

## REPORT

**REPORT TO:** Mayor Bonnette and Members of Council

**REPORT FROM:** Keith Hamilton, Planner - Policy

**DATE:** October 18, 2019

**REPORT NO.:** PLS-2019-0055

**RE:** Completion of the Black Creek Subwatershed Study

### RECOMMENDATION:

THAT REPORT NO. PLS-2019-0055 dated October 18, 2019 regarding the completion of the Black Creek Subwatershed Study be received;

AND FURTHER THAT Council endorse the Black Creek Subwatershed Study, prepared by Credit Valley Conservation, completed April 2019, in principle, and authorizes the use of the study in the preparation of the Stewarttown Secondary Plan and future updates to the Official Plan;

AND FURTHER THAT a copy of this report be forwarded to Credit Valley Conservation and the Region of Halton.

### BACKGROUND:

The purpose of this report is to provide a brief summary of the Black Creek Subwatershed Study to Council. This report prefaces a report prepared by Credit Valley Conservation (CVC) staff (attached as Schedule 2), and presentation to be given in front of Council on November 11<sup>th</sup>, 2019.

Black Creek is one of 22 subwatersheds within the Credit Valley Conservation Authority. As shown in Schedule 1 to this report, its area lies largely within Halton Hills, covering all of Acton and parts of the Georgetown Urban Area. Subwatershed studies which are typically led by the Town as part of the Secondary Plan process for new greenfield areas, document environmental characteristics, challenges being faced, and opportunities for protection and enhancement of the natural environment. The Town's Official Plan Section C7 identifies objectives and requirements for subwatershed plans, as well as when and how they are to be implemented.

In this particular case, it was agreed that CVC would lead the preparation of the Black Creek Subwatershed Study. The need for the Black Creek Subwatershed Study was identified as part of the last Halton Hills Official Plan Review.

A Council Resolution passed in August of 2008 approved Credit Valley Conservation to lead the Black Creek Subwatershed Study with funding from the Town and Halton Region. Key components of the study are the characterization of the natural environment within the Black Creek area, an assessment of the impact of human activities and identification of alternative management strategies. Additionally, the Black Creek Subwatershed Study was integrated with Tier-3 Water Budget and Water Quantity Risk Assessment studies being undertaken at the same time. These studies assessed current and anticipated demands for water use, and played a key role in water allocation for development in the area. More information on the need for the Study can be found in staff reports PD-2008-0044 and PDS-2011-0049.

The Black Creek Subwatershed Study has consisted of three phases in bringing it to completion. Phase 1 characterized the natural environment of the subwatershed, which included key hydrogeological, surface and groundwater, flora and fauna features of the Black Creek area. A summary report for this phase was published in June of 2011.

Phase 2 described threats to the natural environment in Black Creek and their impacts on the features outlined in the Phase 1 report. This report also proposed measures to address such impacts, including Low Impact Development, stormwater management and agricultural best management practices. A summary report for this phase was published in May of 2016.

The draft Phase 3 report, provided to Town staff in April of this year, provides recommendations and implementation tools for mitigating environmental impacts caused by human activities in the Black Creek area. These recommendations were developed in consultation with Halton Hills and Halton Region to encourage Low Impact Development and other impact mitigation measures. Credit Valley Conservation (CVC) staff are seeking approval of this report from their Board of Directors on November 8<sup>th</sup>, effectively bringing the Black Creek Subwatershed Study to completion. As part of their mandate, CVC staff is also presenting the report and a summary of the Study to local Councils of municipalities within the Black Creek Subwatershed (Erin and Halton Hills). More information on the Phase 3 Report and the completion of the subwatershed study is included in the CVC report attached as Schedule 2.

The attached report outlines three (3) priority areas of water quality, environmental resiliency, and groundwater. Key findings for each priority include:

- Better management of Total Phosphorus release and proactive salt management to control chloride will improve water quality in the subwatershed.
- Greater protection and enhancement of the healthiest terrestrial ecosystems and restoration of the most impaired aquatic ecosystems are recommended to improve the overall resiliency of the subwatershed.
- Ongoing protection of groundwater resources in the subwatershed is critical to the long-term survival of many species within.

## **COMMENTS:**

Town Planning and Development Engineering staff has continued to consult with CVC staff throughout the life of the Black Creek Subwatershed Study, from characterization to the implementation of the recommendations set out in the Phase 3 report. As the study nears completion, Town staff has focused on two key areas within the Black Creek area: the South Acton Special Study Area, and Stewarttown expansion lands.

### South Acton Special Study Area (See Schedule 3)

This area is generally located south of Mill Street in Acton, and east of Regional Road 25. Formerly known as the 'tannery lands', this large brownfield site is designated as a Special Study Area by the Official Plan. No new development is permitted pending the completion of a Comprehensive Development Plan that addresses the criteria set out in Section D4.2 of the Official Plan.

In addition to Town Official Plan policies and zoning within the South Acton Special Study Area (SASSA), a large portion is also regulated by CVC, as shown in Schedule 3 to this report. As Phase 3 of the subwatershed study progressed, Town staff expressed concerns that new policies emerging from the study may further limit the potential for any remaining lands in the SASSA to develop. Specifically staff referenced the potential impacts associated with the 'Credit River Watershed Natural Heritage System (CRWNHS)', which extends beyond the current CVC-regulated area.

