



OAKVILLE

REPORT

SPECIAL PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 22, 2021

FROM: Planning Services Department

DATE: March 9, 2021

SUBJECT: **Regional Official Plan Review - Draft Regional Plan Amendment 48 - An Amendment to Define a Regional Structure**

LOCATION: Town of Oakville

WARD: All wards

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RECOMMENDATION:

1. That the report titled *Regional Official Plan Review - Draft Regional Plan Amendment 48 - An Amendment to Define a Regional Structure* dated March 9, 2021, be received.
2. That the report titled *Regional Official Plan Review - Draft Regional Plan Amendment 48 - An Amendment to Define a Regional Structure* dated March 9, 2021, be submitted to Halton Region as part of the statutory process for ROPA 48 and the Regional Official Plan Review.
3. That the report titled *Regional Official Plan Review - Draft Regional Plan Amendment 48 - An Amendment to Define a Regional Structure* dated March 9, 2021, be forwarded for information to the City of Burlington, the Town of Halton Hills, the Town of Milton, Credit Valley Conservation, Grand River Conservation Authority and Conservation Halton.

KEY FACTS:

The following are key points for consideration with respect to this report:

- Phase 2 of Halton's Regional Official Plan Review is underway and involves research, technical analyses and community engagement around key themes.

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- The key theme of growth management and urban systems is focused on how and where to direct population and job growth that is required to achieve conformity with the province's 2019 Growth Plan, as amended.
- Intensification is a vital component of growth management for Halton Region and its local Municipalities, including Oakville.
- Regional staff has prepared a Regional Official Plan Amendment under Section 26 of the *Planning Act* that will advance certain strategic local municipal planning priorities related to urban structure.
- Regional Official Plan Amendment 48 helps define and provide direction on elements of the urban structure including Urban Growth Centres, Major Transit Station Areas, Regional Nodes and employment areas.
- An official plan amendment (or a new official plan) initiated by an upper-tier municipality (or single-tier) under section 26 of the *Planning Act* that comprehensively applies the policies and schedules of 2019 Growth Plan, as amended, is known as a Municipal Comprehensive Review (MCR).
- This report presents an overview of draft Regional Official Plan Amendment 48 and provides detailed comments from Town of Oakville staff.

BACKGROUND:

The Regional Official Plan Review (ROPR) is being undertaken in partnership with its local Municipalities of Oakville, Burlington, Halton Hills and Milton and within the context of the provincial policy framework, which is based on the 2019 Growth Plan, as amended.

The 2019 Growth Plan, as amended, requires the accommodation of forecasted population and job growth, is focused on the development of complete communities and involves the integration of climate change considerations into growth management and planning decisions.

Halton Region is planned to 2031 as a result of the last ROPR. The 2019 Growth Plan, as amended, now requires that the region plan for an additional 20 years to 2051, which consists of accommodating a total population of 1.1 million and total jobs of 500,000. In broad terms, the required growth to be accommodated in the region to 2051 is nearly equal to the combined population and employment of today's Oakville and Burlington.

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The ROPR is examining several key themes including climate change, natural heritage, rural and agricultural systems, growth management and urban systems. At present in the ROPR, there is an emphasis on planning to accommodate required growth within the urban area and with the majority of growth directed to an urban structure, which is described as follows:

“An urban structure is how the land use of a city or town is set out. It helps further the growth within our community by providing a way to guide the development of buildings, spaces or municipal infrastructure. An urban structure can consist of growth areas, employment areas, stable residential areas, and the transportation and growth corridors that connect these areas.”

Numerous regional reports and initiatives have supported the concepts and dialog around a Regional Urban Structure involving Regional Council, Oakville Council, and the public as well as local and regional staff.

Report No. LPS56-20 - July 2020

Regional Council authorized the release of the Regional Urban Structure Discussion Paper for public consultation. The discussion paper explored elements of a Regional Urban Structure for accommodating growth and intensification in Halton, aligned to local plans and priorities.

The discussion paper also described requirements of the 2019 Growth Plan, as amended, to be addressed through the ROPR including implementing Urban Growth Centres (UGCs), Major Transit Station Areas (MTSAs), Corridors and other potential strategic growth areas that were identified through local urban structures, as well as consideration for employment areas and employment conversions.

The discussion paper recognized a hierarchy of strategic growth areas to accommodate intensification and transit supportive growth.

