



Special Council Meeting

To:	Mayor and Council
Date:	May 19, 2022
From:	John F. Connolly, Executive Director, Planning & Development
Report Number:	Planning 2022-33
Subject:	County Request – Map of the Millbrook Settlement Area Boundary Expansion (2051)

Recommendations:

1. That Council receive Report Planning 2022-33, approve the attached Map of the Millbrook Settlement Area Expansion (2051); and
2. That Staff be directed to forward the approved Map to the County of Peterborough for inclusion in its draft County Official Plan.

Background:

Staff has been actively participating in developing the Draft County Official Plan (OP) over the years along with the other seven (7) County municipalities by providing leadership and playing a key role in the formulation of the policies that will be coming before County Council on June 1, 2022. In anticipation, Staff have been providing regular quarterly updates to Township Council on the progress of the new OP as the deadline to bring the new County OP into conformity with the Growth Plan for the Greater Golden Horseshoe (Growth Plan) approaches – July 1, 2022.

Staff have also brought forward draft policies, mapping and specific topics of interest to Council through Special Council meetings of September 27, 2021, December 3, 2021, and most recently at the January 24, 2022 Regular Council Meeting when Council passed the following resolution:

R-2022-038

Moved by: Belch

Seconded by: Graham

That Council receive Report Planning 2022-02 County of Peterborough Official Plan (OP) Municipal Comprehensive Review: Update and Direction; and

That Council provide Staff direction to continue to support the County OP but not fold The Township Official Plan (Township OP) into the County OP (i.e., "opt

out”) and then bring the Township’s OP into conformity once the new County OP has been approved by the Province of Ontario.

At its Regular Meeting of April 6, 2022, County Council received a presentation from Hemson (its consultant) with the results of the County Growth Analysis (GMA) and Lands Needs Analysis (LNA). In that presentation, Hemson identified that the Township of Cavan Monaghan requires an additional Designated Greenfield Area (DGA) land area (developable land) in the amount of 74.7 ha (184.5 ac) for residential growth (Attachment No. 1) and 34.1 ha (84.3 ac) (gross) for employment growth (Attachment No. 2) (Note: shows as 26.3 in summary but is actually gross hectares/acres – Page 64, Hemson Report). County Council adopted the Report and directed County staff to work with local municipalities to identify additional community (residential) and employment lands to be included in the draft Official Plan land use schedules. This included preparing an OP policy to reflect the Analysis Report.

Watson & Associates has been working the Township Staff updating the Growth Management Strategy (GMS-2020) adopted by Township Council to reflect the additional ten (10) year planning horizon and include growth to the year 2051 as required under the new Growth Plan. Watson & Associates has indicated that the additional planning horizon will increase the need for more residential (community) and employment lands. The County considers the breakdown of these lands (locational aspects between residential and employment) is something that the Township will determine when it brings its OP into conformity with the new and approved County OP.

Township staff have also requested that the scope of the Township GMS be expanded to specially review Special Study Area No. 1 (SSA-1), as identified in Schedule A in the Township’s OP, as a potential location for future development in the Township over the long-term. The results of the Peterborough County Municipal Comprehensive Review (MCR) identify an additional urban land requirement to the year 2051 for the Millbrook Urban Settlement Area. No additional need for urban lands to the year 2051 has been identified by though the Peterborough County MCR outside of Millbrook. The Township supports this conclusion based on our review of the County’s MCR as well as through the Township’s technical analysis as determined through the draft Township of Cavan Monaghan GMS.

It is important that Township Council understand that through the consultations between the Township and the County, we have been able to reach a consensus on several of the outputs of the County’s Municipal Comprehensive Review analysis as it relates to the Township, including population and employment forecasts to 2051 and the urban land requirement for the Millbrook Settlement Area.

While completing this work, Watson has also been engaged with the Township’s discussions with the County on its GMA and LNA. To date, while there are some minor differences of opinion with respect to the actual amount of land required for residential and employment growth, this difference is not material enough to dispute Hemson’s conclusion. In so far as both Watson & Associates and Hemson are in agreement that additional developable land is required to accommodate the forecasted population and employment to the year 2051.

