

To: Development Services Committee

From: Warren Munro, HBA, RPP, Commissioner,
Development Services Department

Report Number: DS-19-170

Date of Report: September 25, 2019

Date of Meeting: September 30, 2019

Subject: Consideration of a Proposed New Location for the Future
Kedron Community Park, Currently Designated in the Kedron
Part II Plan West of Harmony Road North and North of
Britannia Avenue East

File: D-4650-0078

1.0 Purpose

The purpose of the report is to obtain direction from Council as to whether or not City staff should advance discussions involving a proposal by The Minto Group to consider a new location for the future Kedron Community Park.

The current approved future Kedron Community Park location is designated in the Oshawa Official Plan (O.O.P.) and the Kedron Part II Plan on the south side of the future east-west Type 'C' Arterial Road forming the northern limit of the Kedron Part II Plan area, midway between Wilson Road North and Harmony Road North (see Attachment 1).

The new location for the future Kedron Community Park proposed by The Minto Group is at the northwest corner of Harmony Road North and the future east-west Type 'C' Arterial Road forming the northern limit of the Kedron Part II Plan area, which is adjacent to but outside of the Kedron Planning area.

Attachment 1 shows the current approved location and the proposed new location of the Kedron Community Park and the existing zoning in the area.

Attachment 2 is a copy of Schedule 'A', Kedron Land Use and Road Plan, for the Kedron Part II Plan with the current approved location of the Kedron Community Park shown highlighted.

Attachment 3 is a composite plan showing the latest proposed draft plans of subdivision submitted by The Minto Group operating as Minto (Harmony Road) LP ("Minto") (S-O-2017-07) and the Sorbara Development Group ("Sorbara") operating as Conlin (Oshawa) 130 Acres Inc. (S-O-2014-01), superimposed on the portion of the Kedron Land Use and Road Plan containing the planned Kedron Community Park site.

Attachment 4 is a map showing the arrangement of land ownership superimposed on the portion of the Kedron Land Use and Road Plan containing the planned Kedron Community Park site as well as on lands to the north proposed as the new Kedron Community Park location.

2.0 Recommendation

That the Development Services Committee recommend to City Council:

“That the Development Services Committee select an appropriate option as set out in Section 5.5 of Report DS-19-170 dated September 25, 2019 concerning the request of The Minto Group to consider a proposed new location for the future Kedron Community Park.”

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following have been consulted in the preparation of this report:

- Commissioner, Community Services
- Commissioner, Finance Services

5.0 Analysis

5.1 Background on Kedron Community Park

On April 29, 2014 the Region of Durham approved Amendments 166 and 167 to the City of Oshawa Official Plan which implemented the Kedron Part II Plan, including the location of the Kedron Community Park as currently designated in the O.O.P. and the Kedron Part II Plan (see Attachment 2).

The combined area of all designated parkland in the Kedron Part II Plan is approximately 29.6 hectares (73.5 ac.). The designated parkland in the Kedron Part II Plan is sufficient for the planned population of approximately 22,000 people in the Kedron community and is supplemented by approximately 54 hectares (135 ac.) of environmentally sensitive/open space lands, which provide additional opportunities for expanding the City’s existing recreational trail network and passive recreational activities.

The following Kedron Part II Plan policies relate specifically to the Kedron Community Park:

“8.7.6.2 Community Park

8.7.6.2.1 The general location of the Community Park is indicated on Schedule “A” – Kedron Land Use and Road Plan. The Community Park shall be developed in accordance with the relevant policies of the Part I Plan and this Part II Plan.

- 8.7.6.2.2 The Community Park is intended to address the community level recreational needs of the Kedron Part II Plan as well as to contribute to the recreational opportunities of other nearby communities.
- 8.7.6.2.3 The Community Park is intended to contribute to the planned character of the Kedron Part II Plan, as well as act as a key community focus area and destination by providing recreational facilities and programming at a community scale.
- 8.7.6.2.4 The Community Park shall have a minimum site area of approximately 12 hectares (30 ac.).
- 8.7.6.2.5 The design of the Community Park shall be sensitively integrated with the adjacent lands designated Open Space and Recreation to encourage complementary functionality.”
- “8.7.13.8 The City shall require that the lands required for a Community Park be dedicated to the City through plans of subdivision with full compensation for any over-dedication of parkland provided at that time.”

