

# REPORT

# PLANNING AND DEVELOPMENT COUNCIL MEETING MEETING DATE: DECEMBER 04, 2017

FROM: Planning Services Department

**DATE:** November 13, 2017

SUBJECT: Recommendation Report - Town-initiated Official Plan

Amendment: Bronte Village Growth Area Review (Livable

Oakville) - File No. 42.15.51 - By-law 2017-118

**LOCATION:** Bronte Village Growth Area

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## RECOMMENDATION:

1. That the town-initiated official plan amendment No.18 (Bronte Village Growth Area, File: 42.15.51) be approved;

- 2. That By-law 2017-118, a by-law to adopt an amendment to the Livable Oakville Plan be passed; and
- 3. That notice of Council's decision reflect that comments received from the public have been appropriately addressed.

## **KEY FACTS:**

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

- The Official Plan Review was launched at a Special Public Meeting of Planning and Development Council on May 11, 2015. The Bronte Village Growth Area Review, which forms part of the Official Plan Review, was identified as a priority study to commence prior to other studies.
- The Bronte Village Growth Area Review commenced on May 15, 2015 with a
  public open house. Since that time, numerous public input opportunities
  including open houses, stakeholder meetings and information sessions were
  provided.

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 Three staff reports were provided to the Livable Oakville Council Subcommittee over the course of the review, providing project updates and advancing policy development.

- A proposed town-initiated official plan amendment was presented at a statutory public meeting of Planning and Development Council on October 11, 2017 to solicit public comments.
- As a result of these comments and further investigations by staff, this report brings forward a recommended town-initiated official plan amendment (OPA No.18) for Council's consideration and approval.

## **BACKGROUND:**

Livable Oakville is the town's official plan for the lands south of Dundas Street and north of Highway 407. It provides land use designations and policies to guide development to the year 2031. The Plan was adopted by Council in June 2009 and approved by Halton Region in November 2009, with modifications, as it was deemed to conform to the 2006 Growth Plan and the Region's Official Plan, as amended, and to be consistent with the 2005 Provincial Policy Statement. A number of parties appealed the Region's decision to the Ontario Municipal Board. The Board subsequently adjudicated the majority of the appeals and approved the Plan, with further modifications, in May 2011.

The Livable Oakville Plan was the result of a comprehensive Official Plan Review process. The policies for Bronte Village were developed through the *Bronte Village Revitalization Study*, one of six major studies that formed part of the Official Plan Review work program. The study included an extensive public engagement and technical review process which led to the policies that guide growth and development in Bronte Village today.

On February 10, 2014, Planning and Development Council received a staff report entitled "Long Range Planning Work Program" which signaled the commencement of the next five-year Official Plan Review. The report identified that the policies guiding growth and change in Bronte Village were to be reviewed due to stagnating development activity and concerns regarding the business vitality in Bronte Village.

On May 11, 2015, the five-year Official Plan Review was launched at Planning and Development Council. The Bronte Village Growth Area Review was identified as a priority project to commence prior to other studies.

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# **Bronte Village Growth Area Review**

The purpose of the Bronte Village Growth Area Review, established at the outset of the study process, was to assess the Bronte Village policies in the Livable Oakville Plan and consider new or revised policies, as necessary, to ensure the goals and objectives for Bronte Village continue to be realized.

# **Chronology**

An extensive work program, including public consultation and technical review, was undertaken as part of the Bronte Village Growth Area Review. Public input and consultation formed a foundational element to the study process. Key project milestones included the following:

- May 15, 2015 The Bronte Village Growth Area Review commenced at a public open house to solicit the views of the public on how to make Bronte Village an even better place.
- November 28, 2015 A public open house was held to solicit public feedback on draft policy directions prepared by staff.
- February 4, 2016 A public open house was held to solicit public feedback on draft policy directions prepared by staff.
- June 13, 2016 A Livable Oakville Council Subcommittee (Subcommittee)
  meeting was held to report on work completed to date, public feedback
  received, next steps, and provide the Subcommittee with an opportunity for
  discussion.
- October 3, 2016 A Subcommittee meeting was held to present the
   "Assessment of Redevelopment Viability within the Town of Oakville's Main
   Street Growth Areas", prepared by N. Barry Lyon Consultants Limited,
   retained by the town in May 2016, which investigated the viability of existing
   and emerging land use policies for the town's main street areas and provided
   background information to inform policy development.
- <u>January 16, 2017 A Subcommittee</u> meeting was held to present draft policy changes for discussion with the Subcommittee and proceed to further consultation with the public.
- March 1, 2017 Public information sessions were held to present the draft policy changes and solicit input from the public.

