



Staff Report

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Report To:	Planning and Development Committee	
Date of Meeting:	May 17, 2021	Report Number: PDS-027-21
Submitted By:	Ryan Windle, Director of Planning and Development	
Reviewed By:	Andrew C. Allison, CAO	Resolution#:
File Number:	COPA2020-0003; PLN 41.4	By-law Number:
Report Subject:	Southwest Courtice Secondary Plan – Recommendation Report for Official Plan Amendment 125	

Recommendations:

1. That Report PSD-027-21 be received;
2. That Official Plan Amendment 125 (OPA 125) to include the Southwest Courtice Secondary Plan in the Clarington Official Plan be adopted;
3. That upon adoption by Council, the Southwest Courtice Secondary Plan be implemented by Staff as Council's policy on land use and planning matters and through the capital budget program;
4. That the Director of Planning and Development Services be authorized to finalize the form and content of OPA 125, the Secondary Plan and the Urban Design and Sustainability Guidelines resulting from Council's consideration, public participation, agency comments and technical considerations;
5. That the Urban Design and Sustainability Guidelines appended to the Secondary Plan be approved and be used by staff to guide development applications and public projects;
6. That the Director of Planning and Development Services be authorized to execute any agreements to implement the Secondary Plan once adopted by Council;
7. That OPA 125 be forwarded to the Region of Durham for approval;
8. That Council close the unopened road allowance legally referred to as:

- a. Firstly: Part of the road allowance between Lots 34 and 35, Con 1 (Darlington), now Part 1 on 40R-31088, Municipality of Clarington;
 - b. Secondly: RDAL BTN LTS 34 & 35, Con 1 (Darlington) btn Hwy 401 & d502897; Municipality of Clarington;
9. That the unopened road allowance portions be conveyed to the contiguous landowners for fair market value based on an appraisal prepared at the expense of such owners at the time of purchase; and
 10. That all interested parties listed in Report PDS-027-21 and any delegations be advised of Council's decision regarding the adoption of the Secondary Plan

Report Overview

Staff are pleased to present the Southwest Courtice Secondary Plan for Council adoption based upon the extensive consultation that has taken place. The purpose of the Official Plan Amendment 125 is to adopt the Southwest Courtice Secondary Plan and the Urban Design and Sustainability Guidelines into the Clarington Official Plan. This Amendment applies to only the lands located within the Southwest Courtice Secondary Plan Area. The policies and guidelines will guide the creation of a range of housing types, a central elementary school, walkable streets, accessible parks, and protected and enhanced natural features. The design of the neighbourhood places a strong emphasis on walkability and access to amenities to encourage social interaction and outdoor activity.

After adoption by Council, the Southwest Courtice Secondary Plan will be sent to the Region of Durham for approval.

1. Purpose of the Report

- 1.1 The purpose of this Staff Report is to recommend to Council the adoption of Official Plan Amendment 125 (OPA 125) to the Clarington Official Plan to include the Southwest Courtice Secondary Plan in the Official Plan. The recommendation comes following a thorough public planning and consultation process. The Staff recommended OPA 125 includes the Southwest Courtice Secondary Plan and the Urban Design and Sustainability Guidelines which are incorporated as **Attachment 1**.
- 1.2 This report includes a summary of the process and comments received since the release of the Draft Secondary Plan, the Draft Urban Design and Sustainability Guidelines, and the Draft Official Plan Amendment on June 1, 2020.

2. Background

- 2.1 The Southwest Courtice Secondary Plan area is generally bounded to the north by Bloor Street, Robinson Creek to the east, Townline Road South to the west and Highway 401 to the south (**Figure 1**). Approximately half of the 216- hectare area has been developed under the existing Secondary Plan completed in 1996. The expanded area includes the conversion of the employment lands to the south.
- 2.2 A conversion means redesignation from employment area to another urban designation, in this case, from employment area to residential area. Secondary Plan boundaries are drawn to take these differences into account. Here, it was determined that the employment land to the south of Southwest Courtice's residential area would function better as an extension of the residential area. The Employment Land Conversions have been previously supported by Council three times, twice in 2019 and once in 2021, as detailed in Section 6.3 to 6.5 of this report, as well as in **Attachment 2**, the Sequence of Events.

- 2.3 The process of this conversion from one type to another requires approval from the Region of Durham through their ongoing Municipal Comprehensive Review process. In support of the ongoing Secondary Planning Process, the Municipality submitted the formal request for land Conversion to the Region on September 23, 2020. Council's support of the proposed conversion was forwarded to the Region of Durham in February of this year. Rationale for the conversion as well as a status update is provided in Section 6.3.
- 2.4 The Secondary Plan area contains significant green spaces associated with Robinson Creek and its associated tributaries and valley lands. These watercourses, and their associated woodlots and wetlands guide the structure of the Secondary Plan layout.
- 2.5 All the higher density uses are proposed to be focused along Bloor Street. Along the southern edge of the Plan area, there will be a concentrated area of medium density development which will be predominantly townhouses and low-rise apartment buildings, not exceeding 4 storeys in height. The remainder of the low-density area would predominantly be single detached, semi-detached, and townhouse dwellings.
- 2.6 The result will be a residential community with walkable streets, a diversity of housing types, accessible and versatile parkland, and protected natural features.
- 2.7 Background and technical reports were required as part of the Secondary Plan process. These reports outline the challenges and opportunities for the area and informed policy direction. The list of reports is as follows:
 - Stage 1 Summary Report
 - Public Meeting #1 Consultation Summary
 - Cultural Heritage Assessment Report
 - Stage 1 Archaeological Assessment Report
 - Transportation Impact Assessment Report
 - Servicing, Existing Conditions, Opportunities and Constraints Report
 - Stage 2 Summary Report
 - Functional Servicing Report
 - Transportation Impact Assessment
 - Planning Rationale Report

