



## Planning Services Public Meeting Report

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**Report To:** Planning and Development Committee

**Date of Meeting:** April 1, 2019

**Report Number:** PSD-019-19      **Resolution:** PD-050-19, PD-114-20

**File Number:** PLN 41.14      **By-law Number:**

**Report Subject:** North Village Secondary Plan Study – Terms of Reference

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### Recommendations:

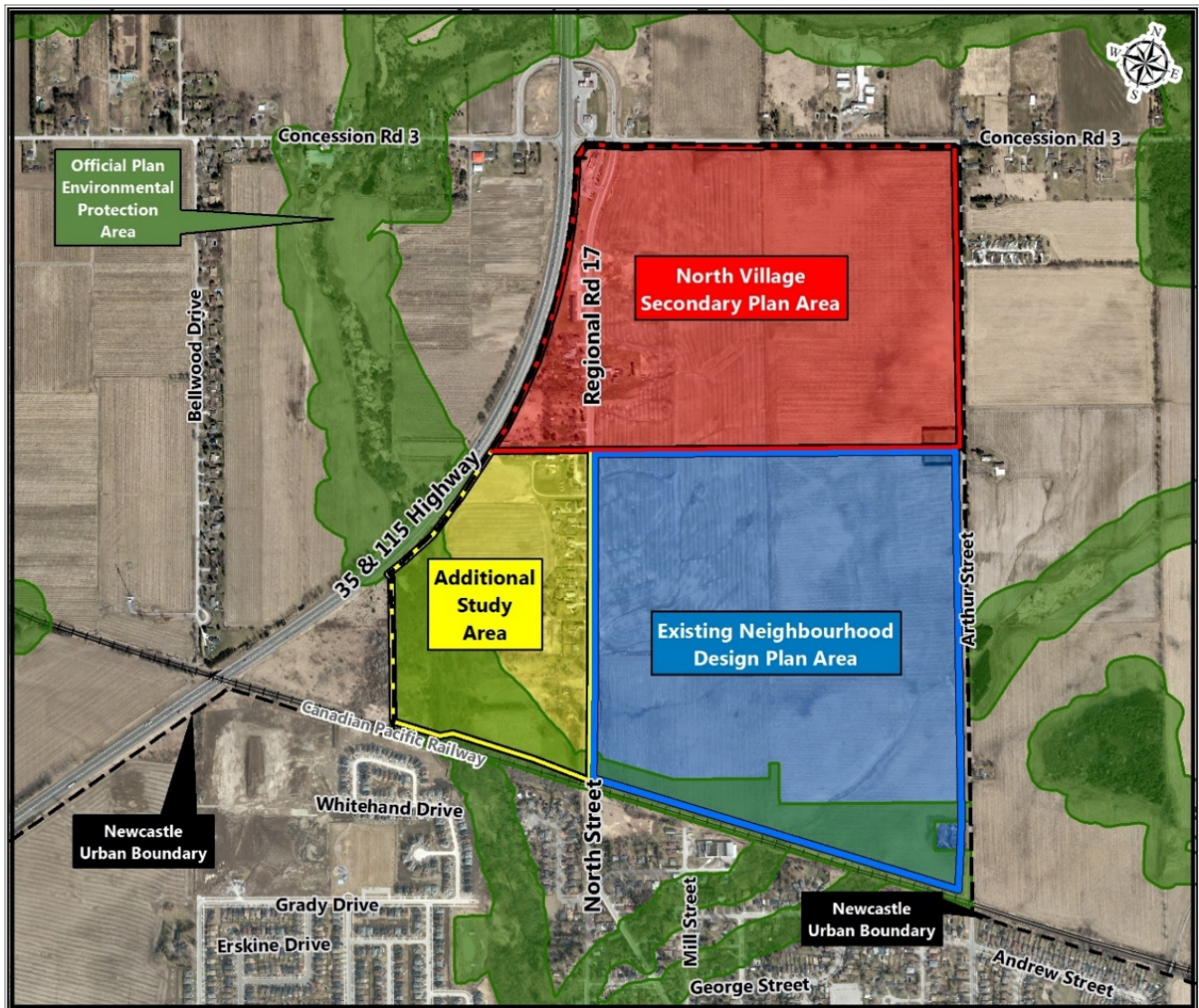
1. That Report PSD-019-19 be received;
2. That Planning Services staff be authorized to commence the preparation of the North Village Secondary Plan;
3. That staff be authorized to finalize the draft Terms of Reference and issue a Request for Proposal to retain the necessary consultants through the current roster of planning firms established for Secondary Plans;
4. That the Director of Planning Services be authorized to execute the necessary cost-recovery agreements with the North Village Landowners Group for the preparation of the North Village Secondary Plan;
5. That the cost recovery agreements with the North Village Landowners Group require payment of 100% of the costs of the preparation of the Secondary Plan, including consultants and municipal resources such as review time from various departments, project management and administration costs; and
6. That all interested parties for Report PSD-019-19, any delegations and the Region of Durham Planning and Economic Development Department be notified of Council's Decision.

## Report Overview

Council authorization for staff to commence preparation of the Secondary Plan is being sought in general accordance with the draft Terms of Reference and in conformity to the Policies of the Clarington Official Plan. The purpose of this report is to inform and receive input from the land owners within the North Village Secondary Plan area, the adjacent additional Study Area, and the general public on the draft terms of reference for the preparation of the Secondary Plan.

## 1. Background

- 1.1 The North Village Neighbourhood in Newcastle is an area from the CP Rail line to the south, Concession Road 3 to the north, Arthur Street to the east and Highway 35/115 to the west, consisting of three areas (see Figure 1 below).
  - The first area is covered by a Neighbourhood Design Plan approved in 2012 for the southern portion.
  - The second area is The North Village Secondary Plan area, north of the Neighbourhood Design Plan and includes some land west of Regional Road 17.
  - The balance of North Village is identified as additional study area, since it is not presently part of either the Secondary Plan area or the Neighbourhood Design Plan.
- 1.2 There are 14 landowners within the North Village Secondary Plan area and 19 landowners within the Additional Study Area. There is a mixture of parcel sizes within the Secondary Plan area, including larger farm parcels and residential, commercial and institutional properties. The additional study area includes mainly residential properties with very limited agricultural land.
- 1.3 The interface between the Secondary Plan area and the approved Neighbourhood Design Plan will be an important feature of the planning process. A future east west collector road between Regional Road 17 and Arthur Street marks the approximate southern limit of the Secondary Plan area. The approved Neighbourhood Design Plan included some lots fronting onto the north side of this collector road as well as a medium density block at the northwest corner of the future intersection of the collector road with Arthur Street. The precise boundary between the Secondary Plan and Neighbourhood Design Plan will be established prior to the Terms of Reference being finalized.



