

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 9, 2020

FROM:	Planning Services Department & Finance Department
DATE:	March 4, 2020
SUBJECT:	Halton Region 2020 Allocation Program
LOCATION:	Lands north of Dundas Street
WARD:	Multiple Wards: 6 & 7

RECOMMENDATION

- 1. That the report entitled *Halton Region 2020 Allocation Program*, from the Planning Services and Finance Departments, dated March 4, 2020, be received;
- 2. That Halton Region be requested to allocate servicing to lands in North Oakville, in accordance with this report;
- 3. That Halton Region be requested to accelerate the servicing of lands north of Dundas Street between Tremaine Road and Regional Road 25;
- 4. That the Director of Planning Services be authorized to endorse any minor changes to the distribution of servicing allocation which may arise as Halton Region advances the program, and the subsequent transfer of allocation units between other Oakville properties; and
- 5. That the Town Clerk provide a copy of this report, and Council's resolutions, to Halton Region, the City of Burlington and the Towns of Milton and Halton Hills.

KEY FACTS

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

 In November 2019, Regional Council re-initiated the 2016 Halton Region Water and Wastewater Allocation Program (FN-46-19/PW-50-19/LPS112-19). This program has been on hold since mid-2016.

- This program is administered by Halton Region, with input from the local area municipalities, and addresses the financial costs of future growth by ensuring new greenfield development front-ends the Region's Development Charge. The current program is for the period 2017 to 2022.
- The Region has requested the area municipalities recommend the distribution of allocation of single-detached equivalent units (SDEs) to eligible developers as part of this program.
- The Town has received requests for allocation of a total of 13,436 SDE units from a number of landowners, however; Halton Region has identified that the Town can only allocate 7,118 SDEs. This amount equates to the projected population to 2031 based on the Region's Best Planning Estimates. The recommended distribution of these units is illustrated in the Appendices.
- This allocation program implements the planned communities that Council has already approved and helps achieve the Vision for North Oakville.
- Staff has evaluated each of these requests in accordance with the growth management policies of the Town's Official Plan, as well as additional criteria which will foster the creation of complete communities in North Oakville.
- The proposed allocation of 7,118 SDEs would generate approximately \$230 \$250 million in Development Charges revenue over the forecast period (in 2019 rates). When combined with the DCs collected to date, 90% of the total DC revenue required from development in North Oakville would be obtained.

BACKGROUND

Halton Region uses an "Allocation Program" as a tool to manage how the Region's Official Plan is implemented in the greenfield areas – those lands being outside of the Built Boundary. This program requires the pre-payment of the hard services component of the Region's Development Charges (water, wastewater and roads DCs) and landowners enter into financial agreements with the Region to front-end the proportionate costs based upon the number of dwelling units the landowners intend to construct.

Halton Region determines the amount of servicing needed according to how much population is planned for a given area using the 2006 Best Planning Estimates

(BPEs).¹ This population is dis-aggregated by unit mix and the corresponding infrastructure needed to support the future population. Each residential unit type has a corresponding demand on servicing and this ratio is referred to as a "Single-detached Equivalent" (SDE).

The SDE ratios are as follows:

Residential Unit Type / Category	SDE Factor
Single / Semi Detached Dwelling	1.00
Multiple Dwelling	0.76
Apartment Dwelling	0.45
Special Care/Special Need/Accessory Dwelling	0.32

Although initiated in 2006 following the Census, the BPEs were not approved until 2011. The BPEs are out-dated since they have not been reconciled to reflect the ongoing growth, or pattern of growth, seen throughout the Region. Since the preparation of the BPEs in 2006, there have been two Censuses, two Growth Plan updates as well as an update to the Provincial Policy Statement.

Through its analysis, Halton Region has determined that Oakville will receive 7,118 SDEs based on the 2006 BPEs and the corresponding population forecasted for North Oakville to 2031. It should be noted that the BPEs anticipated a higher proportion of single-detached dwellings compared to what has been built thus far, commensurate with assumptions for persons per dwelling unit through the 2031 time horizon.

A more accurate reflection of how growth is forecasted in Oakville can be found in the Development Charges Background Study (March 2018). The study reflects the 2016 census and is based on the current persons per dwelling unit rate.