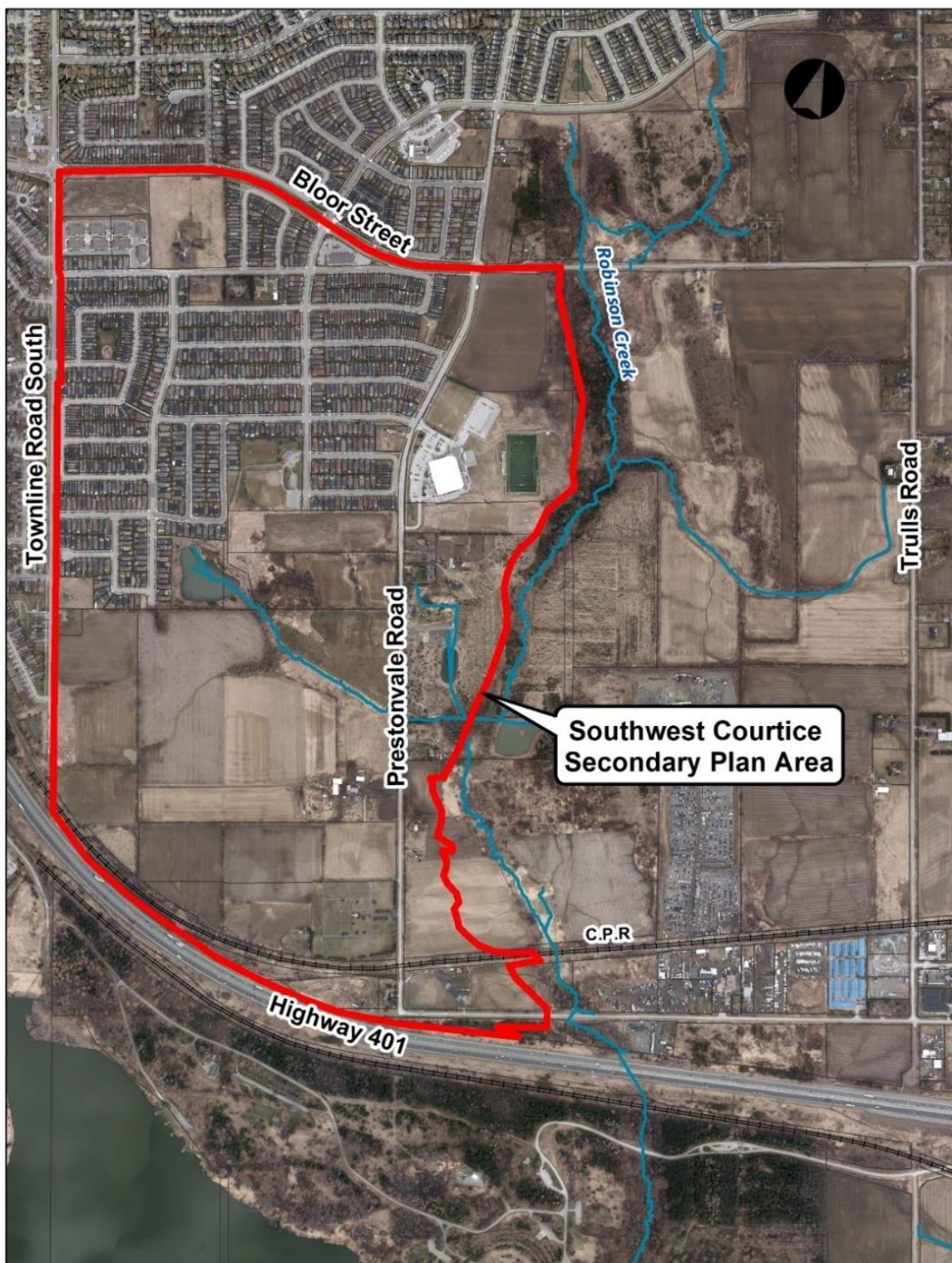


Figure 1: Southwest Courtice Secondary Plan Area

- 2.8 For the sake of clarity, the Official Plan Amendment replaces the existing plan and urban design guidelines with those recommended in this Report. Approvals already granted are not affected by this change. The Southwest Courtice Secondary Plan will maintain the original plan's progressive vision and many of its policies.

3. Priorities in the Secondary Plan and the Urban Design and Sustainability Guidelines

- 3.1 The Southwest Courtice Secondary Plan, the Urban Design and Sustainability Guidelines and the preparation process has addressed the five priorities identified by Council in the Secondary Plans Terms of Reference;
- Sustainability and Climate Change
 - Affordable Housing
 - Excellence in Urban Design
 - Community Engagement
 - Coordination of Initiatives

Sustainability and Climate Change

- 3.2 The Southwest Courtice Secondary Plan addresses the criteria developed for Secondary Plans in Clarington's Green Development program and is guided by the Priority Green Development Framework. Council added emphasis to this priority through the declaration of a Climate Emergency on March 23, 2020.
- 3.3 Sustainable development principles and practices are incorporated throughout the Secondary Plan and the Sustainable Urban Design Guidelines, including the design of neighbourhoods and the allocation of land uses.

Affordable Housing

- 3.4 Council, through Official Plan policy, supports the provision of a variety of housing types, tenure and costs for people of all ages, abilities and income groups. From the recommended policies in Clarington's Affordable Housing Toolkit, the Southwest Secondary Plan is implementing various strategies including the requirement that the Landowners Group provide either land or a contribution of funds to the Municipality for the development of affordable housing. The Landowners Group has agreed to provide \$400 per unit towards affordable housing.

Excellence in Urban Design

- 3.5 The goal for any new development is to celebrate and enhance the history and character of Clarington. New neighbourhoods are to be created with a sense of place and all development should result in high quality design. The Secondary Plan policies supported by the Urban Design and Sustainability Guidelines provide substantial direction for high quality design.

Community Engagement

- 3.6 Clarington Council is committed to community consultation and engagement beyond the statutory requirements. The preparation of this Secondary Plan was and continues to be supported by a thorough public engagement strategy which includes a range of public consultation initiatives in order to share, consult, deliberate, and collaborate with all stakeholders. For all public information centres and public meetings all landowners of the area were informed by letter, newspaper advertising, and social media. These efforts were in addition to any statutory meeting requirements.