The existing Kedron Community Park location is at the northern limit of the Kedron Part II Plan area and is surrounded by lands designated Low Density Residential to the south, Open Space and Recreation and Medium Density II Residential to the west, a future north-south Collector Road to the east and a future east-west Type ‘C’ Arterial road to the north (see Attachment 2).

The area currently designated for the Kedron Community Park is zoned AG-A (Agricultural) in Zoning By-law 60-94 and is roughly triangular in shape.

As shown on Attachment 3, the current Kedron Community Park location straddles three separate property ownerships. Of the total area required for the Kedron Community Park based on the draft plans of subdivision submitted by Minto and Sorbara (i.e. 10.98 hectares or 27.13 ac.), approximately 6.37 hectares (15.74 ac.) is located within Minto’s proposed draft plan of subdivision S-O-2017-07. A smaller portion of the park, comprising approximately 0.29 hectares (0.71 ac.), is located within Sorbara’s proposed draft plan of subdivision S-O-2014-01. The balance of the Kedron Community Park, comprising approximately 4.32 hectares (10.67 ac.), is located on an adjacent property to the west owned by Werrcroft Farms Limited/Loa-De-Mede Farms Limited, for which a proposed draft plan of subdivision application has not yet been submitted.

5.2 Proposed New Location for the Future Kedron Community Park

Minto has requested that the City consider exploring an opportunity to re-locate the future Kedron Community Park to other lands currently in its ownership, on the north side of the future east-west Type ‘C’ Arterial Road that forms the northern limit of the current approved Kedron Community Park site (see Attachment 4).

The proposed new location for the Kedron Community Park would be at the northwest corner of Harmony Road North and the future east-west Type ‘C’ Arterial Road forming the

northern limit of the Kedron Part II Plan area, which also demarcates the City's Major Urban Area Boundary at this location. The Major Urban Area Boundary is identified in the O.O.P. as the boundary between the City's urban and rural areas. Consequently, the proposed new location for the future Kedron Community Park block would be in what currently is the City's rural area, outside of the Kedron Planning Area on lands wholly owned by Minto.

The following details are provided for each site:

Item	Current Approved Community Park Location	Proposed Community Park Location
Durham Regional Official Plan (D.R.O.P.) Designation	Living Areas	Prime Agricultural Areas
Oshawa Official Plan (O.O.P.) Designation	Open Space and Recreation	Prime Agricultural
Kedron Part II Plan Designation	Community Park	Not applicable (outside of the Kedron Part II Plan Area)
Durham Region Urban Area Boundary	Inside the Urban Area Boundary (i.e. within the Region's Urban System)	Outside the Urban Area Boundary (i.e. within the Region's Rural System)
City of Oshawa Major Urban Area Boundary	Inside the Major Urban Area Boundary (i.e. within Oshawa's urban area)	Outside the Major Urban Area Boundary (i.e. within Oshawa's rural area)
Zoning By-law 60-94	AG-A (Agricultural)	AG-A (Agricultural)
Approximate Site Area	10.98 hectares (27.13 ac.) based on configuration of current proposed draft plans of subdivision by Minto and Sorbara; Policy 8.7.6.2.4 specifies a minimum site area of approximately 12 hectares (30 ac.)	12 hectares (30 ac.)
Existing Land Use	Agricultural	Agricultural

5.3 Matters to be Considered

If directed by Council to investigate Minto's proposed new location for the future Kedron Community Park, staff would need to consider the following matters, among others, during its review.

5.3.1 Planning Considerations

The proposed new location for the future Kedron Community Park falls outside of both the Region of Durham's Urban Area Boundary and the City of Oshawa's Major Urban Area

Boundary, as shown in the D.R.O.P. and the O.O.P, respectively. In addition, the proposed new location is currently designated as Prime Agricultural Areas and Prime Agricultural in the D.R.O.P. and the O.O.P., respectively.

Both the D.R.O.P. and the O.O.P. contain policies that regulate land uses in areas designated for Prime Agricultural purposes so as to generally allow only agriculture or agriculture-related uses. Policy 9A.2.7 of the D.R.O.P. specifically states that new or expanding Major Recreational Uses shall not be permitted in Prime Agricultural Areas. Policy 2.8.1.10 of the O.O.P. reciprocates this restriction, stating that new and expanding Major Recreational Uses shall not be permitted areas designated for Prime Agricultural purposes. Major Recreational Uses include serviced sports fields, such as those intended for Community Parks like the planned Kedron Community Park.

