



SUBJECT: Halton Area Planning Partnership (HAPP) Joint Submission related to the Provincial Land Use Plans Coordinated Review

TO: Development and Infrastructure Committee

FROM: Planning and Building Department

Report Number: PB-71-16

Wards Affected: All

File Numbers: 145-21-1

Date to Committee: September 13, 2016

Date to Council: October 3, 2016

Recommendation:

Endorse the Halton Area Planning Partnership (HAPP): 2016 Coordinated Plan Review Joint Submissions, as contained in Appendices A to C of planning and building department report PB-71-16, in response to Phase 2 of the Province's Coordinated Land Use Planning Review process; and

Direct the Director of Planning and Building to bring forward a consolidation of the "Burlington Matters" contained in PB-71-16, in addition to any other issues relevant to the City of Burlington in a separate submission to the Ministry of Municipal Affairs and Housing prior to the October 31, 2016 deadline for submissions; and

Direct the City Clerk to forward the resolution of Council, subject to endorsement of the recommendations contained in PB-71-16, as well as staff report PB-71-16 with Appendices A to C (HAPP Joint Submissions) to the Ministry of Municipal Affairs and Housing.

Purpose:

The purpose of the report is to provide comments on the 2016 Coordinated Plan Review from two sources:

- The attached Joint Submissions prepared by the Halton Area Planning Partnership (HAPP) in response to the changes to Provincial land use plans being proposed by the Province.

- The comments and recommendations contained in this report which relate to matters of particular significance to Burlington.

This report also provides Council with the opportunity to offer additional comments prior to the Province's commenting deadline of October 31, 2016.

The proposed Provincial Plans, as well as the content of this report address matters which correlate to all of the strategic directions of Burlington's Strategic Plan. In brief, several of the key directions are highlighted

A City that Grows

- Promoting Economic Growth

1.1 c) The city's vision for employment lands has been developed with aggressive targets. The community, developers and industry together are achieving our economic potential. The city, along with its partners, supports the development of employment lands through timely planning, infrastructure investments and other incentives.

- Intensification

1.2 a through 1.2.i

A City that Moves

- Increased Transportation Flows and Connectivity

2.1.a) Public transportation systems will have efficient, greener convenient and usable transportation options including consideration of evolving technologies within the city and the broader region.

2.1.b) Mobility Hubs are being developed and supported by intensification and built forms that allow walkable neighbourhoods to develop. Metrolinx will have worked with the city to ensure the creation of hubs aligns with intensification and built form objectives.

A Healthy and Greener City

- Environmental and Energy Leadership

3.2.a) The city has a healthy, natural heritage system that is protected, well-connected, conserved and enhanced and forms a fundamental component of the city's urban and rural areas.

3.2.f) The city reinforces its strong position in protecting the existing urban-rural boundary.

3.2. g) The city recognizes that climate change is a significant issue and is working with the community and all levels of government towards the goal of the Burlington community being net carbon-neutral.

An Engaging City

Good Governance 4.1.d) Burlington's position is articulated to senior levels of government on pressing policy matters.

Background and Discussion:

On February 27, 2015, the Government of Ontario initiated a co-ordinated review of the province's four land use plans:

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

Together these plans manage growth and align land use planning and infrastructure; protect agricultural lands and the natural environment; address climate change and build resilient communities; foster healthy, livable inclusive communities and support economic development. All of these plans directly affect the City of Burlington with the exception of Oak Ridges Moraine Conservation Plan.

As part of the review, the province sought input on how to ensure a consistent and integrated approach that would reinforce common policy goals among the four plans. To ensure that the review was a fully co-ordinated process, the Ministry of Municipal Affairs and Housing, Ministry of Natural Resources and Forestry, and the Niagara Escarpment Commission are working in collaboration with a number of other ministries. Municipal Affairs and Housing is the lead ministry in this process. The main website for the review can be found at <http://www.mah.gov.on.ca/Page10882.aspx>.

The Coordinated Land Use Planning Review was structured to include two rounds of consultation. The first round, in spring 2015, sought input from municipalities, the public and other stakeholders to inform the Province's development of proposed changes to the four plans. It sought input on how to better serve the plans' objectives, on how to make them work better together, and on what is working well and should remain the same.

The province released the document [*Our Region, Our Community, Our Home*](#) to stimulate discussion. Town Hall meetings were held across the Greater Golden Horseshoe. Burlington provided a response to the province through of a staff report

([PB-55-15](#)) and a Halton Area Planning Partnership (HAPP) Joint Submission prepared in conjunction with the Region of Halton, Town of Milton, Town of Oakville and Town of Halton Hill. An Advisory Panel appointed by the province and chaired by David Crombie reviewed the input received and provided its recommendations in a report: "[Planning Health, Prosperity and Growth in the Greater Golden Horseshoe 2015-2041](#)", which was released in December 2015. The province has reviewed and considered the Advisory Panel's recommendations and the input received from stakeholders, the public and indigenous communities.