**Figure 1: North Village Secondary Plan, Neighbourhood Design Plan and Additional Study Areas**

- 1.4 The Landowners Group represents the majority of the land ownership within the Secondary Plan and additional study areas (see Figure 2 below). The Landowners Group represents over 85% of the Secondary Plan area ownership. The Landowners Group is represented by their consultant, Candevcon Limited.
- 1.5 The Landowners Group has requested the Municipality to initiate the Secondary Plan process and study (see Attachment 1). A draft Terms of Reference has also been submitted by the Consultant and reviewed by the Municipality and other agencies. The Landowners Group has committed to funding the costs incurred by the Municipality for the preparation of the Secondary Plan.



- 1.6 According to the Clarington Official Plan, a Landowners Group requesting a privately initiated Secondary Plan is required to pay 100% of the costs of the preparation of the Secondary Plan, which includes consultants and municipal resources such as review time from various departments, project management and administration costs. This provision is included in the Staff Report recommendations and will be included in the Secondary Plan funding agreement.
- 1.7 The Terms of Reference submitted by the Landowners Group was circulated to various Municipal Departments as well as external agencies. Comments received from the agencies have been incorporated in the attached Terms of Reference as appropriate.

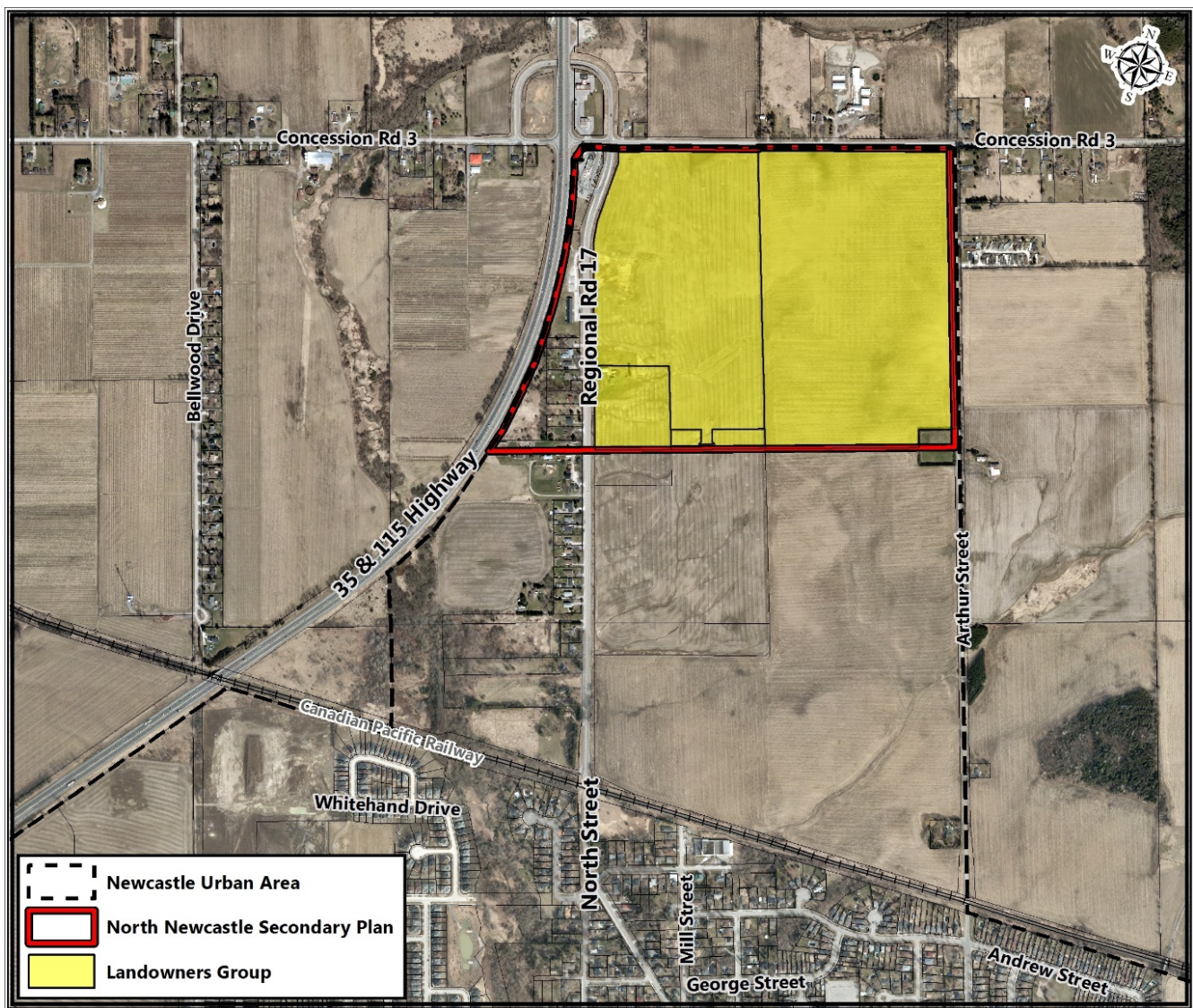


Figure 2: Landowners Group Parcels

## 2. Secondary Planning Process

### Receiving Authorization for a Privately-Initiated Secondary Plan

- 2.1 The Clarington Official Plan provides policy direction for the preparation of a privately initiated Secondary Plan. In summary the process is as follows:
- 1) Consultation with municipal staff and the establishment of the Landowners Group.
  - 2) Receipt of a Request to Initiate a Secondary Plan and a proposed Terms of Reference.
  - 3) Public Meeting and a Decision of Council to initiate the preparation of the Secondary Plan.
  - 4) If Council decides to proceed with the Secondary Plan process, the Municipality will retain the necessary consultants.
  - 5) All costs associated with the Secondary Plan process including consultants and municipal resources and administration costs are to be covered 100% by the landowners group.
  - 6) Work will only be initiated once a funding agreement is in place between the Trustee for the Landowners Group and the Municipality.

### Summary of the Draft Terms of Reference

- 2.2. Similar to the other Secondary Plans that Council has initiated, this draft Terms of Reference (See Attachment 2) has incorporated a 'green lens' approach to development. All studies and the Secondary Plan will be required to include details of how development in the Secondary Plan area will meet Council policies. In particular, policies related to sustainability and Priority Green Clarington, Urban Design, Affordable Housing, and community engagement.
- 2.3 In 2001, a subwatershed study was completed for Foster Creek, which flows through the additional study area. A tributary of Foster Creek flows along the north side of the CP Rail line through the approved Neighbourhood Design Plan area of North Village. The North Village Secondary Plan process will review available background materials to determine if any additional studies are necessary as it relates to the future re-naturalization of the Foster Creek tributary that is required as part of the approved subdivision developments within the Neighbourhood Design Plan area.
- 2.4 Public participation is integrated throughout the draft Terms of Reference. The recommended public participation process will include landowners, agencies, interested citizens and the business community. Public Information Centres will be held at specific stages of the planning process. These public participation requirements are in addition to any statutory Open House and Public Meeting requirements under the *Planning Act*.