Overview:

Map Request

As part of the development of the next draft County OP (June 1, 2022), County staff have requested that the Township provide a map “that would indicate the lands to be added as expansion lands to the settlement area of Millbrook”. The Map requested would only delineate the outer perimeter of growth to the year 2051, as the internal distinction between residential lands and employment lands (as noted earlier) would be detailed at a later date through the Township’s subsequent OP. This additional analysis will be provided through an updated technical report to the Township’s GMS which will inform the Township’s OP update and associated amendments. (Note: a breakdown of the Map creation is discussed later in this Report).

However, in its request for a map, the County is indicating that those lands (the Millbrook expansion lands) should be identified as “excess lands” which would be depicted as an overlay in the County OP land use schedules. County staff have also suggested that if any of these additional lands are part of a Minister’s Zoning Order (MZO), they may not be identified as “excess lands” (outside the current Settlement Area) as they have been approved by the Province as part of an MZO. In effect, these additional lands which are an expansion of Millbrook would be identified and labelled as either lands under an MZO or “excess lands” on a Map and included in the Draft County OP.

For further context, according to Hemson’s report/analysis, on a County-wide basis the four (4) municipally serviced settlement areas can accommodate residential unit demand within the existing designated greenfield areas to the year 2051 and beyond (need 5,380, can accommodate 6,728 units). This means that there is sufficient and even extra land in 3 of the 4 serviced areas with the exception of Millbrook which needs additional land. The extra land in the 3 serviced areas beyond the growth required would be considered “excess” (not required for development to 2051) on a County-wide basis.

Given this context, before Council considers its formal response to this request, it is important to understand the mapping and policy implications of identifying the required additional developable lands as “excess lands”.

Growth Plan & Excess Lands

As part of the Province’s implementation of the Growth Plan, it developed a Land Needs Assessment Methodology for the Greater Golden Horseshoe (2020). That document provides direction that municipalities identify the need for any settlement area boundary expansions, employment land conversions and the quantity of “excess lands” as part of their Municipal Comprehensive Reviews (MCR). As part of that assessment, the amount of land needed is done at the upper- or single- tier level (i.e., the County). Municipalities then determine whether a settlement area boundary expansion to create a new designated greenfield area is needed or whether there are excess lands, where applicable. It is important to note that while employment land expansions can be done at the area municipal level, the ability to expand the boundary for residential purposes is

at the discretion of the County. In this case, the County and Township (and their consultants) are in agreement that any growth (outside of approved MZOs) should be limited to expanding the Settlement Area in the immediate vicinity of Millbrook.

The Growth Plan defines Excess Lands as:

Vacant, unbuilt but developable lands within settlement areas but outside of delineated built-up areas that have been designated in an official plan for development but are in excess of what is needed to accommodate forecasted growth to the horizon of this Plan.

This means that excess lands are over and above lands required to accommodate the forecasted growth, in this case to the year 2051.

In addition, according to 2.2.1.6 b) of the Growth Plan, where municipalities determine they have excess lands, then municipalities will prohibit development on all excess lands to the horizon of this Plan (in this case to the year 2051).

In other words, the Growth Plan defines excess lands as lands within a settlement area located outside of a built-up area, that are not needed for development over the next 30 years, given that they “exceed” the County-wide community area land need requirement. These lands would remain frozen (inaccessible for development) until the next MCR land needs review, to determine if they are still in excess to County-wide land needs to the next planning horizon.

County & Excess Lands

In its presentation to County Council (April 6, 2022), Hemson indicated that while the County can identify an expansion to the Millbrook Settlement Area, the Province may impose an “excess lands” overlay on the expansion lands (as noted above) and that the County OP will likely need policies for how to “open up” these lands (Attachment No. 3).

That County proposed Excess Lands Policy is as follows:

Excess Lands

Excess lands are vacant, unbuilt but developable lands within settlement areas located outside of delineated built-up areas. Such lands may be designated for development but are in excess of what is needed to accommodate the forecasted growth to the horizon of this Plan. Excess lands have been identified with an overlay on Land Use Schedules that form part of this Plan.

At such time as the existing designated greenfield lands are approaching full build-out, the excess lands overlay may be removed from properties within the settlement area limits by means of an Official Plan Amendment. The Official Plan Amendment [OPA] may remove all, or a part of the overlay, provided it can be demonstrated that the excess lands are necessary for continued growth and that servicing capacity is available or can be made available. Any removal of the excess lands overlay does not negate the need for other Planning Act

applications required for development to proceed, nor does it imply that future development applications will be approved.

