

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: OCTOBER 3, 2016

FROM: Planning Services Department

16-585

DATE: August 25, 2016

SUBJECT: Province of Ontario - Coordinated Land Use Planning Review

LOCATION: Town wide

WARD: Town wide

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RECOMMENDATION:

1. That the report 16-585 entitled *Province of Ontario – Coordinated Land Use Planning Review*, dated August 25, 2016, be endorsed;
2. That the report 16-585 entitled *Province of Ontario – Coordinated Land Use Planning Review*, dated August 25, 2016, be circulated to the Ministry of Natural Resources and Forestry, Halton's MPPs, the City of Burlington, the Town of Halton Hills, the Town of Milton and the Region of Halton for information; and
3. That the report 16-585 entitled *Province of Ontario – Coordinated Land Use Planning Review*, dated August 25, 2016, be submitted to the Ministry of Municipal Affairs, prior to the October 31, 2016 commenting deadline.

KEY FACTS:

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

- In February 2015, the province initiated a coordinated review of the four provincial plans that guide growth and protect the environment of the region.
- The provincial plans are the Growth Plan for the Greater Golden Horseshoe (Growth Plan), the Greenbelt Plan, the Niagara Escarpment Plan and the Oak Ridges Moraine Conservation Plan.
- The province invited comments from municipalities, organizations, stakeholders and the public on how to make the plans stronger and work better together, as well as what parts of the plans are working well and should not change.

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- The Growth Plan and the Greenbelt Plan apply to the Town of Oakville, and the town participated fully in the first phase of the coordinated plan review by submitting comments to the province in May 2015.
- In May 2016, the province undertook a second phase of the coordinated plan review and released proposed changes to the four plans for public comment.
- The Town of Oakville again has participated fully in the review of the proposed changes to the four plans.
- The report 16-585 entitled *Province of Ontario – Coordinated Land Use Planning Review* dated August 25, 2016, will form the basis of comments submitted to the province to meet the deadline of October 31, 2016.

BACKGROUND:

On February 27, 2015, the province initiated the first phase of a coordinated review of the four provincial land use plans that manage growth, protect the natural environment and support economic development in the Greater Golden Horseshoe. The provincial plans are:

- the Growth Plan for the Greater Golden Horseshoe (Growth Plan);
- the Greenbelt Plan;
- the Niagara Escarpment Plan; and,
- the Oak Ridges Moraine Conservation Plan.

The province invited comments from municipalities, organizations, stakeholders and the public on how to make the plans stronger and work better together, as well as what parts of the plans are working well and should not change.

For the Town of Oakville, only the Growth Plan and the Greenbelt Plan apply. On March 4, 2015, Council received a memo from staff providing information on the coordinated plan review and the consultation process.

Town staff participated in the coordinated plan review by attending Regional Town Hall Meetings scheduled by the province, commenting on the plans through an internal circulation to town departments and contributing to a joint submission with the Halton Area Planning Partnership (HAPP), which includes Halton Region and the local municipalities of Burlington, Milton, Halton Hills and Oakville.

Oakville Council received Planning Services report PD-059-15 entitled *Province of Ontario – Coordinated Land Use Planning Review* dated May 7, 2015, which

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summarized the coordinated plan review process and attached the HAPP Joint Submission.

Report PD-059-15 was forwarded to the Region of Halton for information and submitted to the Ministry of Municipal Affairs as feedback on the provincial consultation by May 28, 2015.

An Advisory Panel chaired by David Crombie was engaged by the province and in December 2015 released a report containing 87 recommendations entitled *Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe: 2015 – 2041*

On May 10, 2016, the province undertook a second phase of the coordinated plan review and released proposed changes to the four plans for public comment. On May 11, 2016, Council received a memo from staff providing an update on the coordinated plan review and information on how to participate in the engagement process.

The Town of Oakville has participated in the second phase of the Province of Ontario – Coordinated Land Use Planning Review by:

1. Attending Public Open Houses organized by the province including one held at Oakville Town Hall July 7, 2016;
2. Participating in Technical Briefings hosted by the province;
3. Contributing to Joint Submissions with the Halton Area Planning Partnership (HAPP), which includes Halton Region and the local municipalities of Burlington, Milton, Halton Hills and Oakville.
4. On August 22, 2016, Livable Oakville Council Subcommittee (LOCSC) participated in a workshop with town staff on the coordinated plan review. The LOCSC received a presentation from staff and provided their comments on the coordinated plan review.

The deadline for comments under the Province of Ontario – Coordinated Land Use Planning Review is October 31, 2016.

COMMENT/OPTIONS:

The coordinated plan review has produced a range of comments from a variety of sources. While this content is important feedback to the province on their proposed changes to the four provincial plans, not all the content is relevant or applicable to the Town of Oakville.