Coordination of Initiatives

- 3.7 There are several projects integrated with, and yet separate from the Secondary Plan. This includes the Environmental Assessment process for higher order roads in the Secondary Plan, the Robinson and Tooley Creeks Subwatershed Study and the Courtice Employment Lands and Major Transit Station Area Secondary Plan.

Environmental Assessment Process

- 3.8 An Environmental Assessment (EA) is required for all new major (collector and arterial) roads needed for the Southwest Courtice Secondary Plan. To avoid confusion and focus resources more effectively, this Secondary Plan project is being undertaken using the 'Integrated Approach' which jointly satisfies the requirements of both the *Planning Act* and the *Environmental Assessment Act*. All public notices, communications, and review periods have been designed to ensure that they conform to the requirements of both Acts.

Key public consultation elements of the EA process include:

- Notifications: All project notices demonstrate clear indication of the Integrated EA and *Planning Act* approach;
- Mandatory Consultation: Engagement with review agencies and the public regarding the problem/opportunity and alternative solutions is a key component for the EA process; and
- Completion: At study completion, a Notice is to be prepared advising agencies and the public of the study completion and the opportunity to review the project reporting.

Indigenous Communities Consultation

- 3.9 Both the *Planning Act* and the *Environmental Assessment Act* require consultation with Indigenous communities. Staff provided background materials and copies of all notice material to each Indigenous community with rights and interests in the area. Staff have ensured consultation with each of the required Indigenous communities meets the requirements of the Acts.

Robinson/Tooley Creeks Subwatershed Study

- 3.10 This Secondary Plan is located within the watersheds of the Robinson Creek and Tooley Creek. The Subwatershed Study (SWS) Existing Conditions Report was released for public comment, and a public meeting was held in November 2019.
- 3.11 The second phase of the SWS is nearing completion. In this phase, a Subwatershed Management Report will be prepared. It will provide direction regarding stormwater management controls, low impact development measures and groundwater recharge/infiltration parameters. It will also include natural heritage strategies which will protect, rehabilitate and enhance the environment within the study area. The consultants preparing the SWS, CLOCA and Staff have been working together to ensure the necessary policies have been included in the Secondary Plan prior to the report being finalized. After the Secondary Plan is adopted, the development approvals process will provide additional opportunity for the implementation of the Subwatershed Study recommendations.

Courtice Employment Lands and Major Transit Station Area Secondary Plan

- 3.12 The Courtice Employment Lands (CEL) and Major Transit Station Area (MTSA) Secondary Plan is located east of the Southwest Courtice Secondary Plan. The Southwest Courtice Secondary Plan, and its integrated Environmental Assessment, will continue to establish connectivity options that respond and complement the planning for the CEL and MTSA.

4. Public Participation

- 4.1 The preparation of this Secondary Plan has been supported by a thorough public engagement strategy, including a range of public consultation initiatives, including online and in-person events. These efforts have been in addition to all statutory meetings requirements. All landowners in the area received notice of all the public information centres held and the statutory public meeting. Also, the landowners have been informed that this recommendation report is being presented to Council.
- 4.2 All public notices, communications and review periods have been designed to ensure conformity with the requirements of both the *Planning Act* and Municipal Class Environmental Assessment (EA). To avoid creating confusion by sending multiple notices, and to focus Municipal resources more effectively, this project was designed to jointly satisfy the requirements of both the *Planning Act* and the *Environmental Assessment Act*.
- 4.3 In summary the following were the opportunities provided for public consultation:

Project Webpage

- 4.4 To facilitate public participation and to provide information, a project web page (www.clarington.net/SouthWestCourtice) was created. All information associated with the project including meeting notices, presentation materials, Staff and consultant's reports are housed on this web page.
- 4.5 Since the project web page was created on June 4, 2019 it has been visited by over 2316 different people. Of that number, 1550 different people visited the web page after the draft Secondary Plan and Urban Design and Sustainability Guidelines were posted to the web page on June 1, 2020.

Initial Planning and Development Committee Public Meeting – June 2018

- 4.6 The general public and all landowners within the Secondary Plan area were invited to the initial Public Meeting before Council in June 2018. Notice of the meeting was advertised in the Clarington This Week and Orono Times newspapers and on the Municipal website for the two weeks preceding the meeting. The Public Meeting and associated Staff Report ([PSD-052-18](#)) outlined the proposed planning process, the composition of the steering committee and the terms of reference for the Secondary Plan. Shortly after Council approval to proceed, Urban Strategies was hired, and the Southwest Courtice Secondary Plan planning process began.

Public Information Centre (PIC) Number 1 – June 2019

- 4.7 The first PIC on June 18, 2019, was held jointly for the Southwest Courtice Secondary Plan together with the Courtice Employment Lands. The purpose of this event was to introduce the public to the two adjacent projects and to begin generating ideas. The approximate 60 residents, business owners, agencies and developers attending the session were interested in how the framework for future development of this area would be created. The integrated Environmental Assessment (EA) process was introduced at the project launch to inform the community that the EA was being undertaken simultaneously with the Secondary Plan.

Landowner Meeting – October 2019

- 4.8 On October 9, 2019, a meeting was held for all landowners within the Secondary Plan Area. Three preliminary road layouts and land use options were presented to solicit feedback on land use compatibility, block/lot flexibility, employment land flexibility, and parkland access and configuration.

Public Information Centre Number 2 – October 2019

- 4.9 The same three land use options were presented to the general public at the project's second PIC on October 24, 2019. Notice of the PIC was given in the same manner as PIC Number 1. 32 people attended this information centre.

