location of schools adjacent to parks and public open space”*.

This section would seem to encourage joint use of institutional and community facilities but only through locating schools adjacent to parks and public open space. However, Section 4.7.3.10 (c) encourages “*the location of institutional and community facilities in close proximity to other centres of activity to encourage joint use of facilities and complementary relationships*”.

Section 4.8.3.11 (g) of the Official Plan states that “*parks and school sites shall be encouraged to be integrated in their design and development, subject to the following guidelines:*

- i) no physical barriers or separation of facilities will be introduced to prevent the establishment of joint park-school functions;*
- ii) facilities shall be designed to be complementary;*
- iii) a Local Park shall be generally integrated with an elementary school;*
- iv) a District Park shall be generally integrated with a secondary school or one or more elementary schools”*

It recommended that the Town maintain this policy approach but consider options to clarify and strengthen these policies. Overall, the Official Plan should encourage design that allows for the efficient and cost-effective use of existing facilities, and the appropriate re-purposing of underutilized facilities.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 14 – that the Official Plan include policies that encourage the design of public facilities and open spaces in a manner that allows for the efficient and cost effective use of existing facilities, and allows for the appropriate repurposing of under-utilized facilities.

4.0 PHASING OF DEVELOPMENT

Section 1.1.3.8 of the Provincial Policy Statement provides the direction for municipalities to utilize phasing policies: “*planning authorities shall establish and implement phasing policies to ensure the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.*”

In many new development areas, one of the most common issues raised by the public is the timing of service delivery in relation to the timing of new development. The phasing and the related financing of the delivery of public infrastructure is a challenge in

any growing municipality. This challenge becomes more pronounced when at least three levels of government are responsible for service delivery (Province, Region and Town), as it the case in the Town of Whitby.

It is the intent of this section to review whether changes or enhancements to the phasing and financing policies of the Official Plan are required to respond to this issue.

4.1 CURRENT OFFICIAL PLAN

Section 9.1 of the current Official Plan deals with the staging of development and Section 9.1.1 states that the "*staging of development within the new urban areas of south Whitby and Brooklin is based on the progressive extension of services and utilities and shall be guided by the following:*

- a) *to ensure that substantial development of serviced areas including community facilities and services has occurred before commencing servicing and development in undeveloped areas;*
- b) *that priority will be given to development of areas most easily serviced and that can demonstrate the ability to accommodate community facilities and services; and*
- c) *that municipal water, sanitary sewers, storm drainage facilities, other utilities, and community facilities for urban development will be provided."*

Section 9.1.2 then provides some guidance on the sequencing of development generally in Whitby as of 1995, and is now clearly out of date since the area north of Taunton Road is now in the process of being developed and services have now been extended to Brooklin. Section 9.2.4 deals with secondary plans and it contains a list of secondary plan requirements that only indirectly deal with the phasing of development. Section 9.3 which deals with future urban development areas also indirectly deals with phasing, although it is acknowledged that these lands would not be required for development until other development lands were substantially developed.

Section 9.7 of the Official Plan deals with financial management and it indicates the following:

9.7.1 Council may request that particular future developments prepared under this Official Plan and amendments thereto may be analyzed for their financial impact. Where such an analysis demonstrates that the development will have an adverse effect on the municipality's financial situation, then the development will be considered to be contrary to the intent of this plan.

9.7.2 where a major development or redevelopment proposal is considered to have impacts on the costs of the provision of municipal services and facilities, Council may require the proponent to:

- a) agree, by way of an agreement, to a payment which, in the opinion of the municipality, will offset the adverse effects;
- b) modify the proposal so as to mitigate or eliminate the impacts;
- c) defer approval of the proposal where it is contrary to this plan or the Development Charges By-law; or
- d) enter into front-ending agreements in accordance with the Development Charges Act that would provide the contributions over and above the normal development charges from the development in order to provide the necessary municipal services and facilities.