The purpose of this report is to present in three sections comments and recommendations for the province from an Oakville perspective:

- Key recommendations from the Town of Oakville requiring additional emphasis.
- Key recommendations from the Halton Area Planning Partnership (HAPP).
- Supplemental comments provided by Regional Council.

Town of Oakville Key Recommendations

This section presents specific comments from the Town of Oakville requiring additional emphasis as feedback for the Province of Ontario - Coordinated Land Use Planning Review. Individual comments on specific proposed policies are attached as Appendix A.

1. **Funding** – The implementation of the Growth Plan vision to build complete communities requires significant and coordinated infrastructure investment from all levels of government: Local municipal, regional and provincial. In the absence of infrastructure investment, attaining the vision of the Growth Plan and the implementing Official Plans is at risk.

The town recommends that the province develop a Provincial Secretariat of all Ministries involved in the delivery of community infrastructure to support implementation of the Provincial Plans. The Secretariat would be responsible for capital planning, coordinating the funding and timely delivery of infrastructure such as schools, hospitals and transportation/transit to ensure that municipalities have appropriate infrastructure and services in place.

Since the approval of the Growth Plan, there has been very limited provincial infrastructure funding to accompany the provincial requirement to accommodate growth and development under the Growth Plan.

There are also insufficient revenue tools provided to municipalities. The extent of infrastructure required to support growth cannot be funded on the current property tax base and through the current Development Charges legislation.

The town recommends that the province provide appropriate levels of infrastructure funding required to achieve the vision of the Growth Plan. The town further recommends that the province provide municipalities new funding tools that are reflective of the costs of providing required infrastructure.

- **Midtown Oakville** – This area of Oakville has long been recognized for its redevelopment potential due its location surrounding the Oakville GO station

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and the number of vacant or underutilized properties. The area is designated an Urban Growth Centre under the province's Growth Plan and is planned to achieve a minimum density of 200 residents and jobs combined per hectare by 2031. This equates to approximately 20,000 residents and jobs.

Development in Midtown Oakville since the introduction of the Growth Plan in 2006 and the adoption of the town's Livable Oakville Official Plan in 2009 has been limited. Impediments to large-scale redevelopment are infrastructure related and include significant improvements to the transportation network, water and wastewater systems and the stormwater management system required to support planned growth.

Midtown Oakville would benefit from infrastructure investment commitments that provide the certainty and support needed to achieve the goals and objectives for the area as well as for the Growth Plan in general.

- 2. Municipal Comprehensive Review, Urban Structure** – The Growth Plan (2006) requires a Municipal Comprehensive Review (MCR) to direct how and where growth should occur in a community. A MCR is also required for urban boundary expansions and privately initiated urban boundary expansions are restricted.

The same restriction does not exist for privately initiated applications that would change the urban structure of a community. Even though municipalities establish an urban structure through a MCR, including intensification growth nodes and corridors based on policy direction in the Growth Plan and the Regional Official Plan, this urban structure is not offered any protection from privately initiated Official Plan amendments.

The Town of Oakville recommends that restrictions be placed on the initiation of private Official Plan Amendments' large-scale proposals outside of designated Urban Structure (Designated Greenfield Area and Build Boundary Area) as established through a Municipal Comprehensive Review (MCR) process.

Restricting these amendments outside of a MCR process will strengthen the ability of municipalities to plan for, finance and service growth in accordance with the planned urban structure of their Official Plans.

- 3. Municipal Comprehensive Review, Definition** – The current Growth Plan (2006) defines the MCR as "an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan". A MCR is currently required for the conversion of employment areas and settlement area expansions.

The Growth Plan (2016) proposes to restrict the scope of a MCR to only “upper- or single-tier” municipalities. While local municipalities may still undertake a comprehensive review, the issue is that this planning work would no longer be shielded by provincial policy.

As well, the scope of power under a MCR is proposed to be expanded to include managing growth, applying forecasts and adopting targets.

The proposed changes to the Growth Plan would no longer allow local municipalities to protect local character through provincial policy. Local municipalities are partners in the planning process and the main instrument to ensure the development of complete communities based on the recognition of unique characteristics and local identity.

The town recommends that the ability of local municipalities to protect local attributes be provided through provincial policy and that the proposed definition for a MCR be re-worded to replace “an upper- or single-tier municipality with “a municipality.”

- 4. Climate change** – The Growth Plan (2016) proposes that only “upper- and single-tier municipalities will develop policies in their official plans” to address climate change goals.

The Town of Oakville maintains that climate change policy development and corresponding implementation of climate change actions are the domain of local municipalities. As such, local official plan policies that address climate change should have the same status under provincial policy as the upper- and single-tier municipalities.