Due to the foregoing restrictions, re-locating the Kedron Community Park to the site proposed by Minto would require Official Plan Amendments to both the D.R.O.P. and the O.O.P. In addition, any expansions to the Region of Durham's and the City of Oshawa's urban area boundaries would need to be considered as part of a Regional Municipal Comprehensive Review, such as the Region of Durham's Envision Durham exercise currently underway.

On May 2, 2018 the Region of Durham launched Envision Durham, the Municipal Comprehensive Review of the D.R.O.P. Through this review the Region will examine the potential need to expand the Urban Area Boundary in the City of Oshawa to accommodate projected growth to the year 2041. The Envision Durham exercise is anticipated to conclude by July 2022.

The proposed new Kedron Community Park location does not form part of Minto's proposed draft plan of subdivision application S-O-2017-07. Staff would need to review the Planning Act, RSO 1990, c. P.13 (the "Planning Act"), the parkland dedication policies contained in the O.O.P. and the City's Parkland Dedication By-law 91-2007 to determine the most appropriate mechanism to facilitate the potential re-location of the Kedron Community Park location via conveyance of land from Minto outside of the draft plan of subdivision.

Any proposed re-location of the Kedron Community Park would impact proposed draft plan of subdivision applications S-O-2017-07 and S-O-2014-01 submitted by Minto and Sorbara, respectively, resulting in revisions to both draft plans. Such revisions would include addressing the potential need for some form of parkland (e.g., a parkette(s) and/or a neighbourhood park) to be provided within the area of these two plans and/or on abutting lands owned by Werrcroft Farms Limited/Loa-De-Mede Farms Limited (see Attachment 4).

Staff would also need to consider whether or not the new proposed Kedron Community Park location would meet the function, facilities, area standards, approximate size and service radius that a Community Park is intended to achieve, as outlined in Table 4 of the O.O.P. The specific criteria identified in Table 4 for a Community Park are as follows:

- **Function:** Community parks are intended to provide a range of outdoor and indoor recreational opportunities to a population base of approximately 20,000 persons.

Community parks are primarily intended to accommodate active sports and recreational activities but may also include areas for passive recreation.

- **Facilities:** Facilities provided may include (but not be limited to) the following:
 - (a) Lighted sport, recreation or entertainment facilities including arenas and community centres;
 - (b) Major and intermediate sports fields;
 - (c) Tennis and other ball courts;
 - (d) Playground apparatus;
 - (e) Landscaped areas for passive activities;
 - (f) Areas of unstructured use;
 - (g) Parking areas;
 - (h) Lighting, benches, picnic tables, restrooms, change rooms, walkways, landscaping and property identification as ancillary elements; and
 - (i) Access to water for allotment gardens and community gardens (e.g. taps, rain barrels).
- **Minimum Area per 1,000 Population:** 0.6 hectare (1.5 ac.).
- **Approximate Size:** Minimum size of 8 hectare (20 ac.) and maximum size of 12 hectare (30 ac.).

Opportunities for servicing the proposed Community Park location and any associated costs would also need to be examined as the site is currently located outside of the Major Urban Area Boundary, where servicing would not otherwise normally be extended.

5.3.2 Financial Considerations

Staff would need to conduct a thorough comparative review of both the current approved location and the new proposed location of the Kedron Community Park to determine all financial implications to the City.

If the Kedron Community Park remains in its currently approved location, and if Minto's proposed draft plan of subdivision is approved with a 6.37 hectare (15.74 ac.) park block as its contribution to the overall Community Park area, Minto would be dedicating more parkland than what they are currently required to provide to the City in accordance with the City's Parkland Dedication By-law 91-2007. The City would be responsible for reimbursing Minto for any overcompensation of parkland at market value. The exact amount of parkland to be dedicated by Minto is unknown at this time and will vary depending on the final draft approved plan (i.e. total number of units), and also on what mechanisms are in

place at the time of draft approval (i.e. Parkland Dedication By-law versus Community Benefits Charge By-law) authorizing the City to acquire parkland or cash-in-lieu.