5. Official Plan Amendment and the Secondary Plan Process – Final Phase

Statutory Public Meeting Notice

- 5.1 The Public Meeting notice was provided to over 1,400 people including property owners inside the Secondary Plan area, landowners within 120 metres of the Secondary Plan area and all interested parties. All draft and supporting documents were posted to the project webpage by June 1, 2020. Clarington Communications promoted the Public Meeting on the Municipal website and through social media. Notice advertising the Public Meeting was placed in Clarington This Week and the Orono Times for three weeks preceding the meeting. A notice was included in the Planning and Development Services E-update. All registered interested parties from the beginning of the project were either mailed or emailed the Notice of Public Meeting.
- 5.2 In addition to receiving a notice of Public Meeting, external agencies and internal departments were requested to provide their comments regarding the Draft Secondary Plan and the Draft Urban Design and Sustainability Guidelines.
- 5.3 The Statutory Public Meeting Staff report ([PSD-022-20](#)) was released for public review as part of the June 23, 2020 Special Meeting of the Planning and Development Committee agenda. The Staff Report provided an overview of the planning process for Secondary Plans, a brief overview of the planning policy framework in which the Secondary Plan has been developed, a summary of public and agency comments received to date, as well as an overview of the Southwest Courtice Secondary Plan and the Urban Design and Sustainability Guidelines.

Statutory Public Meeting – June 23, 2020

- 5.4 The Statutory Public Meeting was held at Council's Planning and Development Committee virtually on June 23, 2020. The Statutory Public Meeting was the opportunity for Staff to present the Draft Secondary Plan and the Urban Design and Sustainability Guidelines to Council and the public. The meeting was 'attended' by approximately 21 people.
- 5.5 **Attachment 2** to this staff report presents the Sequence of Events regarding the Southwest Courtice Secondary Plan as well as a hyperlink to the modified Notice of Council's Decision described below in Section 5.7.
- 5.6 The Statutory Public Meeting provided the opportunity for the public to formally comment on the draft OPA, the draft Secondary Plan and the draft Guidelines. Since the Public Meeting staff has received an additional 8 written submissions. A summary of public submissions is provided in Section 7 of this report and the Public Comment Summary Table in **Attachment 3** of this report.

- 5.7 A Notice of Council's decision regarding Draft OPA 125, Draft Southwest Courtice Secondary Plan and the Draft Urban Design and Sustainability Guidelines was sent following the ratification of decisions made by Committee at the Statutory Public meeting held on June 23, 2020. This notice was sent to all the landowners within the Secondary Plan area and interested parties. The standard notice was modified to provide further explanation to the recipients as to why they were receiving the Notice from the Municipality and explained in plain language what the resolution meant.
- 5.8 In total, each of the landowners within the Secondary plan Area have received six written notifications including the one for this report, as the project has advanced to the recommendation stage.
- 5.9 Staff have also received comments from the Region of Durham, Bell, Canada Post, Durham Regional Police Service, the Kawartha Pine Ridge District School Board and the Peterborough Victoria Northumberland Clarington Catholic District School Board. A summary of their Comments is provided in Section 8 of this report and the Agency Comment Summary Table in **Attachment 4** to this report. The comment tables provide a review of each comment received and a response as to how the comment/request has been addressed in the Secondary Plan.

6. Provincial and Regional Policy Conformity

- 6.1 The Southwest Courtice Secondary Plan is consistent with the policy directions of the Provincial Policy Statement, 2020, A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2019, and the Durham Region Official Plan as they apply to new communities.
- 6.2 Collectively the directions regarding complete communities, a thriving economy, a clean and healthy environment and social equity have shaped both the Clarington Official Plan and this Secondary Plan. The Statutory Public Meeting Report [PSD-022-20](#) outlined how the Secondary Plan is in conformity to these planning documents and included the summary of the robust public engagement activities.

Employment Land Conversion

- 6.3 While respecting the employment area policies of the PPS, the Growth Plan, and the Regional Official Plan, the Secondary Plan proposes the conversion of the portion of the Courtice Employment Lands (CEL) west of Robinson Creek to permit residential uses. The lands are severely constrained for employment uses and unlikely to achieve the current policy objective for a high concentration of employment.
- 6.4 Leading up to the Employment Lands Conversions request in September 2020, Staff took two separate reports to Council in support of the proposed Provincially Significant Employment Zone being removed from the Southwest Courtice Secondary Plan Lands. In February 25, 2019, Staff took Report [PSD-015-19](#) and in June 2019, Staff took Report [PSD-027-19](#) where Council reaffirmed Resolution C-061-19 passed on February 25, 2019, in respect to Provincially Significant Employment Zones.

- 6.5 Through the Region's Municipal Comprehensive Review (Envision Durham), Staff submitted a formal Employment Land Conversion Request for the lands within the Secondary Plan to the Region in September of 2020. Staff outlined the details of the conversion request to Council in February of this year through [PDS-009-21](#). Council's support of the proposed conversion was forwarded to the Region of Durham, to inform the Growth Management Study being conducted for Envision Durham. The Region is currently reviewing the requests and the decision will be made through the MCR process.

7. Public Submission Summaries

General Public Comments

- 7.1 General inquiries were brought forward regarding the timing of construction and project completion of the Secondary Plan. Other inquiries touched upon the details related to the Secondary Plan project and the impacts on specific properties within the Secondary Plan area. Related comments included topics such as decisions on future and surrounding land uses, proposed densities, housing, roads/extensions and traffic. Multiple comments supported environmentally protected lands and features/habitat, increased vegetation, parks, schools, community facilities, transportation and neighbourhood connectivity.
- 7.2 No submissions from the general public were directly related to a specific Secondary Plan policy or Urban Design and Sustainability guideline. The comments have informed the proposed Secondary Plan policies, giving regard to the concerns expressed. Support and gratitude from the public were also expressed.

Landowner Group

- 7.3 The Landowners Group (LOG) for this Secondary Plan is represented by Delta Urban Inc. The LOG provided several sets of comments regarding the Secondary Plan and the Urban Design and Sustainability Guidelines since release for the Public Meeting in June 2020. Comments were policy and guideline specific. They ranged from being minor in nature, (grammar, numbering, consistent terminology) to extensive in that they sought changes to the land use plan and provisions that were more aligned with developer expectations including the relocation of a park on the southern portion of the Secondary Plan lands.
- 7.4 All public comments, including those from the LOG, are included in the Public Comments Summary Table in **Attachment 3** to this report. The summary table provides an outline of the comments received as well as a response as to how the comment/request has been addressed.