A memo was sent by the Credit Valley Conservation Senior Manager of Planning in March of 2019 responding to concerns raised by Town staff. The memo identified the CRWNHS as part of a broader 'Black Creek Natural Heritage System', and confirmed the system was not to be used in place of Official Plan or Regional NHS policies. Rather, the Black Creek Subwatershed is intended "to be used as a resource that may identify potential additional opportunities for planning and management activities targeting the protection, enhancement or restoration of natural systems at a subwatershed scale". In the South Acton Special Study Area, CVC will continue to have development control in their regulated areas (as shown in Schedule 3).

### Stewarttown Expansion Lands (See Schedule 4)

This area is generally located north of Side Road 15 and west of Mill Pond Drive in the former Hamlet of Stewarttown. Formerly agricultural, these lands have been re-designated Future Residential / Mixed Use Area in the Town's Official Plan. The Town's Official Plan requires the preparation of a Secondary Plan for these lands prior to development commencing. This Secondary Plan exercise, which is intended to commence in 2020, will be informed by the Black Creek Subwatershed Study.

As shown in Schedule 4, small portions of the CRWNHS go beyond the CVC-regulated area, similar to the South Acton example. As the aforementioned memo addresses this issue, staff has no concerns regarding the potential impacts at this time.

In each phase of the Black Creek Subwatershed Study Town staff has had the opportunity to provide comment on all CVC reports and recommendations. Representatives from Planning Policy, Development Engineering and Sustainability have consistently provided comment and attended project meetings where necessary. At this time, staff is satisfied the Black Creek Subwatershed Study has been completed and is ready for implementation. Additionally staff and have no objections to the recommendations made in the Phase 3 report.

#### **RELATIONSHIP TO STRATEGIC PLAN:**

This report relates directly to the implementation of the Town Strategic Plan. Under Section B – Preserve, Protect and Enhance our Environment, this report supports Objective B.1 – To protect and conserve the quantity and quality of our ground and surface water resources, and ensure the integrity of our watersheds and aquatic ecosystems through integrated watershed planning and management. The Town's active participation in the completion of the Black Creek Subwatershed Study demonstrates awareness and concern for the protection of the natural environment and water resources contained within.

#### **FINANCIAL IMPACT:**

There is no financial impact resulting from this report, as the Town's financial contribution of \$100,000 to the completion of the Black Creek Subwatershed Study was previously approved as part of the 2008 Capital Budget. The other funding partner is the Region of Halton.

#### **CONSULTATION:**

Town staff, as well as Planning staff from Credit Valley Conservation were consulted in preparation of this report.

#### **PUBLIC ENGAGEMENT:**

No public engagement was initiated by Town staff in preparation of this report. Phase 1 of the Black Creek Subwatershed Study did include a public consultation plan, undertaken from 2008-2010. This plan included public focus groups, a public information session, community open house, and 2010 Earth Day event. A presentation before Council on the completion of the Black Creek Subwatershed Study is to be made by Credit Valley Conservation Staff on November 11<sup>th</sup>, 2019.

#### **SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

This report supports the Environmental Health pillar of Sustainability and in summary the alignment of this report with the Community Sustainability Strategy is Good. Specifically this report supports the Environmental Health themes of a 'Natural Heritage' and 'Water' by supporting a study whose purpose is to preserve and protect the natural

elements of the Black Creek Subwatershed, while making recommendations to improve human impacts on water resources.

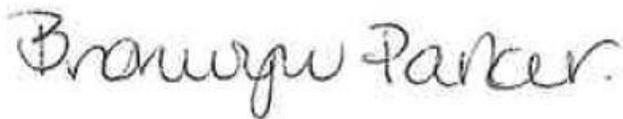
**COMMUNICATIONS:**

There is no communications impact associated with this report.

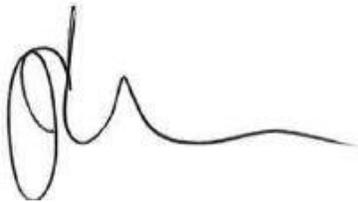
**CONCLUSION:**

Town staff has prepared this report to inform Council on the completion of the Black Creek Subwatershed Study in advance of a formal presentation by Credit Valley Conservation (CVC) staff on November 11<sup>th</sup>. Through three (3) phases of the project CVC staff has successfully defined key environmental characteristics, current and future challenges, and measures needed to protect the natural environment within the Black Creek Subwatershed. It is recommended that this report be received and that Council endorse this study for use in future Town policy projects.

Reviewed and Approved by,

A handwritten signature in cursive script that reads "Bronwyn Parker".

**Bronwyn Parker, Manager of Planning Policy**

A handwritten signature in cursive script that reads "John Linhardt".

**John Linhardt, Commissioner of Planning and Sustainability**

A handwritten signature in cursive script that reads "Brent Marshall".

**Brent Marshall, Chief Administrative Officer**