The town recommends that the Proposed Growth Plan policies in section 4.2.10 be re-worded to include all municipalities.

Long before the term “climate change” appeared in provincial policy, the Town of Oakville has demonstrated leadership in the area of climate change mitigation and adaptation. The Livable Oakville Official Plan, adopted by Oakville Council in 2009 and approved by the Ontario Municipal Board on 2011 contains climate change policies in Section 10. Sustainability.

More recently, the town has made progress in establishing a Council endorsed Climate Change Action Plan (2014) and has undertaken an energy and greenhouse gas emissions initiative involving measurements, inventories, targets, monitoring and detailed.

In addition to official plan policy, the town further recommends that the province develop extra tools to address climate change including amendments to the Ontario Building Code.

HAPP Joint Submission Key Recommendations

The HAPP Joint Submissions and key recommendations were endorsed by Halton Region Planning and Public Works Committee on September 7, 2016 through regional report LPS79-16 – *Co-ordinated Provincial Plans Review, HAPP Comments and Recommendations*.

The HAPP Joint Submissions pertaining to Oakville are attached in Appendix B - Proposed Growth Plan and Appendix C – Greenbelt Plan.

The key recommendations from regional report LPS79-16 are summarized below. The contents have been adapted to an Oakville perspective, such as by removing references to Agriculture Systems or Site-Specific recommendations. The Town of Oakville supports the HAPP Joint Submission and concurs with the key recommendations presented.

1. ***Harmonization and Alignment*** – Further work is required to coordinate the provincial plans and structure them as independent policy documents that can be read independently or in conjunction with the other plans. Methods and definitions for classifying and identifying key features is a critical area for coordination between the Growth Plan and the Greenbelt Plan.
2. ***Intensification and Density Targets*** – The 60% proposed intensification target should be phased in at 2031 and measured over the period 2031 to 2041. This will give municipalities time to determine appropriate locations for growth and to align required infrastructure to support it.

Further, the proposed 80 residents and jobs per hectare target for designated greenfield areas (DGA) should only apply to unplanned and undeveloped DGAs. Applying this target across the entire DGA implies that plans and development in progress would need to be revised to meet the new target and that unplanned areas would need much higher densities to balance across the whole DGA.

3. ***Guidelines, Impact Assessment and Criteria Development*** – The proposed plans identify numerous implementation tools that are yet undeveloped. These tools should be developed quickly, in full consultation with municipalities and in harmony with existing methods and processes. Of particular importance is the “land needs assessment methodology” to be established by the Minister.
4. ***Provincial Funding*** – New provincial funding models and financial tools are required to implement the plans. There is an urgent need for the province to

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provide stable, predictable, long-term funding to manage growth to improve and replace aging infrastructure and to provide for “complete communities to meet the people’s needs for daily living throughout an entire lifetime”.

- 5. Mapping Updates to the Plans** – Greater clarity and consultation with municipalities on the proposed mapping changes is needed to understand implications and to ensure that relevant and rigorous local data is used to update provincial mapping.

This comment extends to the Urban River Valley section below where the use of municipal mapping will ensure the consistency of valley location, widths and the extent of public owned lands.

- 6. Urban River Valleys** – It is requested that Oakville’s Fourteen Mile Creek below the Queen Elizabeth Way Highway to Lake Ontario be included in the Urban River Valley mapping.
- 7. Climate Change and Net-Zero Communities** – The introduction of policies addressing climate change and the concept of net-zero communities has been done without any accompanying clarification of definitions or explanatory guidance to assist municipalities in understanding the implications or application of these policies.

Halton Regional Council Additional Comments

At their meeting on September 7, 2016, Halton Region Planning and Public Works Committee discussed the HAPP submission contained in regional report LPS79-16 – *Co-ordinated Provincial Plans Review, HAPP Comments and Recommendations*.

The Committee requested that a supplemental report be prepared outlining additional comments and recommendations to contribute to the HAPP Joint Submissions. These comments were produced in regional report LPS106-16 *Supplementary Report – Coordinated Provincial Plan Review* and were endorsed by Regional Council on September 14, 2016.

The Town of Oakville supports these comments from Regional Council, which are presented verbatim in the following section:

- 1. Limitation of Official Plan Amendment Applications and Appeals to Change Established Municipal Urban Structure** – The current Growth Plan for the Greater Golden Horseshoe (Growth Plan) requires a Municipal Comprehensive Review (MCR) to be completed to address where and how a community is to grow. The Growth Plan requires a MCR to be completed for any urban boundary expansion and also restricts private initiated urban boundary expansions. The

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same restriction does not exist on private initiated applications that would change the urban structure of a community. As part of a MCR, municipalities establish an urban structure, including intensification growth nodes and corridors based on policy direction in the Growth Plan and the Regional Official Plan. This urban structure is not offered any protection from privately initiated Official Plan amendments.