The second round of public consultation, which is now under way, seeks input on changes to the plans being proposed by the province. On May 10, 2016 the Province released [Shaping Land Use in the Greater Golden Horseshoe](#) which provides an overview of the proposed changes. In addition it released:

- The proposed new plans;
- A tracked changes version of each plan identifying the proposed modifications;
- Information on applications for [Site Specific, Urban Use and Boundary Amendments to the Niagara Escarpment Plan](#); and
- Information on [Proposed Additions to the Niagara Escarpment Plan](#). None of the proposed additions were in Burlington.

When the Phase 2 consultation was announced a deadline for comments of September 30, 2016 was established by the Province. This report, and its accompanying appendices, will be sent following the October 3 Council Meeting. While the joint submission and this report were being developed the Province announced an extension of the commenting deadline to October 31, 2016. This extension will provide time for any additional comments to be submitted to the Province.

Discussion:

The Provincial plans under review play a key role in establishing the framework for planning and development in the Greater Golden Horseshoe. Regional and local municipalities implement the Growth Plan and the Greenbelt Plan through their Official Plans and Zoning By-laws and through their planning decisions, applying the policies to local circumstances. The Niagara Escarpment Plan has played a critical role in maintaining the character and the natural heritage of rural Burlington.

The Provincial Plans are directed at creating prosperous, healthy, livable communities while protecting natural resources, supporting agriculture, and conserving the natural environment. They support and reinforce key City interests and objectives including: managing growth; supporting a firm urban boundary, fostering economic development; promoting intensification, focused growth and mobility hubs; meeting needs for new and

upgraded infrastructure efficiently; promoting walkability and active transportation; supporting agriculture and protecting the Escarpment; addressing climate change and sustainable design; and conserving the natural environment.

Given the significance of the provincial land use plans for Burlington, it is important for the City to provide input on the proposed changes. It should be noted, however, that the current review does not include two other Provincial plans affecting Burlington: the Parkway Belt West Plan and The Big Move.

2016 Coordinated Plan Review Joint Submission

In response to the release of the proposed changes, members of the Halton Area Planning Partnership agreed to collaborate on a Joint Submission providing a common set of comments to the Province. The HAPP agencies involved in the Joint Submission are the City of Burlington, Town of Oakville, Town of Milton, Town of Halton Hills and the Region of Halton.

In providing input to the Joint Submission, city staff:

- Prepared a May 20, 2016 memo informing Council that the province had released the proposed changes and had initiated a second round of consultation;
- Held an internal working session with staff in key City departments, providing an overview of the proposed changes and the consultation process, and of the opportunities for staff to contribute to the City's comments
- Met with interested city staff and members of Council to inform them of the proposed changes and to obtain feedback;
- Met with Niagara Escarpment Commission staff to discuss proposed changes to the Escarpment Plan; and
- Collaborated with HAPP members in co-authoring the Joint Submission.

The Joint Submission was prepared during the months of May through August including multiple teams dealing with each of the plans coordinated and facilitated by Regional Staff. Individual teams met numerous times throughout the period to develop the submission.

The Joint Submission, dated September, 2016 is attached as Appendix A. The Joint Submission prepared by HAPP includes a separate response to each of the three provincial plans affecting Halton: the Greenbelt Plan; the Growth Plan; and the Niagara Escarpment plan. Certain key themes run through HAPP's responses to the plans, while others are specific to only one plan. HAPP's detailed comments specific to each plan can be found in Appendices 1 to 3.

The Joint Submissions provide comments applicable to all of the plans, identify emerging concerns specific to the plan or its relationship to other plans, and reinforce comments provided by HAPP in response to previous commenting opportunities.

Burlington Matters

Below is a list of key comments of particular significance to Burlington organized by Plan. In most cases these issues are covered in the HAPP Joint Submission; however some additional discussion was considered appropriate.

Places to Grow

1. Intensification and Redevelopment

The City of Burlington supports the emerging concepts of *Strategic Growth Areas* (i.e. “nodes and corridors and other areas...identified...to be the focus for accommodating *intensification* and higher density mixed uses in a more compact built form.”) and the identification of *Priority Transit Corridors* identified on Schedule 5 of the Proposed Growth Plan (i.e. the GO Rail network and other higher order transit corridors). This direction supports a series of strategic plan directions related to intensification (1.2).

Costs of development are significant both for designated greenfield areas and for area specific planning within the *built up area*. The intangible benefits of developing in built up areas with existing infrastructure and public service infrastructure are mentioned throughout policy but more must be done in policy and in developing a range of tools for supporting intensification and redevelopment. Many tools exist to support greenfield development that are not easily transferred to the built up area. There are unique challenges and opportunities inherent in intensification.