- 7.5 To ensure continuous and open communication throughout the Secondary Plan process, Staff have met regularly with the representatives from the LOG. The most recent set of documents were circulated to the LOG for final review with very minimal comments to be addressed towards finalization. On May 6, 2021, Staff received a letter from the LOG confirming the Group's support of the Secondary Plan and background studies that are attached as **Attachment 1** to this recommendation report.

8. Agency Comments

Region of Durham

- 8.1 Staff have received two sets of comments from the Region of Durham since the release of the draft Secondary Plan and draft Urban Design Guidelines in June 2020.
- 8.2 The Region of Durham has provided guidance on Regional Corridor and general land use policies and Regional servicing as it relates to future development in the Secondary Plan area. The comments were supportive of the Secondary Plan, including higher density built form requirements along Regional Corridors. Policy direction to ensure that adequate access and spacing of arterial roads to accommodate higher traffic volumes as well as for all modes of transit were provided. Policy suggestions have strengthened how the public realm and surrounding land uses have been shaped, while promoting an attractive community design.
- 8.3 Throughout the Secondary Plan process, the Region has provided comments about their Municipal Comprehensive Review (also known as Envision Durham) and specifically how the proposed conversion of the employment lands to the south of the former Southwest Courtice Secondary Plan area should proceed. The most recent comments received suggest that the Region will defer the employment area conversion at the time of final approval if the Regional MCR conversion process is not complete at the time of decision. Staff have been working closely with the Region through the MCR process and are hopeful that the timing of approval at the Regional level will coincide with the ongoing work being done at the Regional level for the Employment Land Conversion Requests. The Secondary Plan will be amended in the instance that the employment land conversion is not granted to the existing Official Plan Policies for the lands at the time of adoption.

Metrolinx

- 8.4 Comments from Metrolinx continue to support an on-road cycling network to facilitate multi-modal access to the future Courtice GO Station.
- 8.5 As discussed in the Public Meeting Report, Metrolinx identified the potential closure of Prestonvale Road likely at the Canadian Pacific (CP) Rail crossing that would prevent the need to reconstruct the Courtice Road Bridge to accommodate the track; this closure would facilitate the expansion of the GO train to Bowmanville and will likely result in significant cost savings.

School Boards

- 8.6 Prior to the Statutory Public Meeting in June of 2020, the Kawartha Pine Ridge District School Board, identified the need for an elementary school site within the Secondary Plan area. Based on the criteria provided by the Simcoe County District School Board and Clarington's Official Plan, a tentative site was selected in agreement with the Southwest Courtice Landowner Group.
- 8.7 Following the Public Meeting, Staff held further meetings with the appropriate agencies and determined the proposed location was appropriate for the elementary school site. The location is on the west side of the proposed Fenning Drive extension just south of the existing terminus of Fenning Drive. The proposed location provides a more central site to the whole neighbourhood including the northern built-up area and is also close to the school site that was not developed.

Other Agencies and Clarington Departments

- 8.8 Comments have been received from Durham Regional Police Service, Canada Post, and Bell Canada. Generally, comments from these agencies are more pertinent at the development application stage.
- 8.9 The Clarington Legislative Services Department, Financial Services, and the Clarington Fire Emergency Services Department generally had no objections to the Secondary Plan.
- 8.10 Staff from Clarington's Public Works Department – Infrastructure Division are on the Secondary Plan Steering Committee and have been providing continuous and invaluable input to the Secondary Plan and Urban Design and Sustainability Guidelines since the beginning of the project.

Indigenous Consultation

- 8.11 The following were invited to provide comments or consult directly with Municipal Staff:
- Mississaugas of Scugog Island First Nation
 - Alderville First Nation
 - Curve Lake First Nation
 - Hiawatha First Nation
 - Métis Nation of Ontario
 - Williams Treaty First Nations
 - Huron-Wendat First Nation
 - Oshawa and Durham Region Metis Council
 - Beausoleil First Nation
 - Chippewas of Georgina Island First Nation
 - Chippewas of Rama First Nation

- 8.12 Prior to the Public Meeting, the Curve Lake First Nation provided valuable information to the Secondary Plan process, raising concern for potential environmental impacts to drinking water quality, fish and wild game, territorial lands, archaeology and Aboriginal heritage and culture. In response to the comments, Staff have included Curve Lake First Nation as an interested party for the two ongoing Subwatershed studies. Staff and Curve Lake First Nation Liaison Staff have also committed to regular meetings to continue open dialogue.
- 8.13 All agency comments are included in the Agency Comments Summary Table in **Attachment 4** to this report. The summary table provides an outline of the comment received as well as a response as to how the comment/request has been addressed.

9. Key Revisions to the Secondary Plan since the Public Meeting

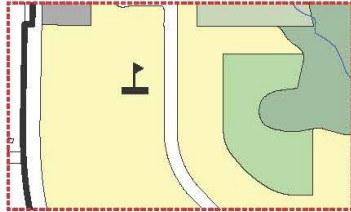
- 9.1 The recommended OPA 125 attached to this report, reflects the changes made in response to extensive public participation and comments, agency comments and staff's continuing review. While a considerable number of comments were received by the Region of Durham and the Landowner Group, the concerns raised and the Staff response to them, did not significantly change the direction of the Secondary Plan or the Design Guidelines from the drafts released for the Statutory Public Meeting on June 1, 2020. The following summarizes the changes made after the meeting to the Secondary Plan and the Urban Design and Sustainability Guidelines.
- 9.2 Changes to Schedule A – Land Use
- The Low-Medium Density Residential Designation has been split into two distinct Low and Medium Density Residential Designations;
 - The Southeast corner of Bloor and Prestonvale has been designated Medium Density Residential, consistent with the existing zoning on the site and ongoing development applications;
 - An additional Park along Townline Road has been added, directly south of the Utility site, to complement the elementary school site.
 - Minor park realignments to allow for better connectivity through the Secondary Plan Lands;
 - Key View Corridor shifted from diagonal to east west from the School Block to the Environmental Protected Lands;
 - The Low-Density Residential Designation added to the lands identified as the Special Study Area; and
 - Overlay added to demonstrate the area designated for employment uses in the Clarington Official Plan and proposed for conversion to permit residential uses.
- 9.3 Summary of Changes to Schedule C – Open Space Network
- Minor park realignments to allow for better connectivity through the Secondary Plan Lands;

- Park addition fronting Townline Road, east of the Elementary School site; and
- Addition of trail connections approved to be constructed through existing development approvals on the north-east quadrant of the Secondary Plan area.