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 June 12, 2017 – A Subcommittee meeting was held to report back on public comments received, next steps, and provide the Subcommittee with an opportunity for discussion.

 October 11, 2017 – Planning and Development Council hosted a statutory public meeting under the *Planning Act* to solicit the views of the public regarding a proposed town-initiated official plan amendment for the Bronte Village Growth Area.

# **Policy and Plans Review**

Since the Livable Oakville Plan came into effect in 2011, a number of new Provincial plans have come into effect which municipal plans must be consistent with or conform to. Most recently, the new Growth Plan for the Greater Golden Horseshoe (2017) and the Greenbelt Plan (2017) have come into effect.

As part of the recommended official plan amendment attached to this report, the updated Provincial plans have been considered and the policies for Bronte Village updated where possible to bring it into further alignment. The Bronte Village Growth Area Review is one of many studies which, over the duration of the broader Official Plan Review process, is working toward full consistency and conformity. A conformity exercise is anticipated at the end of the Official Plan Review process, in coordination with the Halton Region Official Plan Review. Further policy updates may be required once Halton Region has completed their municipal comprehensive review to ensure full consistency and conformity with Provincial and Regional plans.

## **COMMENT/OPTIONS:**

Public consultation formed a foundational component of the review and included three public open houses, two public information sessions, and several stakeholder meetings with resident associations and the Business Improvement Area. Town staff have presented all input received from the public at four Livable Oakville Council Subcommittee meetings over the course of the review process. This led to the development of a proposed Official Plan Amendment which was presented at a statutory public meeting of Planning and Development Council for public comment on October 11, 2017.

Written comments received at statutory public meeting and following the meeting, prior to the completion of the recommendation report, are attached as Appendix A. Staff response to comments received on the proposed official plan amendment, including oral delegations, are provided below. Staff note that many of the comments were broad in nature and do not directly impact official plan land use

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policy considerations. Some comments simply requested notification of a future council decision and are not attached.

# **Response to Comments Received**

 A public comment noted that the future of brick and mortar retailing will continue to be strained given the rise of online shopping, resulting in main street areas being less about purchasing and more about experiences.

Staff note that the existing and recommended policies for Bronte Village promote a historic lakeside village character which is to be considered as part of growth and development related decisions. These policies are unique to Bronte Village and over the fullness of time will build upon the unique experience Bronte Village offers. The policies also highlight the importance of key attributes of Bronte Village, including the harbour and waterfront open space areas, which are to be enhanced and contribute to the desired lakeside village character and experience.

2. A public comment noted that key elements of a successful main street include low densities along the street with stepped back building to promote openness and minimize shadowing, as well as parking areas located away from the street.

Staff note that these elements are provided for in the policies which direct growth and change in Bronte Village, including promoting a low rise main street, encouraging taller building elements to be stepped back from the street edge, as well as requiring parking areas to be located away from the main street at the rear of buildings or underground. On street parking is also encouraged which enhances a main street environment. Urban design policies also provide direction on limiting shadowing and promoting sun exposure.

 A public comment expressed a desire for increased building heights and densities to increase the population base in Bronte Village, encourage pedestrian activity and support the vitality of the Bronte Village businesses. Comments suggested that staff consider a baseline of 10 storey buildings in key locations.

Staff note that the existing policies provide for, and the recommended official plan amendment expands upon, opportunities for increased building heights. This includes building heights of 10 storeys in key locations through the use of bonusing and/or density transfers on properties designated Main Street 2 located:

south side of Lakeshore Road between Bronte Road and Jones Street;

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northeast corner of Lakeshore Road and Bronte Road; and,

southeast corner of Lakeshore Road and East Street.