Halton Region is currently reviewing its Official Plan, and future growth scenarios, in consideration of future population distribution according to the 2041 population forecasts in the 2019 Growth Plan. Of note, the Province has stated that these forecasts will be reviewed by mid-2020. Town staff is actively working with the Region to help guide its population forecasting to 2041 to help inform Halton Region's Official Plan, as well as the next allocation program.

¹ An update to the 2006 BPEs is not expected until Halton Region has completed its Official Plan Review – sometime after 2023.

2012 Allocation Program

The previous allocation program commenced in 2012 with an expectation to only last four years, allowing the next program to start in 2016. There was a delay in the subsequent program for several reasons and in mid-2019, Regional Council established timing and parameters for a new program.

The 2012 program provided Oakville with 4,897 SDEs. Including high density units, a total of 5,450 SDEs ultimately resulted. The high density units that were set aside by Halton Region were used on a "first come, first served" basis. Some Oakville projects benefitted from this pool of SDEs.

Oakville developers and landowners have since expended all of the SDEs provided to the Town through the 2012 program, save for one site. This last site has not progressed since the engineering and functional design of future development is dependent on co-ordinating with adjacent lands.

Development throughout North Oakville has been steady since 2012 but slowed in the last few years when the town exhausted its allotment of servicing.

2020 Allocation Program

The 2020 program is intended to last until 2022, after which a new program will be initiated in 2023. Lands not considered as part of the 2020 program may be re-evaluated for a subsequent program. The current program applies to all four local municipalities in the Region, and the allocation is distributed with the following SDEs:

Burlington:	495
Halton Hills:	3000
Milton:	8716
Oakville:	7118

With the current program, the Region has set aside 1,500 SDEs to be used for unforeseen circumstances that could arise over the life of the program. A further 1,500 SDEs have been reserved to support Purpose Built Affordable Rental Housing. There are specific parameters associated with using this pool of allocation, and a developer would need to meet various provisions.

An Expression of Interest (EOI) was issued by Halton Region in September 2019 to landowners throughout North Oakville to gauge the interest of servicing required to develop lands. A total of 24,787 residential dwelling units were identified through the

EOI, equating to 14,358 SDEs throughout all of North Oakville in the areas planned, or in the planning stages, for residential land uses.

A Request for Allocation was completed in December 2019 with a response of 13,585 SDEs. Further refinement has brought this figure down to 13,436 SDEs. This is lower than the initial EOI due to some landowners adjusting their requests, and some properties choosing to not proceed at this time. See Appendix B for the allocation requests.

COMMENTS

Planning Policy

The lands north of Dundas Street have been comprehensively planned since the mid-2000s. While the land use planning framework provided in the East Secondary Plan was completed in consideration of the 2006 Growth Plan, the North Oakville West Secondary Plan conforms to the 2006 Growth Plan.

The Growth Plan (2019) requires all land use planning decisions to be consistent with that Plan. It also establishes a population for Halton Region of 1,000,000 people by 2041, and the Town is required to plan for its share of that population forecast. Until such time as the Town determines how to allocate growth through the 2041 timeframe, the town continues to plan to 2031. Decisions already made by Council, such as the adoption of Oakville's Urban Structure and the Livable Oakville Plan, have determined how Oakville will grow to 2031.

Council approved the Town's Urban Structure in 2017 which applies town-wide – to lands both north and south of Dundas Street. The Urban Structure protects natural heritage, open space and cultural heritage, maintains the character of residential areas and directs growth to identified centres and corridors. The amendment to the Official Plan implementing the Urban Structure, while subject to one outstanding appeal, has the effect of providing a framework for where and how the town grows, establishes the basis for Official Plan policy and the basis for making future planning decisions through 2041.

The lands in North Oakville represent the last greenfield lands in the municipality. The allocation program is undertaken in consideration of the land use planning exercise completed for these lands. There are no lands as part of the *Request for Allocation* received from landowners that propose a conversion of land uses. All of the properties seeking allocation have the required planning policy in place for residential land uses, as established through the approval of the 2009 North Oakville East Secondary Plan.

Town Council approved updates to the North Oakville East Secondary Plan (OPA #321) which advanced the direction of the Urban Structure – being intensifying the town's corridors and centres. This directly translates to continued development of the Dundas Street and Trafalgar Road corridors, and in the areas of Uptown and Neyagawa Urban Core.

