

REF Interpretation Guide

Cluster Country Residential Areas Policy Clarification

Introduction

On June 14, 2012, the Capital Region Board approved the Report: A Review of the Administration of the Regional Evaluation Framework. The Report included the following recommendation regarding interpretation of the Capital Region Growth Plan and the evaluation criteria in the REF:

- 7. Develop a comprehensive guide that will assist municipalities, Third Party Consultants, and CRB administration in the interpretation of the principles and policies of the Growth Plan and the evaluation criteria in the Regional Evaluation Framework.**

Work on the development of the guide was still in the preparation stages when Strathcona County introduced a notice of motion at the August 9, 2012 Board meeting that would direct the Capital Region Board to prioritize a process to clarify the criterion, principles and policies used to evaluate planning documents through the Regional Evaluation Framework (REF).

The motion was put forward as a result of 2 REF applications that were considered and rejected at the August 9, 2012 Board meeting. One application was for a cluster country residential development and the other for an expansion to an existing Hamlet.

A backgrounder provided by Strathcona County indicated that “there is an urgent need for clarification of interpretation of the Capital Region Growth Plan’s principles and policies that are used to evaluate planning proposals submitted by member municipalities.” Strathcona County provided three areas of prioritization:

1. Cluster Country Residential
2. Growth outside the Priority Growth Areas
3. Industrial and commercial development

On September 13, 2012, an amended motion, that aligned Strathcona’s motion with the REF Administration Report recommendations work, was presented and approved by the Board.

Amended Motion: That the Capital Region Board directs the Land Use Committee and Planning Advisory Group to give priority to developing an interpretive guide to the policies in the Growth Plan and criteria in the Regional Evaluation Framework related to Cluster Country Residential Areas and Areas Outside of Priority Growth Areas as part of the current REF Administration Review Implementation project.

Cluster County Residential

This particular policy clarification document is focused on the Cluster Country Residential Areas (CCRA) part of the motion.

Strathcona County’s backgrounder included the following examples of the interpretive issues facing municipalities when preparing planning documents that are subject to CRB approval:

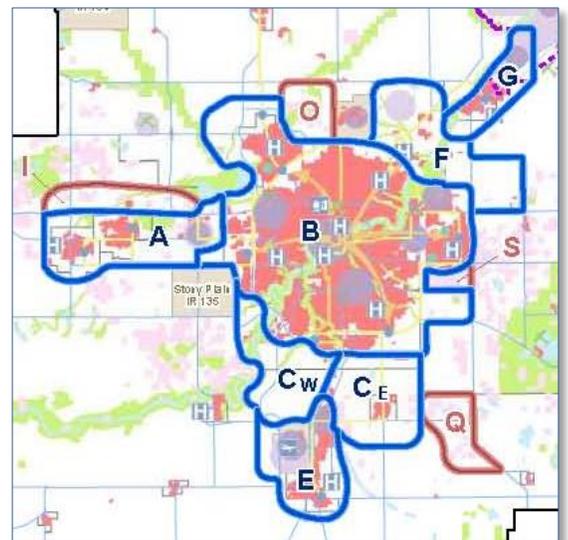
1. **The intent of the density targets in Cluster Country Residential Areas needs clarification.** Table 3 – Capital Region Density Targets in Section 2 of the Growth Plan October 2009 Addendum indicates a target of 2.0 dwelling units per gross hectare. Is this density average intended to indicate a minimum, a maximum or an approximate target to be achieved? Also, what is the intended scale for this target? It is unclear if the scale of this density target to be achieved at:
 - a. a Quarter section scale;
 - b. area defined by the plan area; or
 - c. the averaged across the total area of the Cluster Country Residential Area?

2. **Cluster country residential principles are not defined in the plan,** yet following 'cluster country residential principles' are heavily referenced throughout the Growth Plan and are engrained in the land use principles and policies that are the fundamental basis for regional evaluation of country residential development.