If the proposed new Kedron Community Park location is advanced, the City will need to determine the most appropriate mechanism to secure the land for the park. In the event that a conveyance of actual land is not possible through the approval process for proposed draft plan of subdivision S-O-2017-07 in accordance with the City's Parkland Dedication By-law 91-2007, the O.O.P., the Planning Act, and any other future mechanism for acquiring parkland that is adopted by the City, the City would need to acquire the full 12 hectares (30 ac.) from Minto at market value.

The City would need to obtain an appraisal to determine the market value of the lands being acquired from Minto and have a survey prepared to delineate the property limits. The City would continue to collect cash-in-lieu of parkland from Minto based on their revised draft plan of subdivision or a combination of cash-in-lieu and parkland dedication where the City deems it necessary to have a parkette(s) and/or a neighbourhood park in place of the former Community Park designation. Any cash-in-lieu contribution made by Minto through the approval process for their proposed draft plan of subdivision S-O-2017-07 could be used toward the purchase of the lands from Minto required for the new proposed Kedron Community Park location.

An unknown factor at this time is the implications that Bill 108, the More Homes, More Choices Act ("Bill 108"), may have on the City's ability to acquire parkland and/or collect cash-in-lieu of parkland. The Province of Ontario has not yet released the regulations associated with a new Community Benefits Charge process implemented under Bill 108. All municipalities are required to pass a Community Benefits Charge By-law by January 1, 2021. At the discretion of the particular municipality, the Community Benefits Charge By-law could be used to replace the municipality's existing Parkland Dedication by-law, as well as to collect fees for other municipal services such as libraries and recreation centres that are currently collected under the municipality's Development Charges By-law.

At this time it is uncertain as to whether or not the amount of charges that the City can collect through the Community Benefits Charge (which amount has yet to be prescribed) will be greater or less than what has previously been collected by the City through a combination of parkland dedication or cash-in-lieu of parkland, and development charges.

Staff have consulted with the Ministry of Municipal Affairs and Housing and confirmed that up to January 1, 2021, or Council's approval of a Community Benefits Charge By-law that replaces the City's current Parkland Dedication By-law 91-2007, whichever comes first, the City may acquire parkland in accordance with the current Parkland Dedication By-law.

5.3.3 Parks Development Considerations

In recent years, Parks Services staff have coordinated the preparation of a Parks Facility Implementation Strategy to identify deficiencies in programmable park facilities (i.e. sports fields, splash pads, etc.) and determine where these park facilities should be accommodated in the City.

The current approved Kedron Community Park location has already been earmarked for several of these in-demand facilities as determined by the Parks Facility Implementation Strategy. These include but are not limited to: a major level playground, a major level splash pad, full sized baseball diamonds, tennis courts and an international sized soccer field. Consequently, acquisition and development of the Kedron Community Park in a timely fashion is required to address these existing facility deficiencies in the City.

Any new proposed location for the Kedron Community Park would need to be reviewed by staff to ensure that its size, location and configuration is such that all of the planned facilities for that Community Park can continue to be accommodated within a desired timeframe. For example, it may be determined that a 12 hectare (30 ac.) park block with a rectangular site configuration can be more optimally programmed than the existing triangular site configuration. It may also be determined that the topography of one location is superior to the other to accommodate the planned facilities for this Community Park. These are all factors that will be considered by Parks Services staff in their review of the new proposed Kedron Community Park location.

In the event that the Kedron Community Park is relocated as proposed by Minto, staff will need to consider whether any other type of park (such as a parkette or neighbourhood park) within or in the vicinity of Minto's draft plan of subdivision would still be necessary to serve the residents of the planned Kedron community.

5.4 Process to Investigate a Proposed New Kedron Community Park Location

The process for staff to investigate a proposed new location for the Kedron Community Park and to make a subsequent recommendation to Council would involve the following:

- Meeting internally with staff from Community Services and Finance Services to identify any potential opportunities or challenges associated with the proposed new Kedron Community Park location.
- Meeting with all impacted landowners who currently have a portion of the current approved Kedron Community Park designation located on their properties.
- Meeting with the Region to discuss any required amendments to the D.R.O.P. to permit a Community Park outside of the Urban Area Boundary within a Prime Agricultural Area as an exception, in advance of the outcome of the Envision Durham exercise, and also to identify any opportunities or challenges with respect to servicing the site.
- Undertaking a comprehensive review of all relevant provincial legislation and applicable Regional and local municipal policies.
- Conducting an analysis to identify the strengths, weaknesses, opportunities and threats (commonly known as a S.W.O.T. analysis) associated with relocating the current approved Kedron Community Park to the proposed new location.