4.2 EMERGING REGIONAL POLICY FRAMEWORK

The Ministry of Municipal Affairs and Housing modified ROPA 128 by including a new section 7.3.9 (d) as set out below:

"urban areas shall be planned to achieve the following growth management objectives on a Region-wide basis: orderly and sequential build-out, by ensuring that registration of new phases of greenfield development is permitted only when at least 75% of registered greenfield development is built."

The above section has been appealed by a number of parties. Section 7.3.15 of ROPA 128 indicates that *"secondary plan areas shall be developed to 75% of their planned low, medium, and high density dwelling unit capacity prior to the approval of draft plans of subdivision in adjacent secondary plan areas that are prepared in accordance with policy 7.3.14."*

Lastly, Section 7.3.18 of ROPA 128 indicates that *"area municipal Official Plans shall contain detailed phasing policies, taking into consideration policy 7.3.15 and in consultation with the Region, set out short-term implementation strategies to provide for adequate land, infrastructure and public facilities over a minimum of 5 years, and which encourage maximum utilization of existing infrastructure and development and redevelopment opportunities, prior to permitting development in greenfield areas of the municipality."*

It is noted that sections 7.3.15 and 7.3.18 are also under appeal.

4.3 ANALYSIS

Generally, the purpose of phasing is to ensure that infrastructure required to support new development is readily available. It is often the responsibility of developers to provide the required infrastructure to support new development including the construction of roads internal to a development and the municipal sewer, water and stormwater management facilities. In addition, developers are required to dedicate land

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for parkland and road widening at no cost to the public authority and to offer for sale at fair market value, sites for new schools. The responsibility for upgrading Regional and Town roads, constructing schools and developing parks and other community infrastructure is the responsibility of the Region, Town and the school boards. The timing of this infrastructure provision is key to ensuring that the required community infrastructure is provided when it is required.

The phasing policies found within the Town's Official Plan are very general and it is on this basis that it is recommended that the policy framework be enhanced. The intent of any enhancement is to clearly articulate the Town's general intent when it comes to the phasing of development across the municipality.

There can be a closer relationship between service delivery and development if development is managed appropriately and related to service and infrastructure delivery. This means that certain benchmarks (or triggering events), in terms of improvements could be identified and then implemented 'on the ground' prior to certain thresholds of development being reached. These benchmarks would have to be agreed to in advance, in the context of a detailed secondary plan, and in the agreements that implement the secondary plan, and there would also need to be agreement that the improvements required would be carried out by the appropriate public authority in a timely manner.

On this basis, the 'policy enhancement' would involve including policies in the Official Plan which provide for the consideration of the establishment of benchmarks (or triggering events) in any new secondary plan process that are then implemented through agreements, neighbourhood plans and other Planning Act mechanisms (such as through the use of holding provisions). This would be one of a number of tools that could be considered at the appropriate time. The intent of these policies would be to provide the basis for requiring that certain hard infrastructure upgrades (primarily regional road upgrades) are in place (or are in the process of being completed) prior to certain levels of development occurring. The effect of these policies and the implementing agreements and land use controls would be to provide more surety on when certain infrastructure is provided in the development cycle.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 15 – that the Official Plan contain policies that:

- **Ensure that hard and soft service needs are identified up front and then appropriately prioritized and delivered either before or at the same time as development;**
- **Encourage the development of public facilities in appropriate locations at the right time to meet the needs of present and future residents; and,**

- **Ensure that appropriate capital works forecasting/planning is done before the works are required.**

It is also recommended that a new stand-alone section on phasing be included within the Official Plan. This new section would also provide the basis for the preparation of area/neighbourhood plans for components of a secondary plan area, and would strive to ensure that the timing of development coincides with and supports required infrastructure development, the introduction of increased transit service and facilities, an increase in public servicing levels and the development of water and wastewater servicing infrastructure.