The North Oakville West Secondary Plan was updated with Official Plan Amendment #306 wherein a mixed-use area, including residential land uses, was planned around Old Bronte Road, north of Dundas Street. The on-going Palermo growth area study, with updated planning policy, is being developed based on recent Council endorsement of a mix of land uses, and there are opportunities to foster a mixed-use centre in this area, as directed by the Urban Structure.

Palermo

The Palermo area (generally the Regional Road 25 and Dundas Street intersection) is identified for further study and intensification in the Urban Structure. Lands north of Dundas Street, on either side of Regional Road 25, are currently under appeal, and have been since the adoption of Regional Official Plan Amendment #38 (ROPA 38), and the adoption of local Official Plan Amendments #289 and #306.

There is a great opportunity in Palermo to create a synergy of land uses, and through the comprehensive study being prepared by Planning staff, more detail will be provided. A draft of the Palermo study was presented to the *Livable Oakville Sub-committee* in 2019. The study has been focussed primarily on lands north of Dundas Street and has identified the need for several local amenities including: a transit hub, a Community Centre, a library and parkland to support future residential and employment uses. The forthcoming planning policy will provide details on how implementation is expected to occur, and summarize the public consultation held in November 2019.

There are benefits to considering the allocation of servicing to the Palermo area as part of the 2020 program, not the least of which is the further implementation of the Town's Urban Structure. There are properties in Palermo which have sought allocation and endorsing this request could have the added benefit of advancing the servicing for employment lands in the immediate area as well as lands which currently rely on private servicing. It is desirous to have employment lands shovelready, especially along the north side of Dundas Street between Tremaine Road and 14 Mile Creek.

Halton Region Official Plan policy 77.4 (3) stipulates that the Region is to ensure that the necessary infrastructure is provided to support the development of

employment areas. Even though the Palermo / 407 West Employment area has been planned for some time, servicing the area has not been commensurate. Should allocation not be provided to Palermo, this could have a detrimental effect to the timeliness of bringing servicing to the area, including lands designated for employment uses.

Part of the challenge in allocating servicing to the Palermo area (specifically the lands along Old Bronte Road), is the proposed land use policy framework has not yet been adopted by Council, and subsequently approved by the Region. Without the new land use policy confirmed, there is a risk that allocating to this area could lock up allocation that could otherwise be used for lands in the NOESP where the land use policy is already in-effect and servicing has been defined or built.

In order to provide more certainty for future development in Palermo, staff will continue to work on updating land use policy for the Palermo area with the intent of delivering that to Council in Q3 2020, including the implementation requirements and Next Steps that will allow these lands to be ready for the 2023 allocation program. It is therefore pre-mature to allocate servicing to Palermo until such time as the planning policy framework and supporting implementation tools have been approved. An example regarding potential implementation tools could be a Parkland Agreement (similar to the NOESP requirement) and Zoning By-laws.

It is staff's recommendation that regardless of allocating to Palermo at this time, Halton Region should be requested to work with the Town to advance the infrastructure planning for the area as soon as possible.

Evaluation Criteria

The allocation program recognizes that growth in the NOESP area has been appropriately planned for, and the land use policy is approved and in-effect. The program ensures anticipated growth can be sequenced in a logical manner, and infrastructure can be appropriately financed as envisioned by the Official Plan.

Due to the high degree of interest in the allocation program, wherein the demand is double the supply, it is appropriate to use criteria to identify those sites which should proceed towards developing at this time. The criteria are not weighted in terms of importance and not listed in any preferred order:

- Conformity with Official Plan objectives and policies,
- Completion of neighbourhoods and communities,
- Availability and co-ordination of required Local and Regional infrastructure that benefits multiple landowners, without the need to construct new Regional infrastructure (i.e. trunks or pumping stations),

- Advancing higher density forms of development that support the Urban Structure's centres and corridors.
- Facilitating development that will provide for social infrastructure such as schools and parks, and the seamless extension of local transit service,
- Manageable operational costs to the Town,
- Status of required Planning Act approvals / development applications,
- Economic benefits to the Town, for example ensuring town designated employment lands are shovel-ready,
- Member of the landowners group (executed Master Parkland Agreement).

These criteria reflect sound planning principles and relate to some of the matters Council has raised previously, such as the need to secure additional school sites and balance the amount of grade-related housing with apartment uses.

