



Planning Services Report

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Report To: Planning and Development Committee

Date of Meeting: October 2, 2017

Report Number: PSD-071-17 **Resolution:** #PD-183-17

File Number: PLN 41.0 **By-law Number:**

Report Subject: **New Residential Secondary Plans – Official Plan Implementation**

Recommendations:

1. That Report PSD-071-17 be received; and
2. That the Director of Planning be authorized to execute cost-recovery funding agreements for subwatershed planning studies.

Report Overview

The purpose of this report is to provide an update regarding the new residential neighbourhood Secondary Plans. It also provides an update regarding Subwatershed Planning.

1. Background

- 1.1 The Clarington Official Plan, as amended by Official Plan Amendment 107 (OPA 107), requires that new residential areas greater than 20 ha are to be planned by means of Secondary Plans. This neighbourhood scale planning allows for a more detailed analysis of land use and transportation issues and specific ways to achieve the objectives of the Clarington Official Plan, including meeting density and infill targets.
- 1.2 Secondary Plans form part of the Official Plan. The preparation or amendment of a Secondary Plan follows the same procedures as an Official Plan Amendment under the Planning Act. This includes the preparation of supporting technical studies, public engagement, notice and holding of public meetings and adoption procedures.
- 1.3 Supporting studies are prepared in order to inform the preparation of the Secondary Plan. The collective recommendations (opportunities and constraints) from these background studies will determine/influence the developable area of the Secondary Plan, influence the mix and location for the various land uses, as well as recommend design and development parameters. Some of the more important studies are:
 - Subwatershed studies, which establish the base environmental parameters for neighbourhood planning, including not only the natural heritage and hydrological systems but also Master Drainage Plans for the neighbourhoods;
 - Financial Impact Analysis which will examine the impact on capital and operating budgets related to the growth of each neighbourhood and the cumulative impact across the Municipality;
 - Sustainability Plans to develop growth principles, strategies, land uses and transportation networks to plan for new neighbourhoods to be net zero development;
 - Urban design studies, particularly to address intensification of existing built-up areas and higher densities in designated Greenfield Areas;
 - Where relevant, retail market studies to examine market impacts of any proposed commercial expansions; and

- Integrated Environmental Assessments for the municipal infrastructure components.
- 1.4 In addition to land use policies, Secondary Plans must include phasing policies to address sequential development within the Plan area as well as the efficient and optimized use of infrastructure. Development policies must also be included that address minimizing the financial implications to the Municipality of servicing, operating and cost recovery for municipal services.
- 1.5 As provided for in the Official Plan, the following secondary planning work will be undertaken:
- Seven new Secondary Plans will be prepared;
 - Seven existing Secondary Plans will be updated to conform to the new Official Plan; and
 - Six existing Neighbourhood Design Plans will be converted to Secondary Plans.
- Of these, in the immediate future:
- Four new residential Secondary Plans may be prepared (Mid-Courtice; Wilmot Creek expansion; Soper Hills; Soper Springs);
 - The Courtice Employment Area Secondary Plan will be prepared;
 - Two Secondary Plans for Urban and Village Centres (Bowmanville East and Bowmanville West) will be updated; and
 - The Foster West Neighbourhood Design Plan will be amended and converted to a Secondary Plan.

The Secondary Plans described above are shown on Figure 1.