- 2.5 The Municipality has been using a roster to select Planning consultants for the different secondary plans. This method of rotating the pre-approved consultants based on amount and value of work has been successful as it has significantly reduced the time to secure a consultant. It is proposed that the existing roster approach be continued for this project. Should Council decide to proceed with the Secondary Plan, staff will issue a Request for Proposal to a company in the roster to undertake the Secondary Plan.
- 2.6 The draft Terms of Reference contemplates this project being led by a Technical Steering Committee. Although not yet finalized, it is anticipated that the Steering Committee will include Municipal, Region of Durham, Ministry of Transportation and GRCA staff, the Landowner Group project manager, landowner representatives and the lead consultant retained by the Municipality.

### **3. Concurrence**

Engineering Services has concurred with the Terms of Reference and Corporate Services has concurred with the purchasing process.

### **4. Conclusion**

It is recommended that Council authorize staff to undertake the preparation of the North Village Secondary Plan.

Submitted by:



**Michael Seaman, MCIP, RPP**  
Director of Planning Services

Reviewed by:



for **Andrew C. Allison, B. Comm, LL.B**  
CAO

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Staff Contact: Carlos Salazar, Manager of Community Planning at extension 2409 or [csalazar@clarington.net](mailto:csalazar@clarington.net) or Mitch Morawetz, Planner at extension 2411 or [mmorawetz@clarington.net](mailto:mmorawetz@clarington.net)

Attachments:

Attachment 1 – Consultant request to initiate the Secondary Plan  
Attachment 2 – Draft Terms of Reference

MM/COS/nl



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March 20, 2019

Municipality of Clarington  
40 Temperance Street  
Bowmanville, Ontario L1C 3A6

Attention: Mr. Carlos Salazar, MCIP, RPP  
Manager of Community Planning and Design

Dear Sir:

**Re: Request to Initiate the Preparation of the North Village Secondary Plan  
North Village Neighbourhood, Newcastle  
Our Project No. E18063**

Candevcon Limited is the consultant for the North Village Landowners Group (NVLG), a group that consists of landowners with holdings in the North Village Secondary Plan Area. On behalf of the NVLG, we are writing to formally request the Municipality initiate the Secondary Plan process for the North Village Secondary Plan Area.

Pursuant to policy 23.3.6 of the Clarington Official Plan, a landowners group *"must own a minimum of 75% of the developable area within the Secondary Plan area prior to Council considering whether to initiate a Secondary Plan."* The NVLG current owns over 85% of the North Village Secondary Plan area.

In accordance with policy 23.3.5 of the Clarington Official Plan, *"any landowner or group of landowners who wish to fund the preparation of a Secondary Plan in order to advance to timing of the plan's preparation shall provide the Municipality with a proposed terms of reference."* Please find enclosed a draft terms of reference (TOR) document for the overall Secondary Plan. The enclosed terms of reference outlines the proposed scope of work, public consultation process and other considerations as described by the policies of the Clarington Official Plan. The NVLG requests that the draft TOR is considered as part of staff's recommendation to Council to initiate the preparation of a secondary plan for these lands.



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Municipality of Clarington  
Mr. Carlos Salazar, MCIP, RPP

Thank you for your time and consideration. We look forward to discussing this further with Municipal staff and advancing the initiation of the Secondary Plan process. Please do not hesitate to contact the undersigned if any further information is required.

Yours truly,

**CANDEVCON LIMITED**



Scott Waterhouse, RPP  
Planning Manager

SW/br

Encl.

cc: North Village Landowners Group, Attn: Ms. Jennifer Haslett, Mr. Paulo Sacilotto



## **Terms of Reference**

### **North Village Secondary Plan**

Municipality of Clarington Planning Services Department  
Community Planning and Design Branch

March 20, 2019

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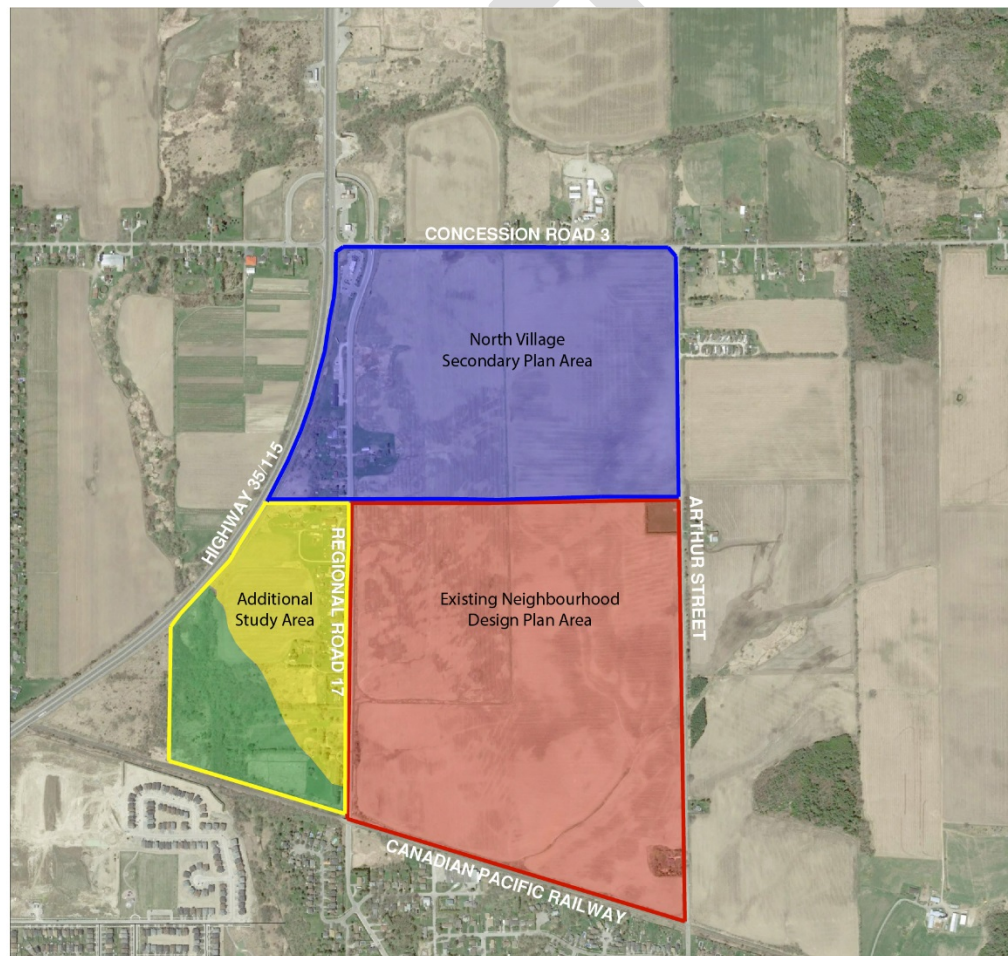
## 1. Introduction

This work plan provides a framework for the preparation of a Secondary Plan for the lands in the North Village area.

### 1.1. North Village Secondary Plan Study Area

The North Village Secondary Plan (NVSP) study area is illustrated in **Figure 1** and is located within the Village of Newcastle Urban Area (see **Appendix F**). **Figure 1** also illustrates an additional study area between Highway 35/115 and Regional Road 17.