Summary of Allocation Requests

Staff has used the foregoing criteria to determine how to distribute the 7,118 SDEs as stipulated by Halton Region. The criteria were used to evaluate how to narrow the request of 13,436 SDEs to ensure complete communities per the Urban Structure, provide for the logical extension of infrastructure, make community amenities available through new development (i.e. school and park sites), and recognize Council's desires to advance higher density residential sites. Appendix C provides the details as to which landowners sought allocation, how many units, and how staff recommends distributing the 7,118 SDEs.

As outlined above, the allocation available for the town represents the 2031 population in the Region's BPEs. There is no concern in using this figure for several reasons, not the least of which is the town has planned how it will grow through 2041 and is recognized as such in the Council-adopted, Region-approved, Urban Structure. Furthermore, the town has a financial plan in place to achieve its forecasted population as provided through the Council-approved Development Charge by-law (and background study).

Allocating towards the 2031 horizon year does not translate to an immediate influx of population. There has already been a delay in achieving the forecasted population in North Oakville for a variety of reasons including delays in previous allocation programs which has slowed development north of Dundas Street. This can be seen in the BPE forecast versus that of the DC Study.

It takes several years from when an allocation program comes on-stream to seeing new communities being constructed and new residents moving in. There is a resulting lag for the demand on town facilities and services. This is addressed through each budget cycle when there is opportunity to adjust the capital forecast. Finally, in using the full 7,118 SDE allotment, the town has increased flexibility to bring on community facilities (i.e. schools and parks) in a more responsive fashion, as referenced in the financial section below.

Staff has sought to find an equitable balance in the distribution of allocation, primarily to completing existing neighbourhoods, unlocking as many school sites as possible, and ensuring there is a logical progression of new greenfield growth.

Sites along Dundas Street and Trafalgar Road, where there are higher densities in mid-rise and tall building forms, have been carefully considered since the Town's Urban Structure seeks to place transit-supported growth in the Town's centres and corridors.

It is recommended that the area east of Sixth Line, south of Burnhamthorpe Road receive the full allocation request so that this neighbourhood can complete its construction at the same time the Town can secure needed park and school sites. A similar approach to lands between Neyagawa Boulevard and Sixth Line is also recommended because draft plans of subdivision in this area will facilitate two additional school sites and accompanying parks. It is recommended that allocation be provided to landowners in this area so that staff can review applications and continue to co-ordinate development with the commenting agencies.

For properties north of Dundas Street, east of Eighth Line, it is recommended that sufficient allocation be provided to allow for the completion of already draft approved plans, as well as secure two additional school sites and parks.

Properties which are not recommended to move forward at this time may be subsequently considered depending on the availability of allocation from the other SDE reserves. For example, a development application which addresses the Region's criteria for purpose built affordable rental housing, could utilise some of that 1,500 SDE reserve and would enter into an agreement with the Region at a later date.

Once landowners are in a position to sign agreements with the Region for their share of allocation, some minor changes to the overall distribution may be necessary, or transferring allocation between properties within the municipality, if owned by the same development company. Staff has included a recommendation that these minor changes can be facilitated by the Director of Planning.

Bill 108 Implications

As Council is aware, Bill 108 (*More Homes, More Choice Act,* 2019) was released in May 2019 and received Royal Assent in June. Bill 108 proposes to enact a new Community Benefits Charge (CBC) that consolidates three major financing tools currently available to municipalities to fund growth, parkland dedication, density bonussing and specified services currently financed through DCs. The Province has stated that municipalities will be able to maintain the revenues it collected pre-Bill 108 via parkland, bonussing and development charges. In other words, the intent is to keep municipalities "whole" with the new charge.

An update to the potential regulations was posted to the Environmental Registry of Ontario just ahead of the release of this report on 28 February, 2020. Although there appear to be some benefits to the municipality, staff has not yet had the opportunity to undertake a thorough review of the regulation, and the implications to the town's future financial planning. There remain several unknowns with respect to the implementation of the legislation.

One change introduced through the draft regulation is the ability to recover 100% of the charge related to parks development, libraries and recreation centres. The existing legislation limits has maximum recoverable to 90%. This change would remove some uncertainty caused by Bill 108 for the majority of the charges that the town collects through soft service development charges.