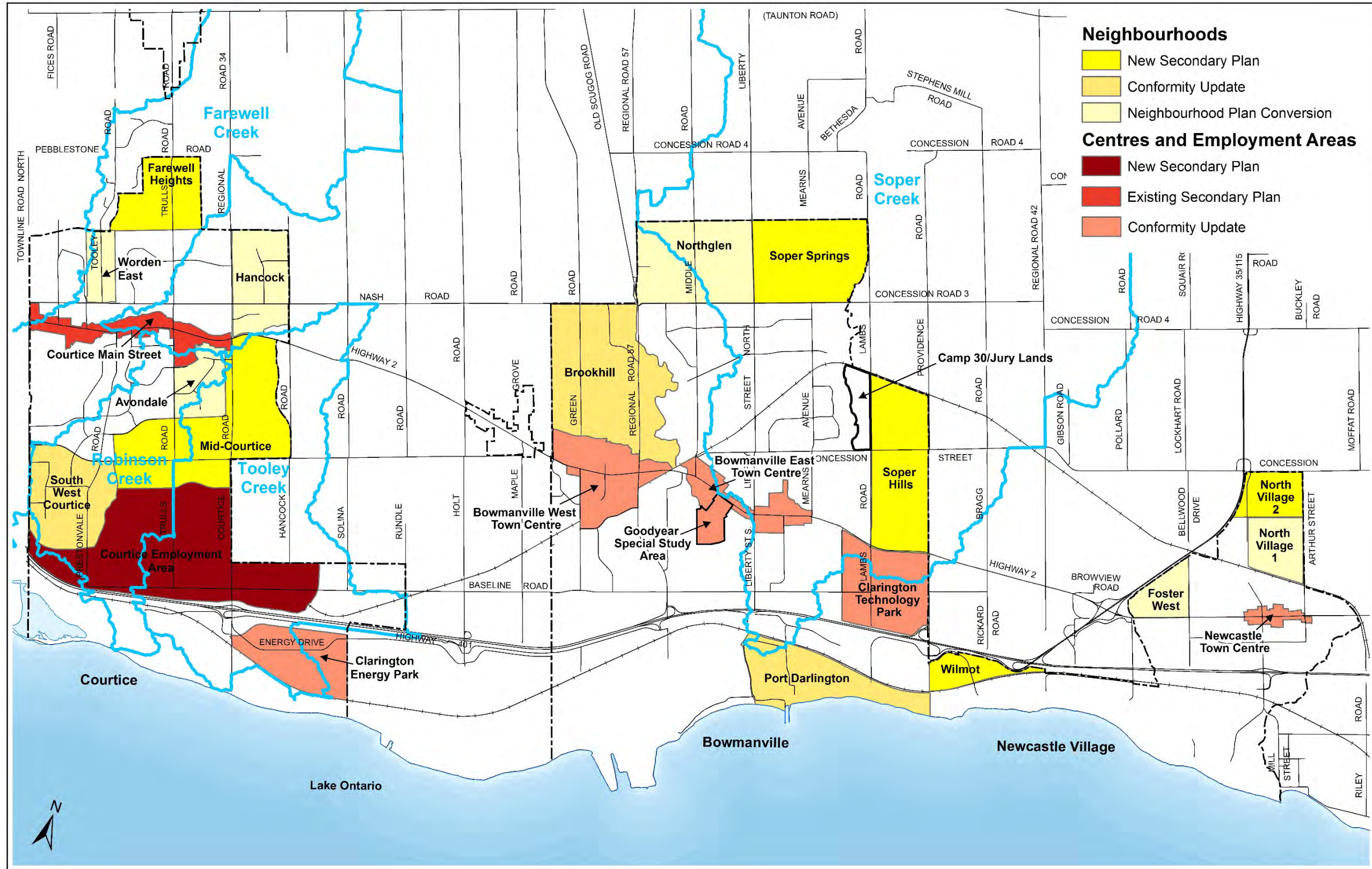


Figure 1: Location of Secondary Plans

2. Subwatershed Plans are Key Inputs

- 2.1 The Growth Plan, the Durham Region Official Plan and the Clarington Official Plan all require a Subwatershed Plan prior to the development of new Greenfield areas. Although Watershed Studies have been completed for all of the major watersheds in Clarington, these have largely been desk top exercises based on accepted methodologies. Watershed Studies set basic protection parameters which will be refined through the Subwatershed Planning process.
- 2.2 Subwatershed Plans provide much more detail than a broadly based Watershed Plan because they focus on a tributary or area of the watershed. They are also intended to address the details of the future development state. Subwatershed plans include strategies to support the Municipality's Official Plan and identify the responsible management strategies for subwatershed areas with the primary focus of protecting natural ecosystem functions, flooding and erosion. The data collection for these studies usually spans four seasons (spring, summer, autumn and winter).
- 2.3 The Subwatershed Plan will investigate the cumulative effects of changes in land use, identify areas of risk, and make recommendations on areas for enhancement to allow for a protected and connected Natural Heritage System.
- 2.4 The Master Drainage Plan, a subcomponent of the Subwatershed Plan, provides a system of stormwater management tools for the urbanizing areas, which may include centralized facilities, private facilities and/or low impact development techniques that more closely mimic the natural environment. Guidance documents such as the Low Impact Development Stormwater Management Guide (MOECC, 2017), Grey to Green Road Retrofits (Credit Valley Conservation, 2016) as well as the Growth Plan, 2017 will influence the recommendations.
- 2.5 Recommendations from the Subwatershed Plan, including Master Drainage Plan, will be implemented via the Secondary Plan policy framework and the subsequent build out of the neighbourhoods. A Subwatershed Study is the first step in preparing a Secondary Plan.