At their meeting of September 8, 2020, Planning and Development Council received the report titled *Regional Official Plan Review – Regional Discussion Papers*, which provided an overview of the Regional Urban Structure Discussion Paper as well as the Climate Change, Natural Heritage, Rural and Agricultural System and the North Aldershot Planning Area Discussion Papers.

Report No. LPS84-20 - September 2020

Regional Council directed regional staff to prepare an initial scoped ROPA, under Section 26 of the *Planning Act* that would advance certain local municipal planning

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priorities related to urban structure as presented in the Regional Urban Structure Discussion Paper.

The report identified local priorities such as boundary and policy changes to UGCs, delineation and assignment of density targets for MTSAs, identification of additional growth nodes and strategic growth corridors with a corresponding policy framework as well as limited employment conversions to be considered in the ROPA.

LPS84-20 contained a letter from the province dated November 2019 confirming that municipalities could advance multiple official plan amendments to achieve a phased approach to its municipal comprehensive review.

Report No. LPS17-21 – February 2021

Regional staff prepared draft ROPA 48 which identifies elements of a Regional Urban Structure to support strategic local municipal land use plans and priorities.

The draft ROPA 48 proposes direction on implementing urban structure elements such as UGCs, MTSAs, Regional Nodes, and certain strategic employment conversions by removing lands from the Regional Employment Area.

The draft ROPA 48 may be viewed as part of the Regional Council Meeting Agenda for February 17, 2021, as Attachment #1 to LPS17-21 at this link:

<https://edmweb.halton.ca/OnBaseAgendaOnline/Meetings/ViewMeeting?id=4196&doctype=1>

At their meeting of February 17, 2021, Regional Council authorized regional staff to release draft ROPA 48 for public engagement and to initiate the statutory public process required by the *Planning Act*.

Regional staff circulated Report No. LPS17-21 and the draft ROPA 48 to the Minister of Municipal Affairs and Housing as required under the *Planning Act*. In addition the report and draft ROPA 48 was circulated to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton, Credit Valley Conservation and Grand River Conservation for comment.

Given that draft ROPA 48 is part of a municipal comprehensive review as provided for in Section 26 of the Planning Act, the Minister of Municipal Affairs and Housing will be the approval authority for this amendment to the Regional Official Plan.

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In addition to adopting the recommendations of Report No. LPS17-21. Regional Council adopted additional recommendations that had the effect of:

- Adding additional lands in the Town of Milton to be considered by ROPA 48, namely portions of the Agerton and Milton Education Villages lands;
- Requesting regional staff to consider a policy to permit adjusting population and employment ratios outside of an MCR to provide flexibility and responsiveness to changes in the market around the nature of employment and the success of mixed use nodes; and
- Requesting regional staff to consider local input in defining growth node policies and that regional staff comment how growth nodes contribute to higher density employment and how this is factored into the land needs for employment forecasts.

COMMENT/OPTIONS:

Oakville's Official Plan Review and Town-Wide Urban Structure

The Town of Oakville, like Halton, is also planned to 2031 by way of Livable Oakville. As part of the town's ongoing Official Plan Review, underway since May 2015, a significant amount of work has been undertaken including a number of planning studies completed and resulting in amendments to the town's Official Plan. A number of additional studies have been initiated and are currently underway.

A key component for Oakville is the town-wide urban structure established for Livable Oakville, which was recently updated and approved by the region through Official Plan Amendment No. 15. Oakville's town-wide urban structure is intended to accommodate required growth to 2041 and beyond and has the following goals:

- Protect the natural heritage system and cultural heritage resources
- Maintain the character of established areas
- Direct the majority of required growth to an interconnected system of nodes and corridors supported by public transit.

Other key components of the town's Official Plan Review are the area specific studies to implement Oakville's town-wide urban structure including the Hospital District, the North West Area and Palermo Village, Bronte GO Major Transit Station Area and Midtown Oakville.

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Through the town's Official Plan Review, it is well positioned to feed into the current ROPR in the form of study results and planning decisions by Oakville Council.

Another benefit of all the work completed through the town's Official Plan Review is that it is well positioned to respond to what the region is proposing in draft ROPA 48.

Context for Draft Regional Official Plan Amendment 48

Using the staged approach confirmed by the province, draft ROPA 48 proposes to advance local plans and priorities supported by studies and initiatives undertaken by the local Municipalities, ahead of the conclusion of the MCR.

Town staff notes that the draft of ROPA 48 has evolved positively in response to discussion and comments back and forth at the staff level. While this is indicative of the region's collaborative approach and a credit to good working relationships, town staff have identified some areas of the draft ROPA 48 that would benefit from further refinements.