In other words, if lands identified as required growth (for Millbrook) over the next 30 years (74.7 ha residential) are identified as “excess”, an Official Plan Amendment (OPA) will be required to remove some or all of those lands from the ‘excess lands’ designation and into developable residential designation. This situation is unique to Cavan Monaghan because even if the other three (3) serviced areas identify excess lands, the lands required for growth over the next 30 years is differentiated from their excess lands and would not require an OPA.

Township Staff do not support this policy approach as it applied to the Township’s unique situation.

In addition, the amount of work completed through the Township’s previous GMS, the update of the GMS and the County’s extensive GMA and LNA can, by any measure, be considered a comprehensive review of the lands required for growth that demonstrates the lands identified are necessary for continued growth and would by definition be serviced. In Township Staff’s professional planning opinion, this very exercise negates the need to require an OPA to remove all, or a part of the lands to be depicted in the proposed overlay as this work demonstrates the need for these lands.

Discussion:

As noted earlier, County and Township Staff along with their respective consultants have been discussing various approaches to this matter for many months. The main issue is how do the County and Township submit a Draft OP to the Province given that the current size of the other serviced Settlement Areas (i.e, Selwyn, Havelock, Norwood) are large enough to accommodate growth far beyond the next 30 years and capture the fact that Millbrook does not have that same opportunity. Despite alignment and agreement amongst the County, Township and their consultants on the amount of growth that Cavan Monaghan should accommodate to the year 2051, a strict policy interpretation of the Growth Plan by the Province could result in the Township’s proposed future growth being re-allocated to those other three serviced areas.

The key issue for the Township (and the County) is how to delineate the land required to grow to 2051 and not have them identified as “excess” in a map or policy such that the Province may be inclined to treat them as such under the current Growth Plan policies.

Staff are of the opinion that the amount of land identified for growth over the next 30 years is appropriate and required for residential and employment growth at the local- and upper- tier (County) level. While these lands are vacant and developable, and are not within the settlement area, they are needed to accommodate forecasted growth to the horizon of the Plan (2051) and do not exceed what is needed. Both analyses support this and as a result, the land does not fit within the definition of the Growth Plan as “Excess Lands”. Staff are of the professional planning opinion that these are not excess lands and should not be identified as such on the Map (Attachment No. 4) to avoid the risk that they be subject to the resulting policy treatment and implementation of the Growth Plan.

If these lands are not considered as “Excess Lands” within the definition of the Growth Plan, they also do not fit within the definition being proposed in the draft County OP for the same reasons.

Despite these differences of opinion, Staff support the need to provide the requested Map which identifies the additional land requirements (as shown as a perimeter) that would be considered the new designated greenfield area. The internal details of the land use designations will be the subject of the Township’s separate exercise when it brings its OP into conformity with the County’s OP once approved by the Province.

Millbrook Settlement Area Expansion Map (2051)

Attachment No. 4 is the proposed Map for Council’s consideration in response to the County’s request. The Map and its outer boundary (perimeter) is based on internal Staff discussions along with the professional advice and input from the consultants updating the Township’s GMS (by Watson & Associates, hereafter noted as “Watson”) as well as the Township’s Master Servicing Study (by R.V. Anderson Associates Limited, hereafter noted as “RVA”).

Development of the Map was based on a two (2) stage approach.

- Initially, Staff discussed with its consultants: the current Millbrook Settlement Area boundary; growth under consideration through active planning applications (including MZO’s); current OP designations of residential and employment lands within the current Millbrook Settlement Area boundary; identification of the additional land required to accommodate growth to 2051 (comprised of both residential and employment growth); and the configuration of that growth that maintains a logical and contiguous build out to the year 2051.
- Secondly, Staff discussed the resulting draft Map for consideration of the realistic and feasible serviceability of the current and additional land based on future growth from a water/wastewater perspective with the consultant completing the Master Servicing Study.

As noted earlier, the internal boundaries and supporting discussions that provide the basis for the outer boundary (perimeter) will be further detailed in the subsequent Township OP exercise. As such, these lands can be refined at a later date with options for Council’s consideration. While those maps will not be formally presented as part of this Report, Staff and Watson are available to provide more details during Council’s deliberations today. It is important to recognize that the exercise of developing the Map included detailed discussions of the possible need to convert certain lands (residential and employment) within the current Millbrook Settlement Area boundary to ensure land use compatibility between current and future designated lands and also accommodate the differences in servicing considerations of residential and employment lands in the expanded Millbrook Settlement Area. The current and expanded Millbrook Settlement Area needs to represent logical land use and a complete community.