Tooley and Robinson Creek Subwatershed Plan

- 2.6 Most new development in Courtice will be in either the watershed of the Tooley Creek or the Robinson Creek. (See Figure 1.) These are two of the smallest watersheds and by virtue of their size, smaller watersheds are especially vulnerable to the effects of changing land use and the impact of development, both from the employment areas and residential neighbourhoods. Virtually the entirety of these two watersheds will be urbanized. These watersheds can easily be studied together within one Subwatershed study.

- 2.7 The Subwatershed Plan for the Robinson Creek and Tooley Creek will inform the preparation of:
- Mid-Courtice Residential Lands Secondary Plan;
 - Courtice Employment Lands Secondary Plan; and
 - The update to the Southwest Courtice Secondary Plan.
- 2.8 The 2017 Planning Services Budget included funds anticipated to pay for half of the cost of the Subwatershed Plan. The other portion will be recovered from the benefitting landowners within the mid-Courtice Residential Secondary Plan area.
- 2.9 Staff issued a Request for Proposal for the Tooley and Robinson Creeks Subwatershed Plan. Subject to the formalization of a landowners group and an agreement with the Municipality regarding the costs, the results of the request for proposal process will be brought to Council for award. We anticipate this to occur in the fall of 2017 with the Subwatershed study commencing shortly thereafter.

Soper Creek Subwatershed

- 2.10 The majority of lands remaining to be developed for residential units in Bowmanville are located east of Liberty Street within the Soper Creek watershed. The Soper Creek Subwatershed study is an essential pre-cursor to undertaking the two new residential Secondary Plans, Soper Springs and Soper Hills in Bowmanville.
- 2.11 Similar to the Tooley and Robinson Creeks Subwatershed Study, staff, with the assistance of the Central Lake Ontario Conservation Authority, prepared and issued a request for proposal for the preparation of the Soper Creek Subwatershed Study.
- 2.12 Given that the subwatershed study requires four seasons of field work, staff believe it is important to be ready to issue a tender for the completion of the works as soon as a funding arrangement is in place between the respective landowners group and the Municipality. Although only preliminary meetings have been held with the landowners in the area, staff anticipate further discussions in the near future and that funding agreements will be signed in 2017.

3. New Residential Secondary Plans

- 3.1 As required by the new planning framework in the Official Plan, there are six new residential Secondary Plans to be completed. Two new Secondary Plans in each of the lakeshore Urban Areas. Staff anticipate that the landowners within four of these Secondary Plan areas will request Council to proceed with the preparation of their Secondary Plan in the near future. A description of these four Secondary Plan areas is provided in the following section.

3.2 Courtice – Mid-Courtice Residential Secondary Plan

The Mid-Courtice Residential Secondary Plan includes two distinct areas that need to be planned comprehensively - the Mid-Courtice Corridor and the surrounding residential neighbourhood. The Mid-Courtice Corridor refers to the Regional Corridors along Bloor Street and Courtice Road. The surrounding residential neighbourhoods include the undeveloped portions of the Emily Stowe and Avondale Neighbourhoods and the Ebenezer Neighbourhood located on the east side of Courtice Road between Bloor Street and Highway 2. The total land in this Secondary Plan area is approximately 289 hectares (713 acres).

An initial meeting among the landowners (staff were not present) within the Secondary Plan area was held on June 14, 2017. The purpose of this meeting was to inform the landowners in the area of the Secondary Plan process, to invite the landowners to participate in the process and to financially participate in the Landowners Group. A subsequent meeting was held in July with the landowners that were interested in more information.