**Figure 1: North Village Secondary Plan Study Area**



The North Village Secondary Plan Area is located in Newcastle, east of Highway 35/115, north of the Canadian Pacific Railway and west of Arthur Street. The northern limit of the NVSP area is Concession Road 3, which also represents the northern limit of the Urban Boundary of the Village of Newcastle.

The NVSP area is predominantly comprised of farmland. There are also several rural residential properties, a church and a fast-food establishment located on the west side of Regional Road 17. The area is generally flat and features minor changes in topography along the southeastern portion. The NVSP area does not have any creeks or tributaries. Two draft approved plans of subdivision, S-C-2005-003 and S-C-2005-004 are located immediately south of the NVSP area. These draft approved plans are also subject to the Council adopted North Village Neighbourhood Plan. The general area of the North Village Neighbourhood Plan is illustrated on **Figure 1**.

## 1.2. North Village Secondary Plan

The purpose of the study is to create a Secondary Plan and Zoning By-law that conforms to and implements the Clarington Official Plan, the Durham Regional Official Plan and Provincial policies and plans. The Secondary Plan shall consider the abutting context of draft approved plans of subdivision SC-2005-003 and SC-2005-004 and the Council adopted North Village Neighbourhood Plan.

The Secondary Plan will be carried out in accordance with the Planning Act and Municipal Class Environmental Assessment Process (MCEA) under the Environmental Assessment Act for the infrastructure requirements necessary for the development of the lands. The re-alignment of Regional Road 17 shall be one of the first aspects discussed with Durham Region, including meeting(s) as required to advance the previously planned commencement of the MCEA study by Durham Region in 2028 and to consider all Regional Road 17 re-alignment options as part of the Secondary Plan and integrated MCEA process.

The additional study area indicated in **Figure 1** is not currently part of the North Village Secondary Plan area, but shall be included with the Phase 1 preliminary technical analyses as detailed in **Appendix A**.

## 1.3. Guiding Priorities

The Secondary Plan will address these five priorities:

### 1.3.1. Sustainability and Climate Change

Clarington Council adopted a sustainable, 'green lens' approach to development throughout the Official Plan. This Secondary Plan will address the criteria developed for Secondary Plans in Clarington's Green development program and will be guided by the Priority Green Development Framework. An excerpt from the Priority Green Development Framework for Secondary Plans can be found in **Appendix B**.

Sustainable development principles and practices will be incorporated into every part of the Secondary Plan, including the design of neighborhoods and the allocation of land uses. The Secondary Plan, Zoning By-law and related studies will include measurable targets to move towards a net zero community that are resilient to impacts of climate change.

### 1.3.2. Urban Design

New neighborhoods will be designed to enhance the history and character of Clarington. New neighbourhoods are to be created with a sense of place and all development should result in a high-quality aesthetic and design. Excellence in urban design will consider elements like building design, complete streets, views, park connectivity, sun and shadow impacts, and active transportation, as well as the integration of green infrastructure and environmental protection lands into neighborhood design.

### 1.3.3. Affordable Housing

The Council of the Municipality of Clarington, through the Official Plan policy, supports the provision of a variety of housing types, tenure and costs for people of all ages, abilities and income groups. The Clarington Official Plan encourages a minimum of 30% of all new housing built in Urban Areas to be affordable. The Secondary Plan must reflect this policy and demonstrate how this Secondary Plan area contributes to meeting Council's affordable housing target.

### 1.3.4. Community Engagement

Clarington Council is committed to community consultation and engagement beyond the statutory requirements. The preparation of this Secondary Plan will be supported by a thorough public engagement strategy to include a range of public consultation initiatives in order to share, consult, deliberate and collaborate with all stakeholders. These efforts will be in addition to any statutory meeting requirements. To implement Council's commitment to community participation, the consultant will prepare a Community Engagement Strategy for this project as part of Phase I.

In addition to the traditional methods of public engagement, the Municipality will provide the online engagement tools available through "Bang the Table" platform (<http://www.bangthetable.com/engagementhq/engagement-tools/>). The Consultants will select the appropriate tools from the "Bang the Table" toolkit, and include them in their Community Engagement Strategy and Work Plan.

The Consultant will be responsible for the design and provision of all of the related content as outlined in the Community Engagement Strategy, as well as the content for any public session. The Consultant is encouraged to propose alternative engagement strategies.

### 1.3.5. Coordination of Initiatives

The Consultant's proposal shall include the timing and integration of the following initiatives:



### *Foster Creek Tributary Re-Naturalization*

A subwatershed study was completed for Foster Creek in 2001, a portion of which is located on the lands immediately south of the site. Foster Creek is a tributary of Wilmot Creek and the Wilmot Creek Watershed Plan was completed by Ganaraska Conservation in 2010.

A condition of approval for Draft Approved Plans S-C-2005-003 and S-C-2005-004 requires the preparation of a design report on the re-naturalization of the Foster Creek tributary. The NVSP process should review the available background materials to determine if any additional studies are required as it relates to the Foster Creek tributary re-naturalization.

### *Integrated Environmental Assessment*

The Secondary Plan process will be integrated with a Municipal Class Environmental Assessment (MCEA) for new or realigned major (collector and arterial) roads and infrastructure (if needed) required to service (within and bordering) the NVSP area. This includes the realignment of Regional Road 17 through the western portion of the study area to increase the separation between the Regional Road 17 / Concession Road 3 intersection and Highway 35/115.

The Consultant's proposal should reflect this integrated approach including: clear indication on project notices and communications that an integrated approach is being used; extended public review periods that cover the requirements of both the Planning Act and MCEA; preparation of a document to support the Planning Act application demonstrating how the MCEA process was satisfied; and, issuance of a Notice of Study Completion for the MCEA process.

## 2. Overview

The work program will consist of four phases as follows:

### 2.1. Phase I: Initial Public Input and Technical Analysis

The initial phase will involve a detailed technical analysis of the area including servicing, infrastructure and initial public participation.

### 2.2. Phase II: Urban Design and Sustainability Principles, Evaluation Criteria, and Alternative Land Use Plans

This phase will present alternative land use plans based on urban design and sustainable principles and best practices, along with the input from the public and guided by the Steering Committee.

### 2.3. Phase III: Preferred Land Use Plan for the North Village Secondary Plan Area

Based on the preceding analysis and public engagement, a Preferred Land Use Plan will be developed for the Secondary Plan area. Once the Land Use Plan has been refined, the remaining studies can be completed that will support the recommended Land Use Plan.

### 2.4. Phase IV: Final Draft Secondary Plan and Zoning By-law.

The recommendation phase will include the preparation of a draft Secondary Plan, the implementing Zoning By-law, and the implementing urban design and sustainability guidelines. This phase includes the statutory meetings prior to Council making a decision.