Based on the results of a fulsome investigation and review, staff would report back to Committee and Council with a recommendation to either proceed with a public process (such as the public process required to amend the O.O.P.) to obtain public input on the

proposal to relocate the Kedron Community Park or to not proceed with the relocation where it is determined by staff to be impractical.

Following any public process, staff would need to coordinate land appraisals, surveys etc. in support of the potential land acquisition from Minto outside of its draft plan of subdivision.

5.5 Options

5.5.1 Option 1: Do Not Investigate a Proposed New Kedron Community Park Location

Under Option 1 City staff would not advance discussions with Minto regarding Minto's proposal to relocate the future Kedron Community Park to a new site, and the existing Kedron Community Park location and designation in the Kedron Part II Plan would remain unchanged.

Should the Development Services Committee wish to choose Option 1 and not direct staff to advance discussions with Minto to consider the potential relocation of the future Kedron Community Park, then the following recommendation should be adopted:

"That the Development Services Committee recommends to City Council:

That Report DS-19-170 dated September 25, 2019, concerning a proposed new location for the future Kedron Community Park, be received for information."

5.5.2 Option 2: Investigate a Proposed New Kedron Community Park Location

Under Option 2 City staff would advance discussions with Minto to investigate Minto's proposal to re-locate the future Kedron Community Park to the northwest corner of Harmony Road North and the future east-west Type "C" Arterial Road forming the northerly limit of the Kedron Part II Plan area boundary, outside of Oshawa's Major Urban Area Boundary.

Should the Development Services Committee wish to choose Option 2 to direct staff to advance discussions with Minto to consider the potential relocation of the future Kedron Community Park, then the following recommendation should be adopted:

"That the Development Services Committee recommends to City Council:

That, pursuant to Report DS-19-170 dated September 25, 2019, City staff be authorized to initiate the process outlined in Section 5.4 of said Report to investigate a proposed new location for the future Kedron Community Park as illustrated on Attachment 1 to said Report and that staff be directed to report back with the results of their investigation."

6.0 Financial Implications

There are no financial implications as a result of the Recommendations contained in this Report. A high level review of financial consideration that may result from a Council decision to advance the re-location of the Kedron Community Park is included in

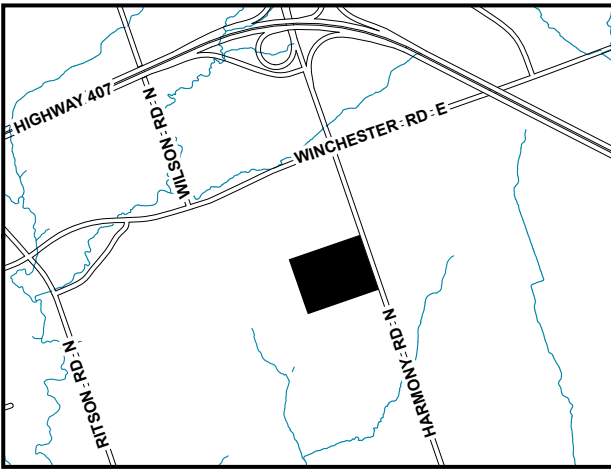
Section 5.3.2 of this Report. This information will be further vetted as necessary in future reports.

7.0 Relationship to the Oshawa Strategic Plan



The Recommendation in this Report advances the Economic and Financial Stewardship, the Accountable Leadership and Social Equity goals of the Oshawa Strategic Plan.