Staff also note that the recommended official plan amendment considers increased building heights at the southwest corner of Lakeshore Road and East Street to a maximum six storeys, and up to eight storeys through the use of bonusing, and the consideration of increased building heights along the main street area extending along Lakeshore Road between Jones Street and East Street, to a maximum of six storeys, through the use of bonusing.

4. A comment sought clarification on the policies and land use permissions pertaining to the Bronte Harbour and Bronte Bluffs, stating a desire to maintain these areas for open space uses. Further, a comment was received about permissions for existing uses within the waterfront area, including the existing restaurant and conference centre.

The Bronte Harbour and Bronte Bluffs are planned to be maintained and enhanced over the long-term. Currently, these lands are designated in the Livable Oakville Plan as a combination of 'Parkway Belt', as per the Province's Parkway Belt West Plan (1978), and 'Waterfront Open Space'. Both designations permit the harbour and open space uses. The Livable Oakville Plan encourages the Province to remove lands from the Parkway Belt, and that any such land would then be under the jurisdiction of the town's Livable Oakville Plan. Should the lands be removed from the Parkway Belt by the Province, the recommended official plan amendment would place these lands within the Waterfront Open Space designation.

For greater clarity, policy 17.3.1 of the Livable Oakville Plan sates that "uses permitted within the Waterfront Open Space designation may include: parks, parkettes, squares and open space linkages; active or passive outdoor recreational uses; minor structures related to recreational uses; trails; cultural heritage uses; conservation uses including fish, wildlife and forest management; essential public works including transportation, utility, watershed management and flood and erosion hazard control facilities; harbours; and, legally existing uses, buildings and structures."

With respect to harbours in the Waterfront Open Space designation, policy 17.3.6 a) states that on the harbour lands "the following additional uses may be permitted:

- i) specialized commercial and community uses serving the harbour and its users, including marine storage and service; and,
- ii) marine and harbour facilities."

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The policies also state that the harbours will be subject to a master planning process, with an objective to increase pedestrian connectivity and walkability within the harbour area.

These policies are further emphasized in the development objectives for Bronte Village stating that it is an objective to "maintain and improve waterfront connections by protecting, enhancing and connecting existing waterfront open spaces." Furthermore, the development concept for Bronte Village states that "the waterfront parks, harbour and marinas are to be maintained and enhanced. Landscape and facility improvements are to proceed in accordance with approved park and harbour master plans. Buildings or structures related to the park, harbour and marina uses... shall be situated in a manner that does not detract from the open space character of the area."

Staff have further considered policies to recognize existing uses and provide opportunity for the adaptive reuse of existing buildings within the harbour area.

5. A comment from council noted that reference to the words "growth target" should be removed as it applies to the Bronte Village context.

Staff note that the recommended official plan amendment has removed the words "growth target" and replaced it with "minimum density" which is in keeping with the language of the Provincial Growth Plan.

6. A comment noted that there is a lack of public parking areas for commercial uses in Bronte Village.

Staff note that the policies for Bronte Village anticipate a combination of public and private parking areas to serve the existing and planned commercial uses in Bronte Village. In regard to public parking, the recommended official plan amendment states that on-street parking opportunities be considered as part of the ongoing Lakeshore Road West Environmental Assessment process, with the objective to increase the supply of public parking.

The bonusing policies for Bronte Village, which consider increased building height in exchange for a public benefit, identify public parking facilities as a public benefit that is to be prioritized. Staff note that increased opportunities for bonusing have been introduced through the recommended official plan amendment.

The policies for Bronte Village also state that "the town shall implement a parking utilization monitoring program within Bronte Village" which would identify areas of

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concern and provide data to support potential changes for parking moving forward. Based on a report received by the Community Services Committee on July 14, 2014, titled "Bronte Village Downtown Parking," a parking utilization survey is to be undertaken every three years, pending budget approval.

Staff also note that parking requirements are evaluated during the review of any privately initiated development application. As part of a complete application, a parking study is required to be submitted which outlines the overall parking concept for the proposed development, identifies the parking demand and determines the on-site parking requirements. A parking study also takes into consideration existing policies, zoning, site constraints and local conditions.