The Map focuses on the current Millbrook Settlement Area boundary, the Built Boundary within the Settlement Area boundary, the designated greenfield area and the proposed expansion of the Millbrook Settlement Area boundary to accommodate the

forecasted growth to the year 2051 (as supported by the Township's and County's GMS, GLA and LNA analyses).

Watson has assisted with providing input to identify the land budget, economical and planning considerations while RVA has provided a cursory servicing review of the 2051 Millbrook Settlement Area boundary. Watson's update of the GMS (expected later this summer) will discuss this growth in more detail.

RVA further documented its work in a Technical Memorandum that identifies an adequate water supply to support the land base identified (inside and outside the current Settlement Area). The water servicing specifics (i.e., water storage, reservoirs, booster stations) will be further determined and investigated as part of the Master Servicing Study. The Wastewater servicing is another consideration that requires discussion with the Ministry of Environment Conservation and Parks (MECP) to consider the limits of phosphorous that can be discharged to the Bay of Quinte and its tributaries as part of the Bay of Quinte Remedial Action Plan. While there appears to be room to accommodate growth for most of the planning horizon, discussions are required with MECP to consider this growth as well as other growth through the approved MZO elsewhere in the Township. The wastewater servicing specifics (treatment plants, sewage pumping stations, force mains, sewer routing) will be detailed in the Master Servicing Study, to follow.

Township Staff and its consultants would prefer the Township undertake a more detailed and deliberative discussion to produce the required Map but time considerations will not permit this. Township Staff are sensitive to the deadline and understand the importance to have a map submitted for the draft County OP to the Province but are also concerned that any map presented be logical, science based and able to withstand scrutiny going forward. The Map being presented to Council (Attachment No. 4) represents the approximation of the additional lands and possible future designation to accommodate growth to 2051 given the available data and timeline at hand.

The Township will continue to finalize the GMS and Master Servicing Study over the next couple of months and if there are any refinements to the proposed Millbrook Settlement Area Expansion Map, we will advise the County accordingly.

Financial Impact:

None at this time however the Map and its boundaries depict a land base that represents significant resource and financial investments in water/wastewater and other infrastructure servicing that will be detailed in the ongoing GMS and the Master Servicing Study.

Attachments:

Attachment No. 1 – Excerpt – Hemson County Council Presentation – Land (Cavan Monaghan)

Attachment No. 2 – Excerpt – Hemson County Council Presentation - Additional Housing Required (Cavan Monaghan)

Attachment No. 3 – Excerpt – Hemson County Council Presentation - Employment
Land Required (Cavan Monaghan)

Attachment No. 4 - Map – Millbrook Settlement Area Expansion to the Year 2051

Respectfully Submitted by,

Reviewed by,

John F. Connolly
Executive Director, Planning & Development

Yvette Hurley
Chief Administrative Officer

Cavan Monaghan Would Need Additional 74.7 Hectares for Housing

Step	Cavan-Monaghan	Notes
Additional DGA units	1,355	See slide 8
Persons per unit	2.65	From Statistics Canada 2016 Special Run
Population in new units	3,595	Units x PPU
Total population	3,736	Includes non-household population and Census net under-coverage
Jobs in Community Area DGA	374	10% of total population
People and Jobs	4,110	Total population plus jobs
Density target (p+j/ha)	55	Based on existing subdivision applications in Millbook
Developable land need	74.7	Gross ha

Page 89 of 514



On a County-Wide Basis There is Enough Employment Area to 2051

- However, Cavan Monaghan, Douro-Dummer and Havelock-Belmont-Methuen require additional lands
- Not the same kind of policy restrictions as for Community Area

Municipality	Employment Land Need (ha)
Asphodel-Norwood	(119.4)
Otonabee-South Monaghan	(128.9)
Cavan-Monaghan	26.3
Selwyn	(13.5)
Douro-Dummer	22.5
Havelock-Belmont-Methuen	11.9
Trent Lakes	(2.5)
North Kawartha	0.0
County of Peterborough	(203.7)



Meeting With Provincial Staff – Feb 24th

- No decision on request for a minimum target of 15% of all new residential development annually in the BUA to 2051
- Can County OP identify an expansion to Millbrook settlement area?
 - Yes, but Province may impose an “excess lands” overlay on expansion
 - County OP will likely need policies for how to “open up” these lands