The matter of where future growth will be accommodated is being addressed as part of the region's MCR through the Integrated Growth Management Strategy (IGMS). The IGMS is the project to establish where and how Halton will accommodate required population and employment growth to 2051, not only within a Regional Urban Structure but also to include possible settlement area boundary expansions.

The IGMS is at a stage where four Growth Concepts have been developed and presented in a Discussion Paper. Regional Council authorized the release of this paper under the cover of Regional Report No. LPS18-21 at their meeting of February 17, 2021.

The Town of Oakville staff report on these matters is found elsewhere on tonight's agenda and is titled *Regional Official Plan Review - Growth Concepts Discussion Paper - Integrated Growth Management Strategy*.

Regional staff confirmed the approach that moving forward with the draft ROPA 48 would not compromise the ability of Regional Council to comprehensively and objectively evaluate the full range of growth concepts associated with the Integrated Growth Management and a subsequent Regional Official Plan Amendment.

Regional staff state that in addition to developing an updated Regional Urban Structure, the draft ROPA 48 also intends to implement non-discretionary and strategic elements required to achieve conformity to the 2019 Growth Plan, as amended. Town staff shares this opinion for portions of draft ROPA 48 but recommend further modifications that are discussed below.

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The following sections highlight key items being advanced through draft ROPA 48 with additional town staff opinion provided where appropriate.

Regional Urban Structure and Hierarchy

A Regional Urban Structure is proposed, consisting of Strategic Growth Areas (SGAs), Regional Employment Areas, Built-Up Areas, and Designated Greenfield Area. These features are shown in proposed Map 1H in Appendix A.

The Regional SGAs and their Oakville equivalents, as appropriate, are listed in the table below. The hierarchy is from most intense to least intense:

Region of Halton SGAs	Town of Oakville Equivalent SGAs
Urban Growth Centre (UGC)	Midtown Oakville UGC
Major Transit Station area (MTSA)	Bronte GO MTSA
Primary Regional Node	Uptown Core Hospital District Palermo Village
Secondary Regional Node	Neyagawa Urban Core Kerr Village Bronte Village Downtown Oakville

Regional Corridors are important elements also found in Oakville's town-wide urban structure of nodes and corridors and the region is proposing to address the mapping and policies for these elements at a later stage of the MCR.

Additional elements of the Regional Urban Structure are proposed in the draft ROPA but are not represented in Oakville's town-wide urban structure. These elements include Proposed Major Transit Station Areas and Local Nodes.

Town Staff Opinion: Town staff has reviewed the Regional Urban Structure elements of draft ROPA 48 and are of the opinion that it is consistent with Town of Oakville Official Plan Amendment 15. This includes the policies and process for adding new SGAs to the Region and Town's respective urban structures.

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Urban Growth Centres and Major Transit Station Area Boundaries Defined

Draft ROPA 48 proposes defined boundaries for MTSA's including the boundary for the Bronte GO MTSA as shown in Appendix B, which contains Proposed Map 6f - Bronte GO MTSA

Town Staff Opinion: Town staff has reviewed the proposed boundary for Bronte GO MTSA and has no concerns since it is consistent with the results of the town's Bronte GO MTSA Study.

However, Appendix B shows only the partial removal of the Regional Employment Area overlay from lands within the MTSA boundary.

Town Staff Opinion: Town staff is of the opinion that the entire MTSA area should be removed from the region's employment overlay in draft ROPA 48. This would be appropriate since it reflects the town's priorities, provides local flexibility to develop a mixed use node and would be consistent with local Official Plan Amendments being advanced in the town's Official Plan Review.

Notwithstanding the previous, regional staff indicate that the balance of the Bronte GO MTSA lands will be removed from the Regional Employment Area overlay following the completion of the MCR.

In addition, minor boundary adjustments are being proposed for Midtown Oakville UGC/MTSA by removing the MTO lands around the QEW interchanges and removing the Regional Natural Heritage System on the west side of the SGA.

Town Staff Opinion: Town staff has reviewed the proposed boundary for the Midtown Oakville UGC/MTSA and has no concerns since it is consistent with the results of the town's Midtown Oakville Growth Area Review.

2051 Growth Forecasts

Draft ROPA 48 updates Table 1 in the Region's Official Plan to incorporate the revised growth forecasts from the 2019 Growth Plan, as amended. For Halton, this is a population of 1,100,000 and 500,000 jobs to the year 2051.