7. A concern was expressed that commercial space is eroding.

Staff note that it is an objective of the Bronte Village policies to enhance the provision of a variety of retail unit sizes and improved retail space to encourage commercial revitalization. The recommended official plan amendment requires commercial, office, community or cultural uses on the ground floor facing Lakeshore Road West and facing Bronte Road, south of Lakeshore Road West. Additionally, a mix of commercial and office uses are also permitted on the upper floors of building within the Main Street 1 and Main Street 2 designations. Other opportunities for commercial and office uses are also provided along Jones Street and Marine Drive between Bronte Road and Jones Street. Commercial uses are required to be incorporated into developments as part of privately initiated development applications.

8. A concern was raised about permissions for long-term care facilities on the commercial main street, which are typically serviced from within and may not be as supportive of local business. A suggestion was made to accommodate these facilities elsewhere.

Staff note that the recommended official plan amendment requires that mixed use developments be provided along the main street areas, with commercial, community, cultural or limited office uses required on the ground floor facing Lakeshore Road West and Bronte Road, south of Lakeshore Road West. It is the intent that ground floor uses are accessible from the street for the general public and foster a vibrant main street. The policies enable a range of permitted uses on upper floors, including a range of residential accommodations for all demographic segments of the population.

9. A concern was raised about the demographics in Bronte Village, and the desire to appeal to a more varied age demographic to live in Bronte through the promotion of residential condominium and residential rental accommodations.

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The policies enable and encouraged a range of residential opportunities to take place in Bronte Village, including condominium and rental accommodations. Staff note that the municipality cannot mandate residential tenure.

10. A comment noted the desire to fill in the gaps of vacant or underutilized properties along Lakeshore Road.

Staff note that the existing policies and recommended official plan amendment support and enable the development and redevelopment of vacant and underutilized properties along Lakeshore Road. In order for development to be realized, property owners must submit privately-initiated site-specific development applications.

11. A concern remains about the findings of the consultant led "Assessment of Redevelopment Viability within the Town of Oakville's Main Street Growth Areas" prepared by N. Barry Lyon Consultants. The report findings identify that building heights of four and six storeys produce financially feasible results, from a development pro-forma perspective, in Bronte Village. These findings have raised concerns from the Bronte BIA suggesting more height is needed to enable redevelopment.

As stated in the staff report provided to Council on October 11, 2017, staff continue to use the professional consultants work as an information item to help inform policy development. Further, as mentioned in item 3 above, staff note that there are several locations within the recommended official plan amendment which provide for greater building heights than are currently permitted. The recommended official plan amendment represents a balanced approach to accommodate appropriate development opportunities with the community desire to create a low-rise main street environment along the main streets.

In additional to the formal written comments and oral delegations provided through the statutory public meeting process, staff continued dialogue with several interested parties. The discussions have reiterated the comments received throughout the study process and at the statutory public meeting On October 11, 2017.

## Revisions to the Official Plan Amendment to the Livable Oakville Plan

As a result of comments received and further consideration by staff, the recommended official plan amendment to the Livable Oakville Plan is revised from that presented at the October 11, 2017 statutory public meeting, as follows:

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1. Policy 24.4.3 (as renumbered by the recommended OPA) has been further modified to remove the words "Growth Target" in the heading, and replaced with "Minimum Density".

- 2. For greater clarity, the proposed policy 24.5.5 b) (as renumbered by the recommended OPA), regarding Pedestrian Access and Circulation, has been modified to identify that pedestrian connections "in locations which enhance connectivity to the waterfront and harbour" are also encouraged beyond those identified in Schedule P2. This furthers the objective in Bronte Village to "maintain and improve waterfront connections by developing improved pedestrian and cycling access around the inner harbour".
- 3. A new land use policy 24.6.9 has been added to recognize existing uses on the waterfront (e.g. restaurant and conference centre) and to provide expanded opportunities to adaptively reuse existing buildings within Bronte Harbour, as proposed:
  - "On the harbour lands designated Waterfront Open Space and Parkway Belt, cultural uses such as art galleries and museums, restaurants and public halls may be permitted within **existing buildings and structures.**" (emphasis added)
- 4. The mapping for changes to Schedule A1 Urban Structure, have been added which reflect the proposed modifications to the Bronte Village Growth Area boundary.
- 5. The land use policies have been edited to note that "limited" office uses are permitted on the ground floor facing the streets within mixed use developments, which reflects existing zoning regulations.
- 6. Housekeeping edits to reflect punctuation, grammatical errors, and remove redundant policy have been included.