## 3. Detailed Work Program

### 3.1. Phase I: Initial Public Input and Technical Analysis

Deliverables for Phase I

#### 1) Technical Steering Committee Kickoff Meeting 1

A kickoff meeting two (2) weeks before the Public Information Centre (PIC), to:

- Review final study Terms of Reference (TOR);
- Review the Municipal Class EA process with Durham Region staff, including the scope and terms of reference for the realignment of Regional Road 17
- Accept Consultant's Work Plan; and,
- Review material for the first PIC.

#### 2) Technical Advisory Sub Committee Meeting(s)

- Discussions with Regional Works staff to review the scope and details of the integrated MCEA / Secondary Plan process for the realignment of Regional Road 17.
- Discussions with Regional Works and Municipal Engineering staff to review and confirm any additional infrastructure requirements for the development of the lands as input to the Municipal Class EA process and to determine what phases of the MCEA process are to be completed.

#### 3) Public Information Centre (PIC) 1

- To present to the general public and landowners/property owners of the area the process, team, and gather initial feedback;
- MCEA notice requirements and information as needed.

#### 4) Community Engagement Strategy

#### 5) Draft Technical Reports

See Appendix A – for general scope of the studies, to be refined by the consultants in the proposal and to be updated through the different phases of the project, as required.

- Planning Rationale Report;
- Landscape / Natural Heritage Analysis;
- Master Servicing Report;
- Transportation Needs Analysis Study;
- Financial Impact Analysis (Part of Phase III – consultant to be retained by the Municipality at that time);
- Agricultural Impact Evaluation;
- Retail Market Impact Study (only required if a Neighborhood Centre is proposed/required);



- Archaeological Assessment and Cultural Heritage Evaluation Report ;
- Sustainability Plan and Green Development Principles; and
- Any other report as required by the MCEA process including air quality and noise assessments for all municipal road projects.

See **Appendix E** for available background documents.

Not all studies will be completed in Phase 1 as they may require additional input from subsequent phases. However, it is expected that draft reports will be completed at the end of this phase.

**6) Draft Illustrated Opportunities and Constraints Analysis Report**

- Based on the preliminary findings of the technical reports;
- To be presented at PIC 2.

**7) Draft Illustrated Urban Design and Sustainability Development Principles**

- Based on Priority Green and Clarington Official Plan policies.

**8) All requisite MCEA documentation**

**9) Financial Impact Analysis**

Part of Phase III – Consultant to be retained by the Municipality at that time.

**10) Technical Steering Committee Meeting 2**

- Review overall progress and timeline; and,
- Review preliminary findings of technical reports.

**11) Technical Steering Committee Meeting 3**

- Review drafts of technical reports, draft Illustrated Opportunities and Constraints Analysis, and drafts of Urban Design and Sustainability Principles;
- Meeting to take place at least two weeks prior to PIC 2.

**12) Final Illustrated Opportunities and Constraints Analysis Report for PIC 2**

**13) Final Illustrated Urban Design and Sustainability Development Principles for PIC 2**

**14) PIC 2**

- To present to and gather input from the general public on opportunities and constraints, and urban design and sustainability principles.

**15) MCEA notice requirements and information**

### **16) Draft Technical Analysis and Public Input Summary Report**

To be submitted after PIC 2 – see next Phase

- A detailed summary of the key findings from the public input and technical reports;
- The report should include recommendations on all the elements of the project for the Steering Committee's consideration.

## **3.2. Phase II: Urban Design Sustainability Principles, Evaluation Criteria, and Alternative Land Use Plans**

Deliverables for Phase II

### **1) Technical Steering Committee Meeting 3**

- To debrief about Phase I; and,
- Review Draft Background and Analysis Summary Report and detailed Work Plan for Phase II, including recommendations for any changes to the process.

### **2) Best Practices Report**

- Emerging trends in sustainable neighbourhood planning and design including: net zero neighborhoods, urban design/sustainability techniques, practices and methods that promote energy efficiency, optimal use of land and transit supportive land uses, densities, and forms.

### **3) Final Urban Design and Sustainability Principles (developed in Phase I) Report**

- These principles are the basis for the Sustainability Plan and Urban Design Guidelines to be part of the Secondary Plan, to be provided as an Appendix.

### **4) Evaluation Criteria for Alternative Land Use Plans Report**

- Based on Policy and Infrastructure requirements, Urban Design and Sustainability Principles, Best Practices, and other criteria as proposed by the Consultant.
- Criteria should also include:
  - Land uses by type, scale and density;
  - Proposed transportation network (roads/active); and
  - Location of proposed parks, community facilities, etc.

### **5) Draft Alternative Land Use Plans Report**

- The alternative land use plans report will include an analysis on how each alternative plan meets the criteria.

#### **6) Technical Steering Committee Meeting 4**

- To review drafts of:
  - Best practices report;
  - Urban Design and Sustainability Principles;
  - Evaluation Criteria; and
  - Draft Alternative Land Use Plans.

#### **7) Alternative Land Use Plans Illustrated Summary Report**

- Summary of best practices, urban design and sustainability principles, evaluation criteria (policy/infrastructure, etc.), and alternative land use plans and analysis, based on criteria.

#### **8) Public Information Centre 3**

- To present alternative land use plans and gather input from the general public on opportunities and constraints, and urban design and sustainability principles; and,
- MCEA notice requirements and information.

#### **9) Updated technical reports**

#### **10) Any other reports as required to meet the Municipal Class EA process**

#### **11) Phase 2 Summary Report, including PIC results**

- A detailed summary of the key findings from the public input and technical reports;
- The report should include recommendations on all the elements of the project for the Steering Committee's consideration.

### **3.3. Phase III: Preferred Land Use Plan for the North Village Secondary Plan Area**

#### **Deliverables for Phase III**

##### **1) Final Evaluation Criteria**

##### **2) Preferred Land Use Plan**

- Based on the results of PIC 3 and updated Technical Reports;
- The Preferred Land Use Plan will also be the basis for the Financial Impact Analysis and the Stormwater Management Plan work.

##### **3) Technical Steering Committee Meeting 5**

- To review the Phase 2 Summary report, revised criteria, preferred land use plan, and the detailed work plan for the remainder of Phases III and IV.

**4) The following deliverables will be based on the preferred land use plan:**

- Draft Planning Rationale Report
  - consolidates the policy analysis, technical information and public input of the three phases and outlines the planning rationale for the proposed Secondary Plan and Zoning By-law
- Draft Sustainability Plan
- Draft North Village Secondary Plan including Policies and Schedules (Land Use & Transportation, Parks, Schools and Open Space)
- Sustainability and Urban Design Guidelines – Appendix to the Secondary Plan
- Draft Zoning By-law
- Draft Master Servicing Report (including Phasing)
  - The Stormwater Management Plan will be integrated with the Master Servicing Report for the Secondary Plan
- Draft Transportation Needs Analysis Study (consistent with Phase 1 and Phase 2 of the Draft Municipal Class Environmental Assessments)
- Draft Financial Impact Analysis
- 3D Demonstration Plan
- Final version of any other technical reports based on the preferred land use concept
- MCEA notice requirements and information

**5) Technical Steering Committee Meeting 6**

- To review all draft reports as outlined above

### 3.4. Phase IV: Final Draft Secondary Plan and Zoning By-law

#### Preparation and Adoption by Council

This Phase will focus on preparing the final documents for the statutory public process and Council decision. The Consultant will prepare the final draft North Village Secondary Plan, the implementing Official Plan Amendments, as well as the draft Zoning By-law, as required. The consultant will present the final draft documents at the statutory open house and public meeting.