Although parkland dedication would be subject to a maximum of 10% of the land value under the draft regulation, parkland within the North Oakville East Secondary Plan is subject to a Master Parkland Agreement secured as part of the settlement of the NOESP appeals. This agreement entitles the Town to 64.5 hectares of parkland of which 30.743 hectares has already been conveyed. The agreement is administered in conjunction with the landowner's cost sharing agreement which addresses the equitable share of the distribution of school sites, parkland and the Natural Heritage System. While it is recognized that a credit against CBC's will need to be calculated for ongoing compliance with this agreement, staff is satisfied that a value for that credit can be determined at a later date. Additional discussion with respect to this issue is provided in Appendix 'E'.

Given the release of the updated regulation to Bill 108, staff will evaluate the implications to the town's future financial position and report to Council with more detailed information as soon as possible.

Financial Implications of Growth

Development Charges (DC) are the town's mechanism to raise the necessary funds to provide the infrastructure required to support growth. The 2018 Development Charges Background Study represents the long-term financial plan for growthrelated infrastructure and aligns with the forecasted population and housing growth. As development occurs, the DC study represents the benchmark used to measure the financial stability of the long-term capital forecast, and as a result staff continue to monitor actual housing units and development charges revenue collected and adjust the timing of growth related capital projects when necessary.

The most recent DC study (March 2018) represents the period 2017-2031. According to the study, a total of \$529 million is required for the growth-related infrastructure to support the 21,020 new housing units identified town-wide to 2031. Of the \$529 million in revenue, 61% is from development in North Oakville and 39% from South Oakville due to the higher number of single-detached units expected in the north.

The table below illustrates that as of December 31^{st,} 2019, a total of \$87.4 million in DC revenue has been collected to date, which is \$67 million less than anticipated for the 2017-2019 time period in the DC study. This is a result of 2,665 fewer residential units as housing development occurred more slowly than anticipated in the DC study. The timing of various growth-related capital projects were deferred in the 2019 and 2020 capital budgets to align with the timing of housing development.

	Total DC Study - 2017-2031						2017-2019					
	Townwide		North		South		DC Study		Actual			
	Forecast Oakville Oakville		Dakville	Forecast		2017-2019		Difference				
# of Residential Units		21,020		10,518		10,502		6,820		4,155		(2,665)
Residential Revenue	\$	529.3	\$	323.9	\$	205.4	\$	154.4	\$	87.4	\$	(67.1)
Hard Services	\$	299.8	\$	183.2	\$	125.6	\$	89.6	\$	50.9	\$	(38.6)
Soft Services	\$	229.5	\$	140.7	\$	79.8	\$	64.9	\$	35.9	\$	(29.0)

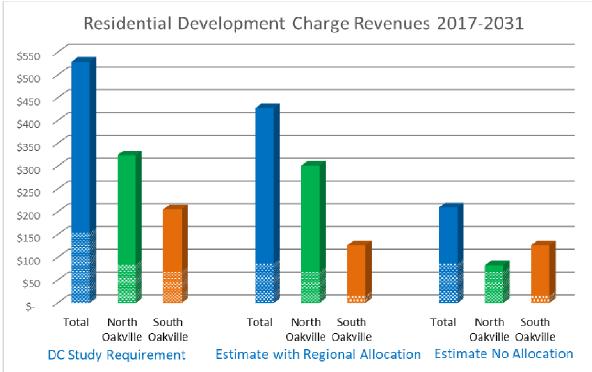
Table 1

(figures noted in \$ millions)

The following table illustrates the Residential Development Charge revenue for the period 2017-2031 and compares the total amount deemed required in the 2018 Development Charges Study to the estimated amounts from the Regional Allocation and deferral of the Regional Allocation program.

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*Note: the patterned colour represents the 2017-2019 time period and the solid colour represents 2020-2031. Revenue estimates may vary depending on actual housing mix and do not factor any additional allocations that may occur in the future.

Proposed Regional Allocation

The proposed 7,118 SDEs could equate to approximately 10,000 to 11,000 new residential housing units depending on the mix of unit type (i.e. single-detached, townhouse or apartment units). This would generate approximately \$230 – \$250 million in DC revenue over the forecast period (at 2019 rates).

Of this total, it is estimated that \$110 million will be soft services DCs and \$140 million hard services DCs. When combined with the DCs collected to date, 90% of the total DC revenue required from development in North Oakville will be obtained through the allocation program. When combined with the projected housing growth for South Oakville, the total town-wide revenue is estimated to be approximately \$427 million.

As a result, this allocation would provide more assurance in development charge cash flows over the 2020 – 2031 horizon and would allow staff to revisit the timing of the growth-related capital projects in the upcoming 2021 capital budget.