Halton Region recommends that restrictions be placed on the initiation of private Official Plan Amendments' large-scale proposals outside of designated Urban Structure (Designated Greenfield Area and Build Boundary Area) as established through a Municipal Comprehensive Review (MCR) process. Restricting these amendments outside of a MCR process will strengthen the ability of municipalities to plan for, finance and service growth in accordance with the planned urban structure of their Official Plans.

- 2. Remove Appeal of Regional Official Plan Amendments that Implement the Growth Plan** – The Region of Halton has spent the past six years defending its Official Plan before the Ontario Municipal Board (OMB) in the implementation of the Growth Plan. The proposed amendments to the Growth Plan establishes new targets of 60% intensification and 80 people and jobs per hectare, which if no transition is provided would require the Region to start over and turn the clock back on implementation of the Growth Plan and be faced with duplicating the same process before the OMB. The HAPP submission strongly suggests that transition is needed to ensure we are moving forward and not turning the clock back. The implementation of the Growth Plan has been significantly delayed due to the number of appeals to the (OMB).

The Region of Halton recommends that all Regional Official Plans and amendments that implement the Growth Plan and have been approved by the Province be sheltered from any appeals to the OMB.

- 3. Development Charges Update** – The Growth Plan has an underlying principle that growth should pay for growth. The current Development Charges Act does not allow for the full cost of growth to be recovered through development charges.

Halton Region continues to strongly recommend that the Province amend the Development Charges Act to enable municipalities to fully recover the cost of all growth-related services associated with implementing the Provincial Plans.

- 4. Provincial Funding and Need for Provincial Plan Secretariat** – The implementation of the Growth Plan requires significant investment in infrastructure from all three levels of government: Provincial, Regional and

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Municipal. The Regional and Municipal levels of government are required to plan for capital infrastructure required to accommodate growth; this is the basis for Capital planning and Development Charges. The Province needs to establish Capital Plans being a minimum forecast period of 10 years to address Provincial investment in infrastructure required to implement the Growth Plan.

The Region recommends that the Province develop a Provincial Secretariat comprised of all Ministries involved in the delivery of community infrastructure to support implementation of the Provincial Plans. The Secretariat would be responsible for capital planning, coordinating the funding and timely delivery of provincial infrastructure such as schools, hospitals and transportation/transit to ensure that municipalities have appropriate infrastructure and services in place to build complete communities, as envisioned in the Growth Plan and implementing Official Plans.

5. **Climate Change and Net Zero Communities** – Halton Region requests that the Province provide additional details, information and clarification regarding the policies addressing Climate Change and the development of Net Zero Communities in the proposed updated Provincial Plans. In addition, the Region is requesting that the Province consider making amendments to the Ontario Building Code to enable municipalities to enhance energy efficiency and lower-carbon standards in new construction to implement these policies.
6. **Affordability and Single Family Homes** – In addition to the comments provided for Growth Plan Policy 2.2.1 in the HAPP submission, Halton Regional Council has requested that the following comment be considered: “Restricting supply of single detached homes must drive up the price of this form of housing by failing to meet the demand for this form of housing.”

The full comment from page 16 of Appendix B would read “*Higher density housing forms will be required to meet the DGA density targets. This will negatively affect the affordability of single detached homes. Restricting supply of single detached homes must drive up the price of this form of housing by failing to meet the demand for this form of housing*”.

CONCLUSIONS:

The Town of Oakville is generally supportive of the principles contained in the Proposed Growth Plan and Proposed Greenbelt Plan and appreciates the work that has gone into harmonizing these plans.

Successful implementation of the Growth Plan and Greenbelt Plan will depend on long-term stable funding for the infrastructure to support growth and a genuine,

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policy based recognition of the role to be played by local municipalities in attaining the goals of these plans.

The town looks forward to ongoing engagement on forthcoming guidelines and methods to be developed by the province and is thankful for the opportunity to provide these comments on the Coordinated Land Use Planning Review.

CONSIDERATIONS:

(A) PUBLIC

No public engagement was required for this report.

(B) FINANCIAL

There are no financial implications arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Several town departments are engaged and have provided comments on the Province of Ontario - Coordinated Land Use Planning Review.

(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 Provincial initiatives.

APPENDICES:

Appendix A – Town of Oakville – Response to Proposed Growth Plan for the Greater Golden Horseshoe, 2016.

Appendix B – HAPP Joint Submission – Proposed Growth Plan

Appendix C – HAPP Joint Submission - Proposed Greenbelt Plan

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