To provide greater certainty on infrastructure delivery and service delivery enhancements, it is recommended that the Official Plan include policies that indicate that area/neighbourhood/block plans be prepared following the completion of Secondary Plans to coordinate the delivery of services and infrastructure, the progression of development, the overall layout of arterial, collector and strategic local roads and the location, configuration character, size and urban form of parks, institutional, commercial and industrial sites for predefined subareas within applicable secondary plans, and the layout/function of open space corridors, valleylands, woodlots and other natural features. It is recognized that Section 10.1.6 of the Official Plan already provides for Neighbourhood Area Development Plans. However, the policies indicate that such plans are not necessary in Secondary Plan Areas.

On the basis of the above, it is suggested that the following Direction be considered for discussion purposes:

COMMUNITY INFRASTRUCTURE DIRECTION 16 – that the Official Plan establish the basis for requiring block plans or neighbourhood plans for identified areas within secondary plan areas to coordinate the delivery of services and infrastructure.

5.0 SUMMARY OF DIRECTIONS

Below are the individual Directions that are suggested for consideration and discussion as part of the Official Plan Review.

COMMUNITY INFRASTRUCTURE DIRECTION 1 – that the Official Plan contain a new park classification (urban square) and that its function, role and potential for public and/or private ownership be as set out in Section 11.12.2.1.6(g) of the West Whitby Secondary Plan (OPA 91).

COMMUNITY INFRASTRUCTURE DIRECTION 2 – that the Official Plan policies on the size of parkland by classification be modified to provide for ranges in size to take different circumstances into account.

COMMUNITY INFRASTRUCTURE DIRECTION 3 – that the Official Plan require 1 hectare per 300 dwelling units instead of 1 hectare per 312 dwelling units.

COMMUNITY INFRASTRUCTURE DIRECTION 4 – that the Official Plan include policies that provide guidance on when the alternative parkland dedication standard of 1 hectare per 300 dwelling units is to be relied upon and what the appropriate standard should be for the purposes of determining cash-in-lieu of parkland values.

COMMUNITY INFRASTRUCTURE DIRECTION 5 – that the Official Plan permit the broadest range of uses and facilities in public parks to reflect the Town's evolving urban nature and changing usage patterns in parks and open spaces.

COMMUNITY INFRASTRUCTURE DIRECTION 6 – that the Official Plan contain additional objectives and policies to encourage the location and design of parks and open spaces in a manner that promotes safety, provides amenities (e.g. benches, drinking fountains), incorporate natural heritage features, and provide the necessary connections for neighbourhood integration.

COMMUNITY INFRASTRUCTURE DIRECTION 7 – that the Official Plan continue to support and encourage the siting of recreation facilities that are intended to serve significant portions of the Town's population in locations that are accessible to the Brock Street/Baldwin Street Corridor.

COMMUNITY INFRASTRUCTURE DIRECTION 8 – that the Official Plan contain policies to facilitate the identification and securement of key lands, in collaboration with the Central Lake Conservation Ontario Conservation Authority and other agencies, to support the expansion and linkage of the Town's green space system.

COMMUNITY INFRASTRUCTURE DIRECTION 9 – that the policies of the Official Plan be inclusive and expansive enough to ensure that any future emerging recreational needs of the community can be accommodated.

COMMUNITY INFRASTRUCTURE DIRECTION 10 – that the Official Plan recognize the growing demand for and importance of art and culture to the community and include policies to identify cultural nodes/corridors/focal points, encourage public art in new developments and identify and provide access to facilities for performances, displays, etc.

COMMUNITY INFRASTRUCTURE DIRECTION 11 – that the Town consider including policies in the Official Plan to:

- **Reinforce the importance of elementary school properties as community hubs and neighbourhood gathering places.**

- Encourage the retention of schools in existing neighbourhoods in consideration of the role they play as a focus for community activity and neighbourhood interaction.
- Prioritize consideration of alternative uses of elementary and secondary school sites, with other public institutional uses and parks and open spaces as the first priority, private institutional uses as the second priority, and commercial and residential uses subject to applicable Official Plan criteria as the third priority.

COMMUNITY INFRASTRUCTURE DIRECTION 12 – that the Official Plan include policies to encourage the promotion and pursuit of opportunities for the establishment of post-secondary institutions in the Town, to set out specific criteria and to consider potential ‘target areas’ for these facilities.