#### Deliverables for Phase 4 – for Statutory Meetings and Council Consideration

**1) Planning Rationale Report**

- Draft Planning Report for Planning and Development Committee Agenda

**2) Final Draft North Village Secondary Plan**

- **Appendix A** Final Draft Urban Design and Sustainability Guidelines

**3) Draft Official Plan Amendment**

- 4) **Final Draft Zoning By-law**
- 5) **Draft Zoning By-law Amendment**
- 6) **Final Sustainability Plan**
- 7) **MCEA Notices, final report and documentation**
- 8) **Technical Steering Committee Meeting 7 – Final Meeting**
  - To provide any final comments on the documents prior to the statutory Open House and Public Meeting
- 9) **Statutory Open House**
- 10) **Statutory Public Meeting**
- 11) **Final documents based on Council Direction**
  - Planning Rationale Report
  - North Village Secondary Plan
    - **Appendix A** Urban Design and Sustainability Guidelines
  - Official Plan Amendment
  - Zoning By-law
  - Zoning By-law Amendment
  - MCEA Final report and documentation

## 4. Project Deliverables

Unless otherwise indicated, all deliverables shall be provided in digital format. Digital submissions must be provided in both Word and PDF format. Both digital and hard copy deliverables must be AODA accessible and conform with Clarington's standards for accessible documents. An alternative format of all website content must also be developed that is AODA accessible and can be provided to the public upon request.

Additionally, the Municipality shall have ownership of all materials and deliverables under this Agreement.

## 5. Project Management

### 5.1. Municipal Role

- The Planning Services Department will manage the project and direct the Consultant throughout the process. The Municipality, together with the selected Consultant, will manage the public participation / communication process. The Consultant will facilitate all steering committee meetings and public session and will prepare the required materials for those meetings.



- The Municipality will provide final direction to the Consultant on any specific issue based on Official Plan Policy and / or the Terms of Reference.
- The Planning Services Department will make arrangements for all meeting venues; provide public notices as required; and arrange meetings with stakeholders.
- All reports and data produced as part of this project are the property of the Municipality of Clarington. Consultants are required to submit with their proposal the signed data sharing agreement attached as **Appendix C**.

## 5.2. Technical Steering Committee

A Technical Steering Committee will be established to provide overall guidance to the project and will also provide feedback on the deliverables. The Committee will also ensure the objectives of the project are achieved as per the Terms of Reference.

The Committee will be comprised of:

- The lead Consultant engaged by the Municipality.
- Municipal Staff representing key departments (Planning and Engineering).
- Staff of key commenting agencies such as the Region of Durham (2), Provincial Ministry of Transportation (MTO) and Ganaraska Region Conservation Authority (GRCA).
- The Landowner Group's Project Manager (1) – Candevcon Limited.
- Two landowners from the Landowners Group (not their representative).

### 5.2.1. Decision Making

The Technical Steering Committee is not a decision making body, rather it plays an advisory role to the Municipality. The Municipality will make all decisions related to this project based on good planning practice. The Municipality and the Steering Committee shall have time to consider and comment upon the consultant's deliverables for each phase. The final decision on the adoption of the planning documents will be made by Clarington Council.

### 5.2.2. Steering Committee Meetings

- The Steering Committee will meet at the beginning, and at least twice for each phase of the project to review / comment on the draft reports / deliverables provided by the Consultant prior to public release by the Municipality.
- The lead Consultant will ensure that all appropriate agencies have reviewed the draft report and that it meets the established methodologies and standards of the respective agencies.
- Materials (agendas, presentations, etc.) for Steering Committee meetings are to be designed and produced by the Consultants and are to be received two weeks prior to a Steering Committee Meeting.

- All draft reports are to be submitted to the Committee as they become available but no later than two weeks prior to the meeting.

### 5.2.3. Technical Advisory Sub-Committee(s)

Technical Advisory Sub-Committee(s) may be established as needed for various technical topics such as stormwater management, municipal servicing, transportation, urban design, and planning. These sub-committee(s) will be composed of the lead Consultant, Municipal, Regional and Provincial Ministry of Transportation Staff, and a technical consulting advisor to the North Village Community Development Area (NVCD) Landowners Group as appointed by the Landowners Group.

### 5.3. Project Schedule and Budget

The schedule for this project will be 18 to 24 months from the date the project is awarded to the presentation of the final report at Clarington Council. The proposal must contain a detailed Gantt Chart and a project budget covering any and all fees and disbursements and represent a proposed total cost to the Municipality for all services required for the completion of the project as per these Terms of Reference. The budget should also include all tasks and team members assigned to the task.

The Consultant may recommend additional, value-added services which are complementary to the project scope but not listed in this Terms of Reference; however, the cost of these additional services must remain separate from the rest of the project budget. The project will only proceed once the Municipality and the Landowners Group execute a funding agreement.

Through the preparation of the Funding Agreement the Landowners Group and/or the Municipality may request changes to the proposed work plan. The revised Consultant's work plan and budget will become part of the funding agreement.

### 5.4. Additional Information

The Consultant will be required to submit a declaration of Conflicts of Interest (see **Appendix D**).

## Appendix A - General Scope for Technical Studies

### Planning Rationale Report

The purpose of a Planning Rationale Report is to provide an overall planning framework, and a clear understanding of the different components of the Secondary Plan and Zoning Bylaw. The Planning Rationale Report also brings together the analysis and conclusions of the other reports supporting the application.

The minimum objectives of the study are to:

- Provide a description and clear understanding of the proposed amendment;
- Provide all statistics (i.e. height, density), site and contextual considerations;
- Explain the conformity of the proposed amendment with the Municipality's Official Plan, the Municipality's Zoning By-law, and any other of the Municipality's planning documents, including the North Village Neighbourhood Plan as applicable, and outline the process, steps and approvals required (i.e. zoning, site plan control, land division);
- Explain the consistency with provincial policy statements, conformity with applicable provincial plans, and conformity with the Region of Durham Official Plan;
- Explain the contribution of the proposed amendment to the overall urban structure of the Municipality and, if applicable, the planning vision developed for the particular context (e.g. conformity with Urban Design Guidelines);
- Explain the compatibility of the proposed amendment with adjacent land uses;
- Demonstrate the availability of adequate infrastructure to service the development resulting from the proposed amendment;
- Provide the site's planning history, including previous approvals;
- Provide an analysis of all the studies submitted as part of the application;
- Demonstrate how the development contributes to the sustainability principles of the Official Plan; and
- Provide an analysis and opinion as to why the proposal is good planning, and an evaluation of potential impacts including economic development benefits.

The Planning Rationale Report should also include a section on how the proposal addressed the affordable housing policies of the municipality and the tools used to advance those policies.