Since then, the landowners have formalized themselves and are represented by Delta Urban Inc. This group represents approximately 70% of the total land holdings within the Secondary Plan area. An individual owning almost 25% of the total land within the Secondary Plan area, is not yet part of the Landowners Group.

Staff will continue to meet with this group as they prepare a draft workplan for the preparation of the Mid-Courtice Secondary Plan for our review and input. This Landowners Group is anxious to proceed and staff expect they will formally request Council to consider their proposal for a Privately Initiated Secondary Plan early in 2018.

3.3 Bowmanville - Soper Hills Secondary Plan Area

The Soper Hills Secondary Plan, one of the two new secondary plan areas in Bowmanville, is located east of Lambs Road between the CP rail line and King Street East to the south. A forested tributary of the Soper Creek is located along the eastern extent of this Secondary Plan Area. It is approximately 193 hectares (477 acres) in size. It includes two residential neighbourhoods - Soper Hills and Juryvale.

The Soper Hills Neighbourhood extends from Soper Creek east to the urban boundary. The western portion of this Soper Hills neighbourhood contains an approved, yet unbuilt, residential subdivision by Far Sight Developments. The eastern portion of the neighbourhood includes a strip of existing residences that front onto King Street East with the remainder almost entirely farmed.

The Juryvale Neighbourhood is located north of Concession Street East. It also extends to the Soper Creek to the urban boundary and includes the Camp 30/Jury lands. The Official Plan provides for the Camp 30/Jury Lands to proceed independently through a separate planning process comprising an urban design and detailed block master plan.

Juryvale Neighbourhood has also been identified as the location for a Community Park. This neighbourhood is almost completely farmed today.

3.4 Bowmanville - Soper Springs Secondary Plan Area

The Soper Springs Neighbourhood, located in north Bowmanville, is approximately 186 hectares (459 acres) in size. It is located east of Liberty Street, North of Concession Road 3 and west of the Soper Creek Valley. Its northern limit is the Bowmanville Urban Boundary. The Official Plan has identified the north east corner of Liberty Street and Concession 3 as the location for a community park.

This area includes approximately 50 hectare (115 acre) woodlot/wetland which appears to be the headwaters for a number of tributaries of the Soper Creek. Similar to the Northglen Neighbourhood in northwest Bowmanville and the Farewell Heights Neighbourhood in north Courtice, Soper Springs located on the former Lake Iroquois Shoreline, an area identified as hydrologically significant.

3.5 Newcastle - Wilmot Secondary Plan

Wilmot Secondary Plan is approximately 45 hectares and abuts the existing Wilmot Creek Neighbourhood to the east. It is identified as Special Policy Area B2 in the Official Plan.

The Rice Development Group, their planning consultant and staff have met on a number of occasions to discuss the preparation of this Secondary Plan. Staff continue to work with this team to prepare the terms of reference for the overall Secondary Plan, as well as the terms of references for the various supporting technical studies.

When Rice Development Group reactivated their 2004 Official Plan Amendment process, which was eventually approved through an OMB Settlement, many technical studies were prepared for their lands. Staff and Rice have agreed that any studies that have already been undertaken can be updated by the original consulting firm. However, the preparation of the updates, including the approval of the terms of reference for the update, will be managed by Municipal staff. The costs associated with these updates, including staff and agency review time, will be fully funded by Rice Development Group. More particulars regarding this arrangement will be provided in a subsequent report.

Staff anticipate that Rice Development Group will request Council authorize the preparation of the Wilmot Secondary Plan before the end of 2017.

4. Process for Privately-Initiated Neighbourhood Secondary Plans

- 4.1 Provision was made for privately-initiated neighbourhood Secondary Plans under OPA 107. This section outlines the process to be followed where a landowner or group of landowners wish to advance the Municipality's timing for the preparation of a Secondary Plan by funding 100% of the costs for the preparation of it.
- 4.2 The Municipality's role will be the same regardless of the funding source. The Municipality will:
- Approve the terms of reference for the Secondary Plan study;
 - Issue the request for proposals, evaluate and select the preferred consultant team;
 - Ensure that there are no conflicts of interests with the consultant team;
 - Responsively manage the project consulting team and budget;
 - Constructively engage agencies, stakeholders and residents;
 - Provide for input from the landowner group; and
 - Take all necessary regulatory steps to lead to the approval of the Secondary Plan.