Planning Advisory Group

Pursuant to the direction in the Motion the Planning Advisory Group (PAG) members discussed the challenges of applying the CCRA policies at their September 17, 2012 meeting. The uniqueness of each of the four CCRA's makes consistent application of the policies across the region difficult. A CCRA Subcommittee of PAG, comprised of the four Counties with CCRA areas, was established to review the matter further and report back to the rest of the Group in October.

On October 15th the CCRA Subcommittee advised that they had held one meeting wherein they had developed a common framework to compile information about each of the CCRA's. Each of the Counties was to compile the information respecting their CCRA for review at their next meeting with the intent of reporting back to PAG at the November meeting.



Cluster Country Residential Areas (I, O, Q, S)



The CCRA Subcommittee met again on December 6, 2012 and January 14, 2013. The CCRA Subcommittee, together with the Non-PGA Subcommittee, established the following approach to reviewing the policies that were the subject of the Strathcona County Motion:

Subcommittee Approach

- a. **Research** - Research legislative context and decision making process resulting in existing policies in the Growth Plan for CCRA and Growth Areas Outside PGAs
- b. **Issue Identification** - Identify current “Red Flag” issues relating to interpretation of existing CCRA and Growth Areas Outside of PGAs policies
- c. **Policy Clarification Recommendations** - Recommend clarifications to be included in an interpretive guide to the policies in the Growth Plan and criteria in the Regional Evaluation Framework
- d. **5 Year Update Issues** - Identify implementation issues related to CCRA and Growth Areas Outside of PGAs policies for consideration in the 5 Year Land Use Plan Review

a. Research

With the assistance of ISL Consulting, the Subcommittees researched the establishment of the current growth plan policies related to CCRA and Non-PGA areas. The Subcommittees’ research is summarized in Appendix 1.

b. Issue Identification

Following the review of the research and the backgrounder provided by Strathcona County the CCRA Subcommittee identified the two issues related to the application of the assigned density target in the Growth Plan:

- 1.a. **Density Target – Minimum or Maximum?** - Is it to be implemented as a maximum or an average density target? Current interpretations of the 2 u/gross ha density target in recent REF applications for development plans in CCRA have treated the target as a maximum.
- 1.b. **Distribution of Density** - Is it to apply to each development plan or as a total across the entire CCRA?
2. **Flexibility** - Recent REF decisions for development plans in CCRA have not considered flexibility depending on the development characteristics of individual quarter sections of land as was intended in the application of the density target.

c. Policy Clarification Recommendations

1.a. Density Target – Minimum or Maximum?

The 2009 October Addendum to the Growth Plan defines Density Target:

*“Means a minimum to a maximum density target assigned to PGAs; a **maximum density target assigned to CRAs**, and a maximum density target assigned to Traditional Country Residential development outside of PGAs and urban municipalities.”*

The above definition clearly addresses the first density question posed by Strathcona County – the Density Target for CCRA is a maximum, and has been interpreted as such in the implementation of REF.

In this regard, the Density Target for CCRA is a maximum of 2 dwelling units/gross hectare (u/gha)

Table 3— Capital Region Density Targets

CLUSTER COUNTRY RESIDENTIAL AREAS	DENSITY TARGET (DWELLING UNITS / GROSS HECTARE)
I	2*
O	2*
Q	2*
S	2*

*NOTE: Allows for up to approximately 129 lots per quarter section (final yield depends on the development characteristics of individual quarter sections of land).

1.b. Distribution of Density

The Growth Plan is not clear on whether the Density Target is to be applied to each proposed development plan area or as a target across an entire CCRA to be achieved over the lifetime of the Growth Plan.

In the absence of this policy clarification, CRB Administration has taken the position, since the Growth Plan was approved, that all statutory plans considered through the REF process must be comply with the density target of 2 u/gha.

This was further articulated in the Municipal Planning Toolkit:

3. DOES EVERY DEVELOPMENT PLAN WITHIN A CCRA HAVE TO MEET THE DENSITY TARGET ASSIGNED TO THAT CCRA?

It is the intent of the Capital Region Growth Plan that every development plan will over time achieve the density target assigned to CCRA. Each plan must demonstrate how it will achieve the density target.