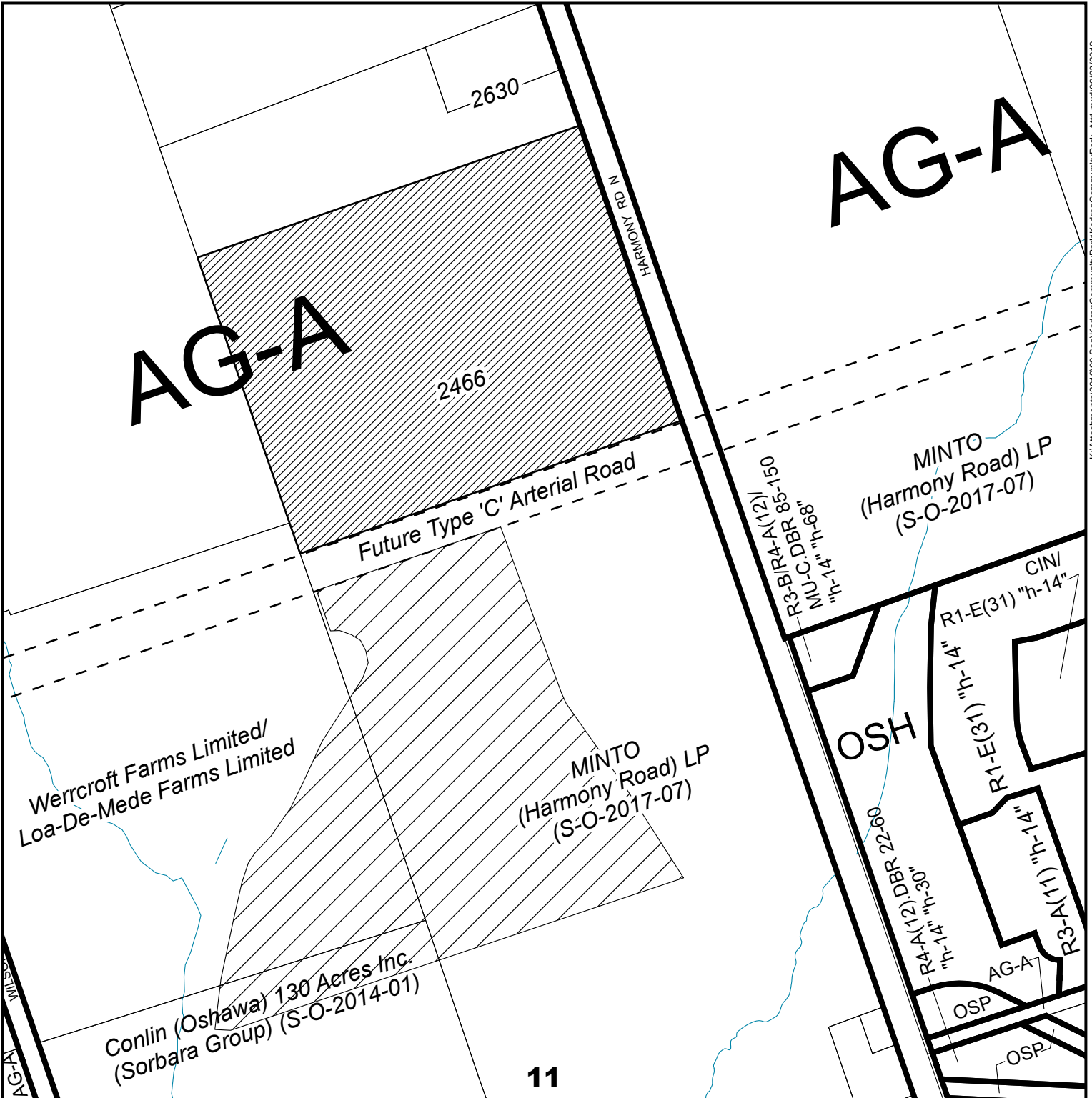


Warren Munro, HBA, RPP, Commissioner,
Development Services Department



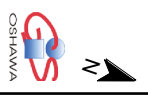
Subject: Consideration of a Proposed New Location for the Future Kedron Community Park
 Address: Kedron Community Park
 File: D-4650-0078

Current Approved Kedron Community Park Location 
 Proposed New Location of the Kedron Community Park 