The Landowners Group will have the following responsibilities:

- Establish a landowners group;
 - Provide a landowners group project manager;
 - Participate in a Landowners Advisory Group;
 - Fund all municipal and agency costs for undertaking or participating in the Secondary Plan study;
 - Draft terms of reference for the Secondary Plan study for municipal consideration in preparing the request for proposals; and
 - Review and provide comments throughout the study in a timely manner.
- 4.3 Leading up to the commencement of a Secondary Plan that is being privately initiated, the Official Plan policies consider three major steps:
- i) Consultation with municipal staff and establishment of the landowners group.

Staff anticipate numerous meetings early in this process. The meetings will convey information about the Secondary Plan process including the steps to receive Council's approval. The majority of the work in these early stages will be developer driven, including organizing the Landowners Group, preparing draft terms of reference and consulting with stakeholders.

A Landowners Group must represent the owners of generally 75% of the developable land within the Secondary Plan Area. This requirement provides for a critical mass of landowners interested in proceeding with the Secondary

Plan, that are interested in development of their lands, as well as providing for a near equitable distribution of land uses.

ii) Receipt of a Request to initiate a Secondary Plan and Terms of Reference.

At these early meetings, staff will also assist the Landowners Group in preparing the scope of work for the different components of the terms of reference. The landowners group will then make a written request to Council to approve the commencement of the Secondary Plan. This request must be accompanied with the proposed terms of reference for the work associated with the preparation of the Secondary Plan including matters such as:

- assurance of the landowners group representation;
- a documented commitment for 100% cost of funding the preparation of the Secondary Plan, including supporting studies, and staff and administrative costs;
- a draft work program;
- the scope of work/terms of references for the supporting studies; and
- a proposed public consultation process.

Once the Municipality receives the formal request, staff has ninety days to prepare a recommendation report to Council and advertise for the public meeting. During this time, other departments and municipal agencies will be consulted.

iii) Public Meeting and a Decision of Council.

A Public Meeting will be held by the Planning and Development Committee to inform and hear from all of the landowners within the Secondary Plan area about the proposed Secondary Plan.

At this meeting, a staff recommendation report will be considered in making a decision to proceed with a secondary plan study. If approved, the Municipality and the landowners group will execute the appropriate agreements. Upon execution of these agreements, the Municipality will proceed with the necessary request for proposals for the different Secondary Plan studies required.

5. Financial Implications

The 2017 Budget includes funds to pay for 50% of the cost for the preparation of the Tooley Creek and Robinson Creek Subwatershed Study. The preparation of the Subwatershed Study will be contingent on the signing of a cost sharing agreement with the Mid-Courtice Residential Secondary Plan Area Landowners Group.

Staff do not anticipate that the preparation of the Mid-Courtice Residential Secondary Plan will financially impact the Municipality because we understand the landowners group in this area is eager to develop and will therefore finance 100% of the cost of preparing the Secondary Plan. Council will be provided with a subsequent report when financing has been committed by the landowners group.

As noted in an early section of this report, Rice Development Group already has committed to funding 100% of the cost of the Wilmot Secondary Plan, including administrative costs thereby not impacting the municipal budget.

6. Concurrence

Not Applicable.

7. Strategic Plan Application

The actions described in this report will help to meet strategic plan priorities for:

- transportation;
- good governance;
- managing growth to maintain our small town feel; and
- protecting and enhancing access to the natural environment.

8. Conclusion

Staff will bring forward several reports within the coming months regarding Subwatershed Studies as well as Secondary Plans for Council direction including the following:

- Robinson Creek and Tooley Creek Subwatershed Study Contract Award.
- Wilmot Creek Secondary Plan Initiation Public Meeting Report.
- Mid-Courtice Secondary Plan Initiation Public Meeting Report.
- Soper Creek Subwatershed Study Contract Award.
- Soper Hills Secondary Plan Initiation Public Meeting Report
- Soper Springs Secondary Plan Initiation Public Meeting Report.

Submitted by:



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Reviewed by:



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CAO

There are no interested parties to be notified of Council's decision.

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