Deferral of Regional Allocation

As noted above, 61% of development charge revenue is anticipated to be generated from housing development in North Oakville and 39% from South Oakville. Through December 31st, 2019, housing development in the South has been 70% slower than initially anticipated in the DC study, resulting in 2,575 less housing units and \$51.6 million less DC revenue than expected. Most of the revenue (80%) has come from development in the North.

If the distribution of Regional allocation is not approved at this time and deferred, the next opportunity for allocation in the North would likely not occur until at least 2023. Therefore, any DC revenue that was anticipated from North Oakville development would also be deferred and the town would be 100% reliant on the DC revenue generated by development in the South.

Using the estimated revenue projected from the 7,118 SDEs and approximate timing of building permits that will occur between 2020 and 2023, there will be a total funding shortfall in the interim period of \$110 - \$160 million. The implications of this would need to be considered when developing the Town's 2021-2030 capital forecast and the timing of growth-related capital projects would need to be adjusted to align with the delay in housing growth. More specifically, there would be an impact of approximately \$100 million to hard services infrastructure: roads, bridges, fire facilities, and transit; and approximately \$60 million related to soft services infrastructure for parks, trails, recreation facilities and libraries that would need to be deferred in the capital budget.

The delay in allocation would also have implications to the Town's operating budget wherein the volume in revenues collected through development applications will be reduced in the interim period and options to offset the impact would need to be considered.

Staffing Resources

With the allocation of servicing to new development in North Oakville, there could be at least double the existing number of development applications presented to Council on an annual basis.

As a result of the influx of applications, and the town's responsibility to respond to applications in a timely matter per *Planning Act* legislation, it will be necessary to ensure an appropriate staffing complement within the various town departments.

Staff does not recommend addressing this staffing gap immediately, but rather, monitor the increase in development applications and evaluate the level of service

during this transition period. If additional staffing resources are identified as a result of the increased volume of applications, Staff will report to Council. In the interim, Staff will continue to manage resources, and adjust as necessary, to ensure an appropriate staff complement is in place to meet legislative timeframes.

CONSIDERATIONS

(A) PUBLIC

This matter is not subject to public consultation. Future development applications in North Oakville will follow the normal legislative requirements and be brought forward to Council per the usual practices.

(B) FINANCIAL

The town's long-term financial plan for growth related infrastructure is based on the increase in need for service and forecasted revenue identified in the March 2018 Development Charges Background Study. The timing of growth-related capital projects in the forecast has been revised where necessary based on actual cash flows related to Development Charge collections.

As of December 31^{st,} 2019, a total of 2,665 fewer residential units have been built and \$67 million less DC revenue collected than anticipated for the 2017-2019 time period in the DC study. As a result, the timing of various growth-related capital projects were deferred to align with the timing of housing development as part of the 2019 and 2020 capital budgets.

The 7,118 SDEs in the allocation program would generate approximately \$230 - \$250 million in DC revenue over the forecast period (in 2019 rates). When combined with DC revenue collected to date, approximately 90% of the total residential revenue identified in the DC Study for North Oakville would be achieved. This would provide more assurance in development charge cash flows over the 2020 – 2031 horizon and would allow staff to revisit the timing of the growth-related capital projects in the upcoming 2021 capital budget.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The implementation of the allocation program is co-ordinated among Town departments through the review of development applications. Staffing required to meet *Planning Act* application review timeframes will be monitored and addressed accordingly.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be fiscally sustainable
- be the most liveable town in Canada

(E) COMMUNITY SUSTAINABILITY

The allocation program allows the town to ensure the sustainability of social, economic and environmental initiatives, as outlined in this report.

CONCLUSION

Moving forward with the allocation program ensures the Town continues to grow in a logical, measured fashion, and according to the in-effect planning framework which reinforces and implements the Town's Urban Structure. Residential development has been planned for North Oakville since the NOESP's approval in 2008 and the allocation program allows for the realization of that Plan. Furthermore, developing complete communities north of Dundas Street reduces some of the pressure to redevelop established communities to the south.

APPENDICES

Appendix A – North Oakville East Secondary Plan Schedules

Appendix B – Allocation Map

Appendix C – Distribution of Allocation

Appendix D – Halton Region Capital Projects

Appendix E – Legal Memo dated 4 March, 2020 (see Confidential Agenda)

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