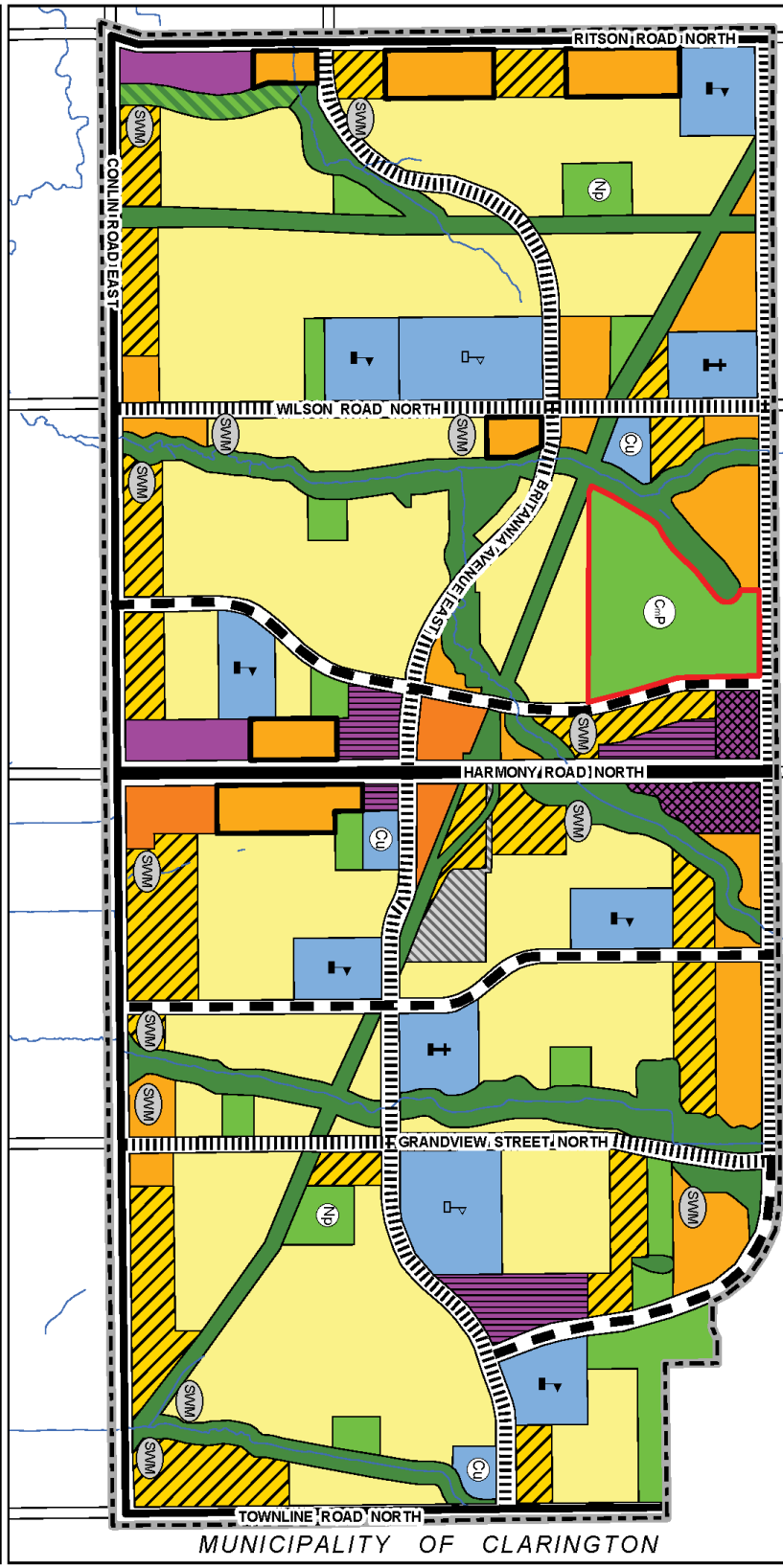


Title: Schedule 'A', Kedron Land Use and Road Plan
 Subject: Consideration of a Proposed New Location for the Future Kedron Community Park
 Address: Kedron Community Park
 File: D-4650-0078

City of Oshawa
 Development Services Department



Current Approved Kedron Community Park Location





Schedule 'A'
Kedron Land Use and Road Plan
 Part II Plan for the Kedron Planning Area
 January 2019
 Development Services Department