COMMUNITY INFRASTRUCTURE DIRECTION 13 - that the Official Plan contain policies that recognize the potential for development that complements Durham College on Champlain Avenue and that the designation of the industrial lands in the area be reviewed to determine the nature of the uses that should be permitted in this area.

COMMUNITY INFRASTRUCTURE DIRECTION 14 – that the Official Plan include policies that encourage the design of public facilities and open spaces in a manner that allows for the efficient and cost effective use of existing facilities, and allows for the appropriate repurposing of under-utilized facilities.

COMMUNITY INFRASTRUCTURE DIRECTION 15 – that the Official Plan contain policies that:

- Ensure that hard and soft service needs are identified up front and then appropriately prioritized and delivered either before or at the same time as development;
- Encourage the development of public facilities in appropriate locations at the right time to meet the needs of present and future residents; and,
- Ensure that appropriate capital works forecasting/planning is done before the works are required.

COMMUNITY INFRASTRUCTURE DIRECTION 16 – that the Official Plan establish the basis for requiring block plans or neighbourhood plans for identified areas within secondary plan areas to coordinate the delivery of services and infrastructure.

appendix 'A'

Programs and Services

Strategic Direction - Establish the Civic Recreation Complex as the hub of the Town's health and wellness initiatives (SDP-002)

Action Steps

- Develop active living and wellness related activities for all age groups that connect with but do not necessarily happen at the Civic Recreation Complex.

Strategic Direction - Foster closer relations with the cultural community to enhance the role that arts and culture can play in supporting the Town's economic viability and quality of life experiences (SD-P-003)

Action Steps

- Work with other Town departments and the public library and other groups and organizations as appropriate to create a broad Cultural Policy for the Town.

Facilities

Strategic Direction - In new development and when adding significant space to existing indoor and outdoor facilities, consider opportunities to incorporate space for general interests, art and cultural activities as well as displays of public art, heritage and outdoor spaces (SD-F-004)

Action Steps

- Develop a policy for displaying public art.

Strategic Direction - Facilities that are not consistent with the facility model of this Plan, and that are no longer viable for their original use, will be assessed for ability to respond to alternate needs, or decommissioned (SD-F-005)

Action Steps

- When additional recreation facilities are developed in the Brooklin area assess the need for and cost to, convert the Luther Vipond Arena for an alternate use and assess the feasibility of continuing the rural community centres.

Strategic Direction - Pursue opportunities to develop and manage future leisure facilities in partnership with other providers in a manner that meets the goals and service delivery principles of the Plan (SD-F-007)

Action Steps

- Work with the Boards of education to incorporate leisure facilities into new schools or to develop joint school and recreation facilities.

Parks and Open Space

Strategic Direction - Plan for the development of a comprehensive, linked green space system as the planning framework for the Town, comprised of parks and open space areas, boulevard trails, valley systems, natural environment areas and utility corridors (SD-POS-001)

Action Steps

- In planning for growth and new community areas, identify strategic lands to be acquired toward the establishment of a linked greenspace system for environmental and recreational purposes, particularly east-west connections.
- Collaborate with the Central Lake Conservation Authority and the Planning Department in the identification of lands to support a linked greenspace system.
- Investigate and encourage all legislative and non-legislative mechanisms in the strategic acquisition of land to support the greenspace system including dedication of environmental lands, parkland dedications under the Planning Act, land trusts, conservation easement and private donations of land for tax purposes.