9.4 Summary of revisions to Secondary Plan policies:

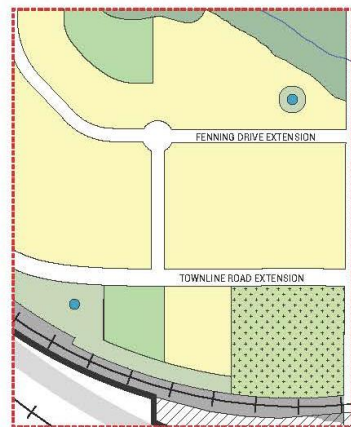
- Reorganization of the document layout, including the separation of the Low Density Residential and Medium Density Residential Policies;
- The High-Density Residential designation has been modified;
- Strengthened policies related to: Environmental Protection, Stormwater Management, Implementation of the findings/recommendations of the Subwatershed Study, and Cost Sharing have been added;
- Appropriate transition policies have been added;
- Maximum densities have been removed;
- Housing Target Monitoring Policy added to form part of Complete development applications;
- A comprehensive accessory apartment section has been added; and
- Affordable Housing Policies have been strengthened.

June 2020 Public Meeting Concept



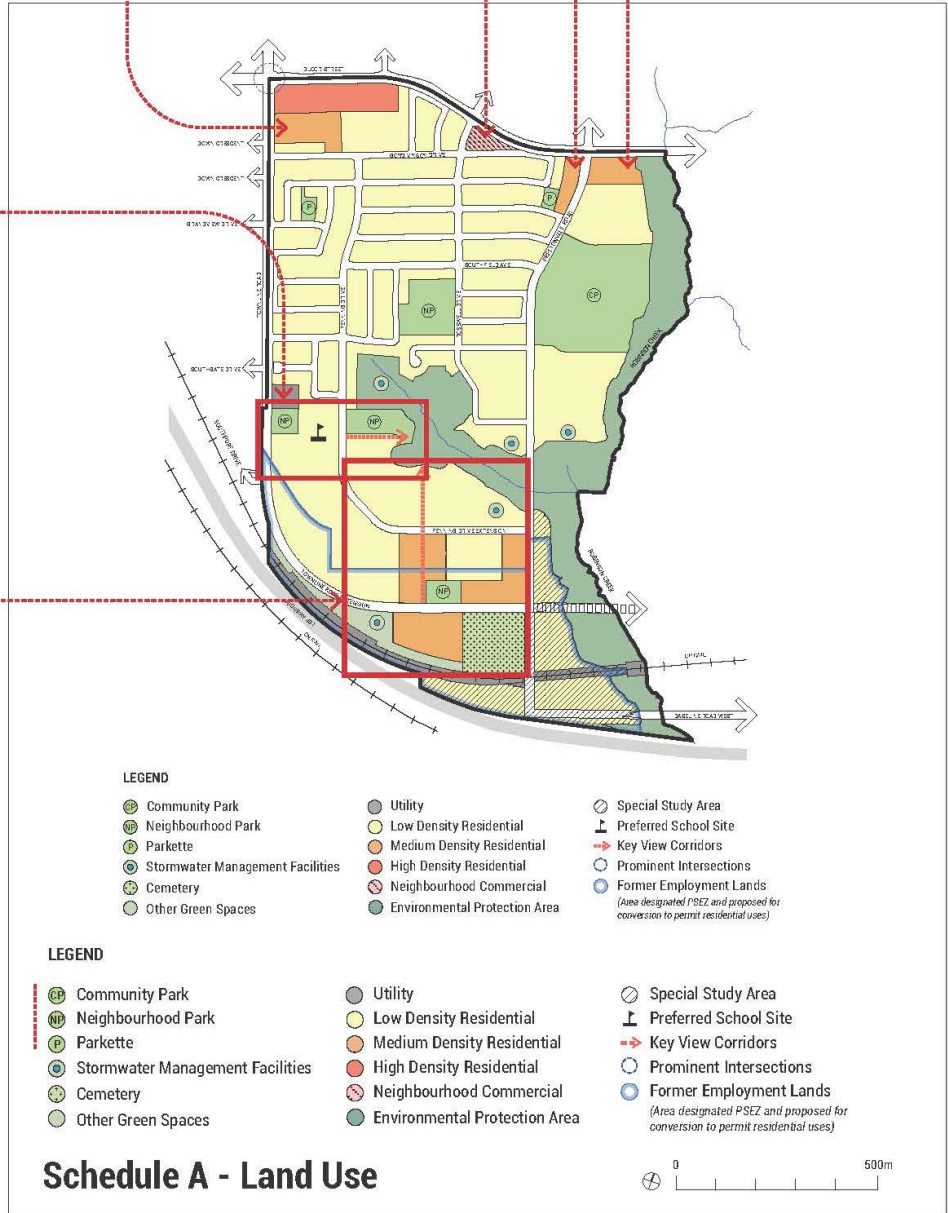
- Neighbourhood Park added to west of Preferred School Site
- Neighbourhood Park east of Fenning Drive reconfigured
- Key View Corridor added.

June 2020 Public Meeting Concept



- North-south collector removed
- Neighbourhood Park shifted north of Townline Road Extension
- Added Key View Corridor
- Added Medium Density Residential to front both sides of Townline Road Extension and west side of Prestonvale Road

Revised to Medium Density Residential. Revised to Neighbourhood Commercial. Revised to Medium Density Residential.