Distribution of the 2051 population and employment forecasts to the local Municipalities will be determined through the IGMS and the MCR.

Town Staff Opinion: Town staff has no concerns with this item in the draft ROPA.

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2051 Growth Targets

Draft ROPA 48 introduces a new Table 2b, which contains for certain SGAs, minimum density targets and target proportions of residents and jobs, as shown in the table below.

Strategic Growth Area	Minimum Density Target (Residents and Jobs per hectare)	Target Proportion of Residents & Jobs	
		Residents	Jobs
Midtown Oakville UGC	200	65%	35%
Bronte GO MTSA	150	40%	60%
Uptown Core	n/a	85%	15%
Hospital District	n/a	40%	60%
Palermo Village	n/a	60%	40%

Minimum Density Targets for the remaining SGAs will be approved by the Region based on work completed by the local Municipalities.

Town Staff Opinion: Town staff has no concerns with the Minimum Density Targets proposed for UGCs and MTSAs since these are required by the 2019 Growth Plan, as amended, and are considered non-discretionary. Staff also supports the approach of allowing the Minimum Density Targets for other SGA’s established as required by the 2019 Growth Plan, as amended, to be informed by work conducted at the local level. However, town staff has concerns with the proposed Target Proportion of Residents & Jobs and is of the opinion that these targets should be removed from draft ROPA 48.

Town staff has reviewed the 2019 Growth Plan, as amended, and companion provincial planning documents and do not see a requirement for target proportions of residents and jobs planned to be achieved within SGAs. In this regard, town staff is of the opinion that target proportions appear to be a discretionary policy introduced by the region.

Further, while the target proportions for SGAs have been described as “aspirational”, the companion draft policies for implementing planning for

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employment uses within SGAs are proposed as “requirements”. This is discussed later in the report.

Consistent with past comments, town staff supports retaining and accommodating employment opportunities in SGAs but remains concerned that the target proportion approach creates uncertainty and raises questions and challenges regarding implementation. For example:

- Is a target proportion to be achieved over time within a SGA?
- Or will each individual development application require a target proportion?
- How is a target proportion to be achieved among disparate landowners with different aspirations?
- Across the SGA, which landowner gets to develop the residential proportion after the employment is achieved? And vice-versa?
- How is a ratio required within a mixed-use building?
- Could underachievement of a target proportion be used to deny planning approvals even if a development application conformed to the land use policies?
- How will the region monitor the target proportion since it will be a requirement of the Regional Official Plan?

Town staff supports mixed use development due to the synergies created between the uses that locate in these areas. For example, mixed use areas that permit residential uses will attract better employers and better jobs. Likewise, higher density mixed use areas will produce more jobs and greater employment densities.

2051 Growth Targets – Oakville’s Strategic Growth Areas

In the event that target proportions for SGAs are introduced into the Regional Official Plan through ROPA 48, town staff could accept the targets for Midtown Oakville UGC, Bronte GO MTSA, Uptown Core and the Hospital District SGAs.

However, town staff does have concerns with the target proportion for Palermo Village, specifically the jobs rate of 40% is far too high. The proposed target in draft ROPA 48 is based on outdated information in the Livable Oakville Plan from 2009, a time when the Palermo Village growth area consisted only of lands south of Dundas Street West.

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Since then, development in Palermo Village has followed a different track and planning for the area has evolved such that Palermo Village now includes lands north of Dundas Street West. Further detail can be found in the report for the new Palermo Village SGA which is the subject of a local Official Plan Amendment scheduled to be recommended for adoption by Town Council on March 22, 2021.

It is important to note that the Palermo Village lands north of Dundas Street West have been under appeal for many years. Both Region and Town's Official Plans are not in full force and effect in this area. Because of these appeals, it is the opinion of Town staff that these lands are not located within the Regional Employment Area and therefore the town's recommended plan for a mixed use node on these lands does not constitute an employment conversion. This further supports assigning a much lower target proportion for jobs in Palermo Village, if there is to be any target.

The recommended plan for Palermo Village has a much higher proportion of residential uses as well as a substantial number of public service facilities and community amenities including a transit terminal, library and community centre and parks and open space. While employment opportunities will be encouraged, the amount of employment that can be generated in the plan for Palermo Village will be limited.

Town Staff Opinion: Town staff are of the opinion that the target proportion proposed in draft ROPA 48 for Palermo Village does not reflect Oakville's current plans and priorities and are requesting the opportunity to work with regional staff to establish an appropriate target proportion to be included in Table 2b.