### Landscape / Natural Heritage Analysis

A Landscape / Natural Heritage Analysis provides the framework for the level of change appropriate in a development area or site. This analysis will provide an understanding of the structure, characteristics and functions of the landscape in a given area prior to development and site alteration.

The purpose of a Landscape / Natural Heritage Analysis is to assess, describe and interpret the existing context of the lands within a development area or site. At a minimum, a landscape / natural heritage analysis must:

- a) Identify topography and grading;
- b) Identify existing built form;
- c) Identify existing natural features;
- d) Define and delineate natural heritage characteristics, vegetation limits and key natural heritage and hydrological features and buffers as applicable; and,
- e) Assess the vegetation, wildlife, geomorphology and restoration possibilities, as applicable.

The result of this analysis is a summary of the site in terms of parcel, topography, built environment and natural heritage environment which is to be used as the foundation for planning and design of the development area or site.

## Master Servicing Report

The purpose of the Master Servicing Report is to evaluate the impacts of a proposed development on Regional and Municipal servicing infrastructure and utilities.

A Master Servicing Report is used as a guide to establish the servicing requirements associated with a development. More specifically, the requirements include:

- Water supply for domestic and firefighting purposes;
- Sanitary servicing;
- Conceptual lot grading and storm drainage; and
- Stormwater management.

## Transportation Needs Analysis Study

The Transportation Needs Analysis Study (TNAS) includes two components: design and connectivity of transportation modes (cycling, walking, and transit) within the secondary plan area, and an analysis of how these modes of transportation will be promoted, accommodated or impacted by the neighbourhood design. This component will include implementation of the principles of Complete Street and Active Transportation that should be reflected in the Urban Design and Sustainability Principles and Guidelines.

The TNAS shall also provide an assessment of the impact of a proposed development on the transportation system and determine if infrastructure improvements, service upgrades and mitigation measures are required to reduce any adverse impacts of a proposed development. In this assessment the TNAS shall address not just automobile movements, but also should include an analysis of other modes of transportation such as cycling, walking, and transit, and how these modes will be promoted, accommodated or impacted by the development.

This study may also include a parking analysis that may reduce the number of spaces required by the zoning by-law. This reduction could be contemplated when the site is adjacent to transit routes and/or it can be supported by a shared parking analysis of demand times by use.

The Transportation Needs Analysis Study should include the following:

- A complete inventory of existing transportation infrastructure in and around the study area, including roads, transit and active transportation, as well as existing traffic volumes, intersection controls, traffic operations and safety concerns;
- Review of existing transportation policies and previously planned networks applicable to the study area as per the Regional and Clarington Official Plans and Transportation Master Plans;
- Review of previously planned/programmed road, transit and active transportation improvements in and around the study area by Clarington, Durham Region, Durham Region Transit, GO Transit, etc., according to capital programs, Development Charge background studies and service plans;
- Estimation of future travel demands in and around the study area, including transit ridership and traffic volumes, with and without development of the secondary plan area;
- Assessment of needs for infrastructure expansion to accommodate the projected travel demands and provide safe, efficient access to the proposed developments; and,
- Recommendations for the reduction of auto travel demand and promotion of sustainable travel modes.

The TNAS shall also consider the impacts of the proposed development on the transportation system beyond the limits of the secondary plan. The analysis shall consider the traffic impacts along Regional Road 17 between King Avenue West (Regional Highway 2) and Concession Road 3 as well as the surrounding road network under ultimate development conditions. Ultimate development conditions include background traffic growth plus the full build-out of the other proposed subdivisions in Newcastle, including those west of Foster Creek. The ultimate road network conditions include the connection of Grady Drive across Foster Creek.

The TNAS shall evaluate traffic impacts at the intersection of Regional Road 17 and Grady Drive / North Street / Monroe Street West with specific consideration for trips along Grady Drive generated by the location of secondary and elementary schools. The Kawartha Ridge District School Board and the Peterborough Victoria Northumberland and Clarington Catholic District School Board shall be consulted regarding anticipated school locations, student population and catchment areas. The TNAS shall identify warrants for future signalization, auxiliary lanes and other capacity related improvements.



The consultant shall confirm the TNAS scope of work with the Provincial Ministry of Transportation, Durham Region and the Municipality of Clarington.

## Financial Impact Analysis

The purpose of a Financial Impact Analysis (FIA) is to determine the proposed development's financial impact on the Municipality's operating and long term capital budgets. The study will consider the costs of the development in all Municipal services and infrastructure at both the Municipal and if required, Regional levels.

The report will include demographic projections for both Greenfield and Intensification development, impacts on both hard and soft infrastructure such as roads and libraries or fire protection, respectively. In addition to the capital cost, the analysis should also include the additional operating/maintenance costs to be incurred by the Municipality.

The report needs to include an analysis of municipal capital and operating costs already committed to other development applications, Secondary Plans, and other Municipal projects. The analysis should also include the impact on the Development Charges schedule and financing and include sensitivity analysis on various growth projection scenarios and may include analysis on various phasing options within the study area. The analysis should also demonstrate the impact on municipal taxes.

## Agricultural Impact Evaluation

This component shall include the following:

- A review of agricultural land uses surrounding the Study Area, and applicable planning policies and regulations;
- An assessment to determine the potential adverse physical and operational impacts of the proposed uses described in the Secondary Plan on designated agricultural areas in the Clarington Official Plan; and to address any issues of concern in consultation with the Clarington Agricultural Advisory Committee ("CAAC"). An assessment of potential alternatives to land use configurations that avoid/mitigate impacts to OP designated agricultural areas, and compliance with minimum distance separation formulae should be included;
- Recommendations for mitigation/avoidance measures that are to be incorporated within the Secondary Plan (Urban Area).

## Retail Market Impact Study

This report will only be required if a neighborhood centre is proposed as part of the secondary plan alternative land uses.

A Retail Market Study will analyze current and future market potential for a specific type of retail. The study will also analyze the impact of the proposed retail development on

the existing and planned structure of the Municipality, in particular the impact on historic downtowns and on municipal/regional and neighborhood centres. The basis for the study will be the Commercial Policy Review Study as updated from time to time.

## Archaeological Assessment and Cultural Heritage Evaluation Report

The purpose of an Archaeological Assessment is to ascertain the presence or absence of archaeological resources meeting the standards of the Stage 1 & 2 Archaeological Assessments as per the Ministry of Tourism, Culture and Sport (MTCS).

Any proposal for development or site alteration in proximity to areas with archaeological sites or having archaeological potential (as assessed according to MTCS criteria) would, if found, identify archaeological resources, evaluate the significance of these resources, and provide strategies to mitigate the impact of development on these resources, such as in-situ preservation or systematic removal. The assessment would also include recommendations for conservation measures.

Only those areas of the study area that do not have prior clearance of archaeological potential from MTCS shall be subject to a new archaeological assessment. The consultant will be provided with confirmation of all prior archaeological assessments within the study area which have been entered into the MTCS registry.