However, the general application of this density in certain areas of CCRA has been described as uneconomical and does not effectively contribute to reducing the regional development footprint.

2. Flexibility

The concern regarding flexibility in reviews by CRB administration is due to a lack of direction within the REF and the Growth Plan as demonstrated above. The policy clarification recommendation below suggests a tiered plan system that introduces flexibility depending on the approach that a municipality takes when planning within their CCRA.

Policy Clarification Recommendation

To address the distribution of density and flexibility, a three tier review process has been prepared for consideration by PAG and the Land Use Committee. Plans would be reviewed based on the highest order of statutory plan, below an MDP, approved by the municipality within the subject CCRA:

Order of Plans

1. **CCRA Plan** - Allows for the Density Target to be averaged over entire CCRA subject to the municipality preparing a Statutory Plan for the CCRA that addresses the distribution of density over the entire CCRA.
2. **Quarter Section Plan** - Each statutory plan within a CCRA must be inclusive of the quarter section boundaries within which it is located and address the density over the entire quarter section.
3. **Plan Boundary** - Maintain current interpretation that each statutory plan must demonstrate how it will achieve the density target within the plan boundaries.

Implementation examples:

1. CCRA Plan

In this example, the Density Target for the CCRA would be averaged over the entire CCRA.

<p>CCRA "O" Gross Hectares = 4439 ha Density Target = 2 u/gha Target Units = 8878 Existing Units = ±1750 Capacity available = ±7128</p>

The municipality would prepare a Statutory Plan for the entire CCRA that addresses the distribution of density over the entire CCRA. Development plans consistent with the distribution of units in the Statutory Plan would not require approval by the CRB, however, any time the distribution pattern was amended the plan would require Board approval.



↑ Density transition from higher to lower

2. Quarter Section Plan

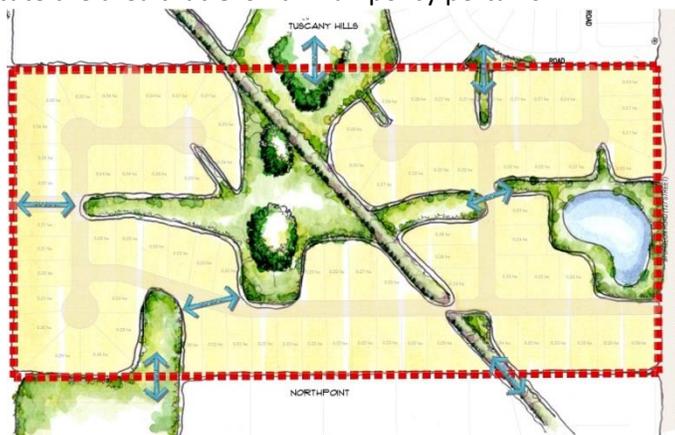
For a Quarter Section Plan the density is distributed over the entire quarter section. In the example below the planned northerly 30 ha development is combined with the previously developed 32 ha on the southern half of the quarter section. The proposed density of 79 lots on the 30 ha site combined with the 26 lots on the southern half becomes a total of 105 units on the quarter section which would equal a density of 1.69 units per gross ha, well within the maximum target of 2 u/gha.



However, since the 2 u/gha density is a target, the Quarter Section Plan would also include policies that support attaining the target over the life of the Growth Plan.

3. Plan Boundary

For developments in CCRA that do not have a CCRA Plan or Quarter Section Plan, the proposed plan boundary would constitute the area that Growth Plan policy pertains.



The example above proposes a density of 79 lots on 30 ha which equals 2.64 dwelling units per gross hectare. The development exceeds the maximum density target for CCRA of 2.0 dwelling units per



gross hectare and is therefore inconsistent with the Growth Plan. To be consistent the maximum number of units would need to be reduced to 60.

d. 5 Year Update Issues

Both the CCRA and Non-PGA Subcommittees indicated that further work with PAG was necessary to identify and confirm the broader planning issues that needed to be addressed as part of the 5 Year Land Use Plan Review.