# Overview of the Recommended Official Plan Amendment

The recommended official plan amendment to the Livable Oakville Plan would result in changes to the Livable Oakville Plan Section 24 (Bronte Village), Schedule A1 (Urban Structure), Schedule F (South West Land Use), and Schedule P (Bronte Village Land Use). It would also introduce a new urban design schedule. The effect of the change would modify the text and schedules of the Livable Oakville Plan to:

 update the development concept for Bronte Village to clarify intent and to reflect policy changes throughout;

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 provide policy direction for the ongoing Lakeshore Road West Environmental Assessment;

- update the policy language for expressing growth targets as a minimum planned density to be determined as part of a future conformity review;
- introduce new urban design policies to enhance existing objectives and include an urban design schedule to illustrate urban design elements including: primary streets, secondary streets, enhanced streetscape areas, urban squares, view corridors, pedestrian connections, and gateways;
- permit stand-alone residential uses in certain contexts within the Main Street
   1 and Main Street 2 designations;
- recognize existing uses within the Waterfront Open Space designation and provide opportunity for the adaptive reuse of existing buildings;
- designate various properties to permit greater development opportunities at key locations which reflect the existing development concept;
- expand bonusing permissions within the Main Street District;
- provide an underlying land use designation on the lands designated Parkway Belt West:
- introduce the Greenbelt Urban River Valley to the lands subject to the new Greenbelt Plan (2017);
- adjust the growth area boundary to exclude St. Ann's Court;
- updates/new official plan schedules pertaining to the Bronte Village Growth Area; and,
- housekeeping amendments to enhance clarity and intent of the Bronte Village Growth Area.

A detailed description and rationale of the changes considered as part of the recommended official plan amendment are outlined in the staff report titled "Public Meeting Report - Town-initiated Official Plan Amendment: Bronte Village Growth Area Review (Livable Oakville) – File No. 42.15.51" which was received at a statutory public meeting of Planning and Development Council held on October 11, 2017.

# **Coordination and Timing**

By-law 2017-118, which brings forward the recommended town-initiated official plan amendment for Bronte Village (OPA 18), considers the status of the Urban Structure Official Plan Amendment (OPA 15), adopted by Council on September 26, 2017 through By-law 2017-079. Given Halton Region is the approval authority for OPA 15, By-law 2017-118 gives direction for Halton Region to modify the adopted Schedule A1, as attached to By-law 2017-079, in accordance with OPA 18, as part of Halton Region's approval of By-law 2017-079.

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# **Future Considerations**

Throughout the Bronte Village Growth Area Review, there has been a significant amount of discussion about the appropriate level of development permissions within Bronte Village (i.e. building heights). The discussions took place from two perspectives:

- 1) ensuring the character of Bronte Village is maintained, premised on a low rise main street environment, and;
- 2) ensuring development permissions create conditions which enable and encourage redevelopment to take place, premised on a sense of urgency to strengthen the local business environment.

Underlying both of these perspectives has been the collective desire for a revitalized community with a vibrant main street, a mixed use community with a range of commercial spaces and housing options, and attractive parks and open spaces which offer a complete community for residents, visitors, and employees year round.

It is staff's opinion that the recommended official plan amendment addresses these perspectives. The amendment provides increased development opportunities and expanded areas eligible for bonusing which will assist to further enable revitalization at a scale appropriate for the Bronte Village Growth Area. Further, the recommended official plan amendment upholds the context of Bronte Village within the town-wide urban structure as a Main Street Area, which are recognized for their distinctive character and are intended to accommodate lesser amounts of intensification as compared to the other growth areas such as Midtown Oakville.

However, given the ongoing nature of discussions with the public regarding enabling development within Bronte Village, staff continue to explore how considerations of this nature may be dealt with going forward. One such consideration that has emerged from these discussions is if there is merit to provide additional criteria to assess applications which propose to amend the official plan within a growth area.