0 50 100 200 300 Meters

Legend

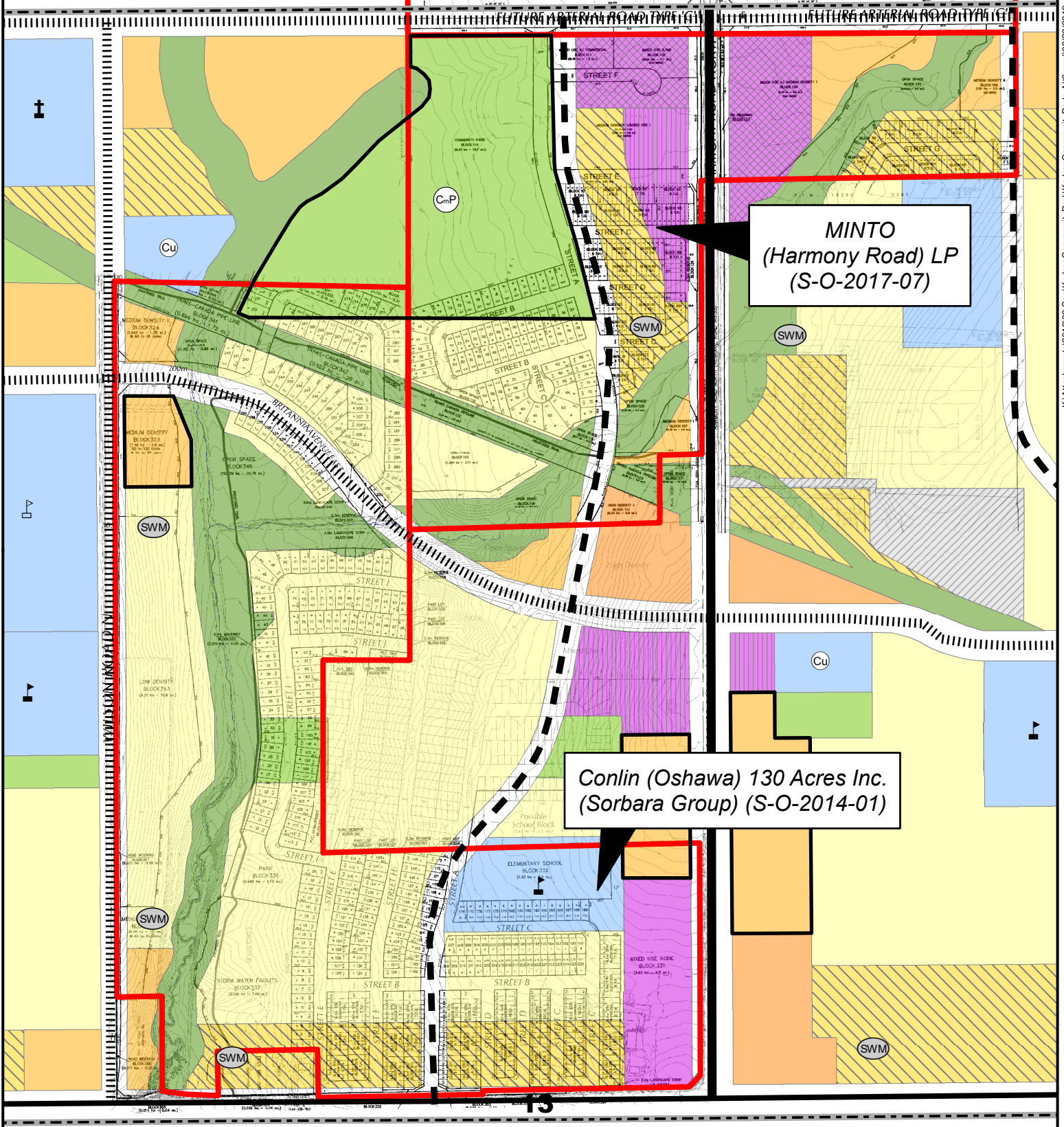
Residential	Parkette
Low Density Residential	Open Space and Recreation
Medium Density I Residential	Schematic Diversion Channel
Medium Density II Residential	Community Use
High Density I Residential	Public Elementary School
High Density II Residential	Public Secondary School
Subject to Policy 8.7.4.9 in Kedron Part II Plan	Separate Elementary School
Open Space and Recreation	Community Use
Neighbourhood Park	Mixed Use
Community Park	Mixed Use Node
	Mixed Use I
	Mixed Use II
	Transportation
	Type 'A' Arterial Road
	Type 'B' Arterial Road
	Type 'C' Arterial Road
	Collector Road
	Stormwater Management Facilities
	Kedron Part II Plan Boundary
	Utilities

Subject: Consideration of a Proposed New Location for the Future Kedron Community Park
Address: Kedron Community Park
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-  Current Approved Kedron Community Park Location
-  Draft Plans

City of Oshawa
Development Services Department 

Kedron Part II Plan Boundary



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Subject: Consideration of a Proposed New Location for the Future Kedron Community Park
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-  Proposed New Kedron Community Park Location
-  Property Owners

City of Oshawa
Development Services Department 