Changes to Land Use Schedule Since June Public Meeting

Bayview (Southwest Courtice) Secondary Plan

Figure 2: Changes to Land Use Schedule Since June 23, 2020 Statutory Public Meeting

Affordable Housing Policies

- 9.5 Clarington Council, through Official Plan policy supports the provision of a variety of housing types, tenure and costs for people of all ages, abilities and income groups. These Council policies are also reflected in the adopted Affordable Housing Tool Kit as outlined in the Staff Report [CAO-013-19](#).
- 9.6 The Clarington Affordable Housing Toolkit has the following recommendations that are being implemented through this Secondary Plan:
- **Encouraging affordable housing through Secondary Plan policies:** The Terms of Reference for the Secondary Plan as approved by Council and agreed to by the Landowners Group includes affordable housing as a priority for the project.
 - **Accessory Units:** The Secondary Plan includes policies that provide for accessory units in detached, semi-detached and townhouse units, expanding the supply of rental units in the community.
- 9.7 Following the statutory Public Meeting, and after more research, staff included polices in the Secondary Plan that require either the dedication of land for affordable housing or contribution of funds to the Municipality to support development of affordable housing units. In discussions with the Landowners Group, they have selected the option of providing funds to the Municipality through a Voluntary Contribution Agreement.
- 9.8 The Secondary Plan policies for the provision of land or funds for affordable housing are not linked to additional density.
- 9.9 The Southwest Courtice Secondary Plan implements the affordable housing policies of the Clarington Official Plan as well as the direction of the Clarington Affordable Housing Toolkit in collaboration with the private sector.

Summary of Revisions to the Urban Design and Sustainability Guidelines

- 9.10 Like the Secondary Plan, the Urban Design and Sustainability Guidelines have been reorganized into a more standardize format. The above-described changes to the Secondary Plan policies have necessitated minor changes
- 9.11 Given the range of permitted land uses and building typologies throughout the Secondary Plan Lands, additional guidelines were added for duplexes, triplexes, back-to-back townhouses, accessory apartments and high-rise buildings. Guidelines have been included to address transition. Specifically, regarding the type of mitigation measures/buffers to existing uses, heights transition to lower density designations, parks and environmental protection areas, cemetery and parks. Further, Guidelines have been added to address mid-block connections and private amenity areas including, but not limited to; indoor and outdoor, privately owned publicly accessible amenities and court yards. Finally, a section was added to provide guidelines for Prominent Intersections, gateways and key intersections.

- 9.12 As with the Secondary Plan policies, there are no major shifts in direction since the Draft Urban Design and Sustainability Guidelines were presented at the Public Meeting. The additional policies coincide and strengthen the direction that was presented at the Public Meeting.
- 9.13 All comments received regarding the Urban Design and Sustainability Guidelines are in the Urban Design and Sustainability Guidelines Comments Summary Table in **Attachment 5** to this report. The summary table provides an outline of the comments received as well as a response as to how each comment/request has been addressed.

10. Key Elements of the Secondary Plan

- 10.1 The central components of the Secondary Plan include Low Density Residential, Medium Density Residential, High Density Residential, Parkland and Green Spaces and an Employment Land Conversion Area.

Low Density Residential

- 10.2 The majority of the developable lands in the Secondary Plan area are designated Low Density Residential. This designation will see a mix of single and semi-detached dwellings along with limited townhouses limited to 20% of the Low-Density Residential areas. Buildings will not exceed 3 storeys. Private lanes or streets are not permitted.

Medium Density Residential

- 10.3 The Medium Density Residential designation will see a mix of townhouses and apartment buildings limited to a maximum of 4 storeys. Private lanes and streets are permitted but are required to adhere to the same standards as public lanes and streets.

High Density Mixed-Use

- 10.4 Bloor Street is identified as a Regional Corridor in the Clarington Official Plan. As a result, lands along the south side of Bloor Street, nearest to Townline Road are designated as High Density Residential. The High-Density Designation permits apartment buildings and mixed-use developments between 7 to 12 storeys.

Parkland, Green Spaces and Key View Corridors

- 10.5 Central to the Secondary Plan Area are the watersheds of the Robinson Creek and Tooley Creek. The Land Use Plan takes advantage of this by locating one of the three neighbourhood parks directly adjacent to the Environmental Protection (EP) lands, along with coinciding Key View Corridors running east-west and north-south. The implementation of these Key View Corridors will truly emphasize that EP lands, Parks and Green Spaces are integral to this developing neighbourhood.

Employment Area Conversion Lands

10.6 As detailed in Section 6.3 of this report, the Southwest Courtice Secondary Plan proposes the conversion of the portion of the Courtice Employment Lands (CEL) west of Robinson Creek to permit residential uses. A conversion means a redesignation from employment area to another urban designation, in this case, from employment area to residential area. The process of this conversion from one type to another requires approval from the Region of Durham through their ongoing Municipal Comprehensive Review process.

Unopen Road Allowance within Secondary Plan Area

- 10.7 As initially discussed through report [PWD-003-20](#) to the General Government Committee on November 9, 2020, one of the Landowners put forward a Proposal to Close and Convey a Portion of an Unopened Road Allowance (Found Farm) Situated Between Lot 34 & 35, Concession 1, Former Township of Darlington. At the April 19th General Government Meeting a letter from the Tribute land owners was referred to Staff by Resolution [GG-297-21](#) to address as part of this Report.
- 10.8 The unopened road allowance (ROW) has two property descriptions and is legally referred to as: Firstly, Part of the road allowance between Lots 34 and 35, Con 1 (Darlington), now Part 1 on 40R-31088, Municipality of Clarington and Secondly, RDAL between Lots 34 & 35, Con 1 (Darlington) between Hwy 401 & D502897; Municipality of Clarington. The entire ROW is shown on **Attachment 6**, there are three contiguous land owners and they should be treated in a similar manner.
- 10.9 Tribute have requested the northern most portion (66%) of the ROW be sold to them so that they can proceed immediately with their subdivision applications (**Attachment 7**). To apply they have to be the land owners or have the permission of all owners of the parcel the application is subject to. Keeping the unopened right of way under the Municipalities ownership will impact the current vision of the community that has been discussed with the Public and Council on numerous occasions since the formal launch of this Secondary Planning process in June of 2019.
- 10.10 The structure of the plan outlines the optimum location for new housing, transportation connections, parks, open spaces, and schools as shown in the Demonstration Plan (**Figure 4**). Council did not have the benefit of the final structure of the community in the Southwest Courtice Secondary Plan Area when the decision to retain the ROW lands was made. With the provision of the recommended Secondary Plan and associated land uses, Council now can see the “big picture” in terms of the ultimate plans for the community and fully understand the impact retaining the ROW would have on the overall design concept (**Figure 5**).