<ul style="list-style-type: none"> • In collaboration with the Region and other Town departments, investigate and implement opportunities for the development/redevelopment of road corridors to accommodate pedestrian, bicycle etc. with green boulevards that support trails development.
<p>Strategic Direction - Provide for the consolidation of lit Town sports field park to better address current field usage and the changing role of local parks and district parks, and to facilitate cost savings in development and Maintenance (SD-POS-002)</p> <p>Action Steps</p> <ul style="list-style-type: none"> • Update parkland classification planning criteria in the Official Plan and the Parkland Development and Open Space policy for Town Parks, District Parks and Local Parks to reflect the strategy with the Planning Department for consolidation of lit facilities. • Consider a modes reduction in the size or number of Local/District Parks to be development in new areas, and the partial acceptance of cash-in-lieu to be held in a parks reserve fund for the acquisition/development of the Town sports field park.
<p>Strategic Direction - Continue efforts to develop a continuous publicly accessible waterfront (SD-POS-003)</p> <p>Action Steps</p> <ul style="list-style-type: none"> • Complete a park focused waterfront master plan to address future development and management of the Whitby waterfront. This study should review existing conditions, community preferences, and management practices and make recommendations on upgrading and improvements to the waterfront open space, and potential new facilities and activities. • Work with the Town of Ajax and Region of Durham to complete the Waterfront Trail to the Whitby/Ajax boundary.
<p>Strategic Direction - Develop a linked system of bikeways and pathways, which incorporate trail-based recreational activities and encourage cycling as an alternate mode of transportation. (SD-POS-004)</p> <p>Action Steps</p> <ul style="list-style-type: none"> • Complete and implement a Town-wide plan with objectives for an interconnected system of linked walking and bicycle trails through Town parkland and open space, road-based cycling routes, and neighbourhood walkways and pathways. The trails should build on the draft Town Bicycle Plan, and: <ul style="list-style-type: none"> - Investigate opportunities for completion of missing linkages, building of loops and circuits that link parks and other recreation/cultural destinations, with residential areas, employment areas, business districts and neighbourhood centres. - Investigate opportunities for broader park-to-park destination type connections that would integrate with the existing and proposed regional network. These opportunities would include both signed on-road bicycle routes, and off-road trails utilizing publicly owned lands, utility corridors, abandoned rail corridors and road rights of way. - Integrate with the Durham Regional Cycling Plan in the development of bicycle routes. - Reflect the principles of the Ontario Trails Strategy. - Recommend key areas for acquisition and/or access to open space to accommodate the proposed network. - Recommend a program of implementation based on phasing and timing, infrastructure changes (e.g. road reconstruction), and capital costs. • Consider the overall trail system when identifying locations for parkland in new development areas.
<p>Strategic Direction - Rejuvenate older and develop new Local and District Parks to create a stronger neighbourhood focus, and more opportunities for a diverse range of residents to use facilities and parkland. (SD-POS-005)</p> <p>Action Steps</p> <ul style="list-style-type: none"> • Assess and prioritize the development of new, and updating of existing, Local and District Parks through periodic review including the phasing-out and decommissioning of sports fields, as demand declines or they are replaced in a Town Sports Park.

- As active sports fields are phased out, Local and District Parks (both new and redeveloped) should be developed to better address surrounding neighbourhood/community needs (e.g. facilities such as splash-pads, basketball courts, playgrounds, picnic areas, informal play field areas, community gardens). Attention should also be paid to enhancing the character and informal uses of new/existing parks through planting of shade trees, incorporation of shade shelters, seating areas, landscaping/naturalized areas, trails.
- Reflect Service Delivery Principle Six in the design of all new parks and rejuvenation of older parks, consistent with the Accessibility of Ontarians with Disabilities Act, 2005 and the Ontario with Disabilities Act, 2001, the Town of Whitby Accessibility Plan and Standards Parkland and Playground Development Strategy and Capital Planning Process.
- Consider leaving a percentage of open space (with basic landscaping) or adaptable areas to provide for facilities that address emerging trends (e.g. ultimate Frisbee, cricket, skateboard parks), or the future development of park facilities in new areas once neighbourhood demographics and preferences are known.

Strategic Direction - Investigate and implement environmentally sustainable management and maintenance best practices in all aspects of parks planning and development (SD-POS-006)

Action Steps

- Develop park facilities with a view to environmental sustainability and to reduce the requirement for ongoing maintenance through a variety of means, including:
 - Use of plant material and development of vegetation management plans that are compatible with surrounding natural areas;
 - Coordinating park design with stormwater management plans and developing park designs that support stormwater management objectives.