A Cultural Heritage Evaluation Report (and Heritage Impact Assessment if necessary), is required to evaluate the impact a proposed development or site alteration will have on the cultural heritage resource(s) and to recommend an overall approach to the conservation of the resource(s). This analysis, which must be prepared by a qualified heritage conservation professional, will address properties identified in the Municipality of Clarington's Inventory of Heritage Properties (which includes both listed and designated properties), as well as any yet unidentified cultural heritage resource(s) found as part of the site assessment.

## Sustainability Plan and Green Development Principles

In conjunction with, and as part of, the findings of all other parts of the Secondary Plan study, the consultant shall identify and assess sustainable development principles and practices. This study shall utilize as a minimum the Priority Green Clarington Development Framework and Official Plan Policies.

In addition, the consultant shall prepare a set of guiding principles and standards for sustainable development (including servicing, roads, parks, open space, residential, commercial, institutional, land and buildings and development), which support, but are not limited to, the following:

- An approach to development that incorporates/utilizes/respects the vital function of Green Infrastructure;
- A development pattern that encourages and supports transit usage;

- A development pattern that is adaptable over time for future generations and promotes redevelopment of land and repurposing of buildings;
- A land use and development pattern which establishes good connectivity and mobility in the area for automobiles, cyclists and pedestrians and provides healthy lifestyle choices;
- A mix of housing and other uses which help create a complete community and contribute to the health and vibrancy of the existing and future community; and,
- Green development standards that include resilient infrastructure and reduced greenhouse gas emissions in support of the move towards a net zero community.

A component of the Sustainability Plan and Green Development Principles will be a Neighbourhood Energy Plan which will include consideration of:

- Energy use early in the land-use and infrastructure planning process and identify opportunities to integrate local energy solutions at the building or neighbourhood scale. It should identify development and infrastructure to minimize the use of electricity, natural gas and gasoline consumption;
- Address energy-efficient building orientation, design and construction; and
- Identify opportunities and targets for on-site energy generation, district heating and renewable energy options including opportunities for changing stations.

It is intended that sustainable development principles and practices outlined above shall be infused into every thematic area of the Secondary Plan, including the design of neighbourhoods and arrangement of land uses.

The Sustainability Plan and Standards should include measurable targets to move towards a net zero community.

## Appendix B - Priority Green Clarington Development Framework

The Sustainability Plan and Green Development Standards will demonstrate how, at a minimum, the criteria for Secondary Plans established in the Priority Green Clarington Development Framework and Implementation Plan are addressed, and how the Secondary Plan can support moving towards net zero communities that are resilient to the potential impacts of climate change.

The four themes that represent the core elements of a sustainable community and are addressed by the Priority Green Clarington – Green Development Framework and Implementation Plan are:

### Built Environment

The built environment is the constructed physical environment in which we live, work and play each day. It considers the design and layout of a neighbourhood, including land use mix and diversity, and the interaction of the buildings, road systems and other infrastructure that we encounter.

### Mobility

Mobility is about reducing vehicle dependency and offering choices for residents to travel in to, out of and through neighbourhoods each day. It speaks to facilitating active transportation in order to reduce pressure on Clarington's transportation network and reduce emissions from entering the environment, while contributing to human health and well-being.

### Natural Environment & Open Space

This theme seeks to protect and enhance ecologically significant components of Clarington's natural heritage system, to encourage design that works with natural conditions and gains benefit from the environmental, economic and social benefits of the natural landscape, and promotes linkages to a diverse range of open spaces, parks and recreation facilities.

### Infrastructure & Buildings

Green neighbourhoods strive to use resources more efficiently, leading to potential cost savings. This theme identifies means to maximize energy and water conservation, minimize the consumption of resources, and contribute to climate change mitigation and adaptation.

## Appendix C: Data Sharing Agreement



If this information is required in an alternate format, please contact the Accessibility Co-ordinator at 905-623-3379 ext. 2131

To: CONSULTANT  
From: Cody Brown  
Date: DATE  
Subject: Geospatial Data Release Agreement

This agreement is to certify that the Municipality of Clarington is agreeing to release geospatial datasets to CONSULTANTS. The digital mapping, hard copies, reports and analysis produced from it shall be for the sole use of CONSULTANTS and shall not be copied, resold or redistributed to any person or establishment in whole or in part by CONSULTANTS. The sole purpose of the data release for CONSULTANTS will be for the Soper Hills Secondary Plan. The following geospatial datasets will be released:

Name	Format	Extent	Data Source	Data Accuracy Date	Data License

There is no cost associated with the time spent preparing and delivering these geospatial datasets. The above listed datasets adhere to any data license listed above in addition to the following:

The Municipality of Clarington makes no representation or warranty of any kind with respect to the accuracy, usefulness, novelty, validity, scope, completeness or currency of the data and expressly disclaims any implied warranty of merchantability of fitness for a particular purpose of the data. CONSULTANTS shall have no recourse against the Municipality of Clarington, whether by way of any suit, claim, or action, for any loss, liability, damage or cost that CONSULTANTS may suffer or incur at any time, by reason of CONSULTANTS possession or use of the data. CONSULTANTS shall indemnify the Municipality of Clarington or its partners and their employees, agents and contractors from all claims alleging loss, costs, expenses, damages or injuries (including injuries resulting in death) arising out of CONSULTANTS possession or use of the data.




All digital mapping, hard copies, reports and analysis produced under this agreement shall be destroyed upon completion of the project or by December 31st, 2018. The data provided does not constitute an endorsement of this map or data by the Municipality of Clarington or its partners.

**CONSULTANTS**

**The Municipality of Clarington**

\_\_\_\_\_  
Signature and Date

  
\_\_\_\_\_  
Signature and Date

July 20<sup>th</sup>, 2018

Name:

**Cody Brown**

Title:

GIS Technologist

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If you have any questions or concerns please contact the Municipality of Clarington's GIS Technologist, Cody Brown at [cbrown@clarington.net](mailto:cbrown@clarington.net) or 905-623-3379 ext.2416.

## Appendix D: Declaration of Conflicts of Interest

Letter from the Principal consultant declaring that the main consultants and sub-consultants are not engaged by any of the landowners or their subsidiaries.

DRAFT

## Appendix E: Available Background Documents

The information listed below will be made available to the successful Consultant in digital format.

- Clarington Official Plan
- Clarington Heritage Mapping
- Clarington Transportation Master Plan
- Council adopted Newcastle North Village Neighbourhood Plan
- Draft Approved Plans of Subdivision SC-2005-003 and SC-2005-004
- Copy of all previous studies completed for the study area
- Priority Green Clarington – Green Development Standards Study
- Data bases/GIS

Other information that can be obtained online:

- Provincial Growth Plan
- Provincial Policy Statement
- Durham Regional Official Plan
- Durham Regional Transportation Master Plan
- Durham Region Climate Action Plan
- Wilmot Creek Watershed Plan, Ganaraska Region Conservation Authority
- Foster Creek Subwatershed Study, Gartner Lee Limited, Greenlands International and Stantec

Appendix F: Land Use Map – Newcastle Urban Area