Figure 4: Demonstration Plan



Figure 5: Unopened Road Allowance Overlay onto Demonstration Plan

10.11 In addition to recommending Council adopt the proposed Southwest Courtice Secondary Plan, it is recommended that Council close and convey the surplus road allowance. The closure and conveyance of these lands would allow the Secondary Plan to develop in alignment with the vision described in detail throughout this report. The design of the Secondary Plan area is centered around the Municipality disposing of the unopened right of way. Each portion of the ROW would be conveyed at fair market value to the contiguous owner when they are about to apply for subdivision.

11. Fiscal Impact Analysis Summary

11.1 Large scale development proposals can require significant public investment. The Municipality also needs to understand what the long-term revenue and expenditure impact of the proposed developments would be before they are approved. The Official Plan requires that a Financial Impact Analysis (FIA) be undertaken for Secondary Plans. Accordingly, staff have undertaken a Financial Impact Analysis for the Southwest Courtice Secondary Plan.

11.2 This report includes assumptions and estimates which are based on the best information we have available at the time of writing. The actual design of the Secondary Plan, the timing of the development, type of development, and service impact will all modify the actual results and are beyond the ability of the writer to determine with absolute certainty.

11.3 It appears that there will be a surplus in the annual revenue generated to contribute to operating costs of approximately \$297,000. There are impacts of growth such as economic growth from additional small businesses needed to service the population growth, business to business sales, and cultural diversity, all of which are positive outcomes of this growth that do not impact the Municipality's bottom line as they do not directly attribute to property tax or user fee revenues.

11.4 The Municipality should continue to work with developers to finalize the updated Southwest Courtice Secondary Plan and consider revisiting the Development Charges Study before the five-year required review to ensure that all capital costs are appropriately included and recovered.

12. Next Steps

12.1 As with other secondary plans and given the number of documents and comments from Council, some technical changes to wording or schedules may take place prior to the Municipality forwarding the documents to the Region of Durham for approval. As such, Recommendation #4 requests Council authorize the Director of Planning and Development Services to finalize the form and content of OPA 125.

12.2 Once Clarington Council adopts the Secondary Plan through OPA 125, it will be forwarded to the Region of Durham for review and approval. The Region has various options. It may approve, approve with modifications, deny or make no decision (in other words defer making a decision) regarding OPA 125 and the Secondary Plan.

- 12.3 Prior to issuing a decision on OPA 125, it is anticipated that Region of Durham staff will provide a list of proposed modifications to the Director of Planning and Development Services. Staff will review those proposed modifications and bring a report to Council outlining the proposed modifications. Council will then be able to provide comments to the Region of Durham on the proposed modifications before the Region of Durham issues its decision.
- 12.4 Once the Region of Durham issues its decision, the landowners and those people on the interested parties list will be notified and a 20-day appeal period is provided. Any person or organization that has provided comments to Clarington Council prior to the adoption of OPA 125, and/or to the Durham Region prior to issuing its decision, has the right to appeal all or part of the Official Plan Amendment. Once the OPA is approved and the appeal period lapses, the Secondary Plan becomes part of the Official Plan and it would be in full force and effect.
- 12.5 In support of the Secondary Plan, the Municipality has worked closely with the LOG to initiate a number of agreements to ensure affordable housing contribution, the completion of the Environmental Assessment Process and the Parks Master Agreement. In doing so, the LOGs have agreed to;
- A Voluntary Contribution Agreement for Affordable Housing;
 - Should an EA Study be required for any roads within the Secondary Plan area, the landowners may enter into an EA Funding Agreement with the Municipality to proceed with the completion of such environmental assessments, in accordance with an agreed upon Terms of Reference and financial arrangement.
 - a Master Parks Agreement (MPA) between the SWCLG and the Municipality is required to outline the overall parkland requirement for the Secondary Plan Area, and to confirm that such parkland requirements will be calculated and satisfied on a collective basis by the owners within the Secondary Plan Area and not by each individual owner therein. The MPA is also intended to confirm that certain landowners will be satisfying the physical parkland obligation for other landowners within the Secondary Plan Area who do not have any parks depicted on their property.

13. Concurrence

Both the Director of Financial Services and Director of Public Works concur with the recommendations of this report.

14. Conclusion

- 14.1 The Southwest Courtice Secondary Plan will guide the creation of a range of housing types, a central elementary school, walkable streets, accessible parks, and protected and enhanced natural features. The design of the neighbourhood places a strong emphasis on walkability and access to amenities to encourage social interaction and outdoor activity.
- 14.2 It is respectfully recommended that Council Adopt Official Plan Amendment 125 to include the Southwest Courtice Secondary Plan and Urban Design and Sustainability Guidelines into the Clarington Official Plan.

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Attachments:

Attachment 1 - OPA 125, Southwest Courtice Secondary Plan and Urban Design and Sustainability Guidelines
Attachment 2 – Sequence of Events
Attachment 3 – Public Comments Summary Table
Attachment 4 – Agency Comments Summary Table
Attachment 5 – Urban Design and Sustainability Guidelines Comments Summary Table
Attachment 6 – Unopened Road Allowance within Secondary Plan Area
Attachment 7 – Letter from Tribute referred by GG-297-21

Interested Parties:

List of Interested Parties available from Department.