The Urban Structure, recently adopted by Council on September 26, 2017, establishes an extensive list of criteria to assess development applications which proposed to amend the official plan. The criteria apply town wide. Staff note that criteria or policies to assess applications for official plan amendments within the context of a growth area, could be further explored as necessary.

Staff note that the Bronte Village Growth Area Review will feed into the larger conformity review that will take place at the end of the Official Plan Review process. The conformity review will demonstrate how each individual study completed under

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the umbrella of the Official Plan Review has contributed to the overall plan. As part of this review, further policy updates may be required to ensure full consistency and conformity following Halton Region's Official Plan Review. The exploration of evaluation criteria tailored to the assessment of applications to amend the official plan within a growth area could form part of the final conformity exercise, as warranted.

Additionally, staff note that the exploration of financial tools available to the town, which may further enable the development envisioned within the town's growth areas, could also be explored.

# **CONCLUSIONS:**

The Bronte Village Growth Area Review, which forms part of the town's broader Official Plan Review, is a town-initiated and comprehensive review of the policies that guide future development in Bronte Village. Public consultation has formed a foundational element of this review. As part of the review which began in May 2015, town staff have hosted three public open houses, two public information sessions, and have attended and hosted several stakeholder meetings with resident associations and the Business Improvement Area. Staff have presented all input received from the public at four Livable Oakville Council Subcommittee meetings. Over the course of the study, town staff have consulted with hundreds of interested residents, business and property owners who have contributed their ideas to the process.

A statutory public meeting was held on October 11, 2017 to solicit public comments on the proposed official plan amendment. A response to public comments received as part of this process are provided in this report.

Staff note that throughout the town-initiated Bronte Village Growth Area Review there have been several privately-initiated development applications which have sought to change the policies and permissions of the official plan. The privately initiated development application process is an independent process which is separate and distinct from the town-initiated and comprehensive review of the policies that guide change in Bronte Village.

This report presents Planning and Development Council with a recommended town-initiated official plan amendment to the Livable Oakville Plan, which would, if approved, update the policies and mapping related to the Bronte Village Growth Area. For convenience purposes, a mark-up version showing the effect of the recommended official plan amendment is provided in Appendix B.

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In coordination with the recommended official plan amendment for the Bronte Village Growth Area, urban design direction for Bronte Village is being prepared for inclusion in the Livable by Design – Urban Design Manual. The design direction for Bronte Village will be presented under a separate staff report for council endorsement.

### CONSIDERATIONS:

## (A) PUBLIC

Notice of the statutory public meeting was published in the Oakville Beaver September 14, 2017, and provided to property owners within the Bronte Village Growth Area, required agencies, as well as the Official Plan Review email list. The proposed official plan amendment was made available for review on the town's webpage and in the Planning Services department by September 20, 2017, being 20 days before the statutory public meeting. The proposed official plan amendment was presented at a statutory public meeting October 11, 2017.

Notice of the recommendation meeting was provided to properties within the study area and within 120 metres of the study area, persons who made an oral or written submission to Council, or requested to be notified as part of the statutory public meeting process, and to the required agencies. The recommended official plan amendment was made available for review on the town's webpage and in the Planning Services department by November 14, being 20 days before the recommendation meeting.

# (B) FINANCIAL

No financial implications arise from this report.

## (C) IMPACT ON OTHER DEPARTMENTS & USERS

The recommended official plan amendment puts in place the growth and development vision, land use policies and permissions for the Bronte Village Growth Area which is to be upheld by all town departments when making growth and development related decisions in Bronte Village.

# (D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- enhance our natural environment
- enhance our economic environment
- enhance our cultural environment
- enhance our social environment
- be the most livable town in Canada

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# (E) COMMUNITY SUSTAINABILITY

The official plan amendment for the Bronte Village Growth Area incorporates the four pillars of sustainability – social, economic, environment and cultural.

## **APPENDICES:**

Appendix A – Public Comments Received

Appendix B – Mark-up of Effect of Official Plan Amendment

# Prepared by:

Brad Sunderland, MCIP, RPP Planner, Policy Planning

# Submitted by:

Mark H. Simeoni, MCIP, RPP Director, Planning Services

# Recommended by:

Diane Childs, MCIP, RPP Manager, Policy Planning and Heritage