Planning for Employment Uses within Strategic Growth Areas

The region is proposing a series of policy requirements for the local municipalities in order to plan for employment uses in certain SGAs. These are excerpted in Appendix C.

As mentioned, town staff supports retaining and accommodating employment opportunities in SGAs, this is a requirement of Policy 2.2.5.14 from the 2019 Growth Plan, as amended, which states:

“Outside of employment areas, development criteria should be established to ensure that the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site”

The region proposes this concept in draft ROPA 48, as follows:

*“Policy 79.3 (13) a) establishing development criteria to ensure that the **site-specific** redevelopment of any employment lands retains space for a*

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*similar number of jobs to remain accommodated on site” (**emphasis added**)*

Town Staff Opinion: Town staff does not support the introduction of the term “site-specific” to the policy; it alters the intent and gives the appearance of discretionary policy introduced by the region to draft ROPA 48.

As shown in Appendix C, Policy 79.3 (13) continues, and requires that local Municipalities plan to achieve the target proportion of residents and jobs through prescriptive policies, including:

1. Identification of **minimum employment targets** for SGAs;
2. Identification of minimum amount of **gross floor area** to be planned for employment uses;
3. Identification of a **minimum proportion or threshold of the total gross floor area** within this area to be developed for employment uses (**emphasis added**)

Town Staff Opinion: Town staff does not support the introduction of these requirements through draft ROPA 48 and recommends that they be removed to provide greater flexibility for meeting planning goals in SGAs. The proposed policies are not concepts from the 2019 Growth Plan, as amended, and appear to be discretionary policies being introduced by the region.

Town staff is further of the opinion that a narrow and overly-prescriptive set of policies do not belong in an Upper-tier municipal official plan since they may not be appropriate for all SGAs across the local Municipalities. There is a concern for Oakville that the pace of development could be impaired through unintended consequences of prescriptive policies leading to missed opportunities.

Proposed Policy 79.3 (13) in draft ROPA 48 could be simplified and made more flexible if it simply copied Policy 2.2.5.14 from 2019 Growth Plan, as amended, directly into the Regional Official Plan. Local municipalities would then have the opportunity to develop appropriate and context specific development criteria for a particular SGA.

Greater flexibility is also appropriate in light of the constantly evolving nature of employment recently brought into focus by the COVID-19 emergency pandemic.

Finally, as the approval authority for local municipal official plans and official plan amendments, the region would still have the final opportunity to modify the local policies to provide for appropriate levels of jobs within mixed use SGAs.

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Town Staff Opinion: Town staff is supportive of a policy for monitoring, in conjunction with the region, the achievement of planning goals related to the balance of population and jobs in a SGA.

Town staff is also supportive of a policy to develop a strategy for redress in the case of a deficit or a deviation from achieving those planning goals related to the balance of population and employment.

Draft ROPA 48 Timing and Next Steps

Regional Council will be notified when dates for the Open House/Public Information Centre and statutory public meeting have been confirmed. Public notification of these engagement opportunities will be provided through the Region's website, newspaper advertisements, mailing lists, social media, stakeholder groups, and other means.

Town staff anticipates that the earliest opportunity for a Statutory Public Meeting on Draft ROPA 48 will be June 2021.

CONCLUSION AND NEXT STEPS:

Town staff will continue to engage in the ROPR process to improve alignment among the parties and to focus on reaching consensus. As the ROPR moves into Phase 3, town staff will be providing Oakville Council with further updates, analysis and commentary.

Town staff anticipates that there will be substantial review work and comments generated during Phase 3 of the ROPR when Halton Region produces the Policy Directions Synthesis Report, draft official plan policies and a draft Regional Official Plan Amendment for consideration.

CONSIDERATIONS:

(A) PUBLIC

There are no public considerations and no notice requirements from this report.

(B) FINANCIAL

There are no financial considerations from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Multiple town departments have had the opportunity to provide input into the town's responses to Halton's Regional Official Plan Review.

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(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

Consideration of the sustainability goals and objectives of the Livable Oakville Plan are part of all town reviews of Regional initiatives.

APPENDICES:

Appendix A – Draft ROPA 48 – Map 1H

Appendix B – Draft ROPA 48 – Map 6F – Bronte GO MTSA

Appendix C – Draft ROPA 48 - Policies for Planning for Employment Uses within Strategic Growth Areas

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