The City of Burlington wishes to reinforce the need for stable predictable, Provincial funding. To implement the intent of the *Strategic Growth Areas* and the *Priority Transit Corridors* will require new funding models and tools to assist in leveling the playing field when considering allocation of growth and infrastructure investments in designated greenfield areas and intensification areas (e.g. to reflect changing development trends towards multiple properties and owners in intensification areas in contrast to historical suburban development approaches). The goal of new approaches should be to move toward a model that sees development pay for development in either context.

2. Policies for Implementation and Interpretation: Supplementary Direction

In general, many of the supplementary directions detailed in the proposed policy have the potential to impact the land needs assessment (or land budget). For information,

the policy references that “the Minister will, where appropriate, identify, establish or update the following:

- a) the *built boundary*;
- b) the size and location of the *urban growth centres*;
- c) a standard methodology for land needs assessment;
- d) *prime employment areas*, where necessary; and
- e) data standards for monitoring the implementation of this Plan.”(Proposed Growth Plan for the Greater Golden Horseshoe, 2016, policy 5.2.2)

The province must provide more clarity about how these supplementary directions will be delivered, if not through a formal amendment to the Growth Plan. The potential lack of process and consultation will present a significant challenge to municipalities as they embark on conformity amendments.

a) Land needs assessment

The proposed policy in Places to Grow identifies that the Province expects to release a standard methodology for land needs assessment. A key concern is the need to develop a standard methodology that deals well both with municipalities growing in their Designated Greenfield Area and municipalities like Burlington who will be accommodating almost all of their growth within their built up areas. The new land needs assessment should be released for discussion and consultation and should demonstrate how municipalities at each stage of development are considered and supported. Furthermore, there needs to be a methodology that can assist in forecasting job growth and redevelopment capacity within existing occupied employment lands.

b) Prime Employment Area

More information is requested related to the need and purpose of *prime employment areas*, as requested in the Joint Submission.

Without more clarity on the purpose of these *prime employment area* policies it is difficult to have a complete discussion about implementation. In the absence of more detailed information the City reinforces the importance of local intelligence in identifying these prime employment areas. Balancing other policy priorities, such as *Mobility Hubs* is a critical element to be considered in designating *prime employment areas*.

3. Province and Ministries have a role in supporting Growth Plan Implementation

Experiences throughout the Region point to a need for Provincial Ministries to be subject to the Growth Plan Policies. The Joint submission highlights a number of areas of conflict between Provincial projects and Growth Plan policy.

In addition, the City would add that MTO development permits continue to create challenges. Approximately 80% of the City's employment lands are within the MTO development permit area and it is increasingly difficult to achieve the policies and requirements of Places to Grow while being subject to these processes which pre-date Places to Grow and are largely designed for greenfield employment lands. Opportunities to refine standards and practices to support the policies of the Growth Plan must be identified. This supports strategic plan direction 1.1.c as described on page 2.

The City reiterates that successful implementation of the Growth Plan will require that Provincial Ministries be subject to the Growth Plan policies.

4. Regeneration Areas

The removal of the "regeneration areas" terminology reduces the ability of municipalities to balance multiple policy objectives (primarily the balance between *strategic growth areas* and *employment areas*) where, with flexibility and creativity both objectives can be achieved. The removal of the term appears to limit the ability to guide "areas in transition" to achieve the objectives of the proposed policies.

The opportunity to define and describe the role of regeneration areas would have ideally been a part of the proposed policies. This tool to assist in supporting areas experiencing or expecting to experience transition (it could be said those areas now being identified as *strategic growth areas*) may still have the potential to be an effective concept.

5. Municipal Comprehensive Review

We support and reinforce the comments in the Joint Submission. Municipal Comprehensive Review should not be limited to being undertaken by Upper Tier and Single Tier municipalities. A clear understanding of the land budget methodology is required to have a discussion about the distribution of the responsibilities and roles of respective municipalities in these exercises. At the absolute minimum, the partnership among lower tier and upper tier municipalities must be emphasized.

Greenbelt Plan

1. Cootes to Escarpment

HAPP has requested that the Cootes to Escarpment EcoPark receive recognition in the Greenbelt Plan similar to the way in which the Rouge River Watershed has been recognized. This would include the introduction of general policies regarding the Province's commitment to support and protect this significant area. HAPP has provided recommended draft policies to the province to support this recommendation.

Niagara Escarpment Plan

1. North Aldershot

The City's Official Plan indicates that development within the North Aldershot Policy Area is subject to the policies of the Niagara Escarpment Plan while the NEP indicates that development in this area is subject to the City's OP. The Escarpment Plan should be amended to remove this circular reference to the City's OP to clarify that the NEP policies prevail. The new mapping in the revised NEP does not identify the North Aldershot Special Policy area, and should be revised to include these lands.

2. Mount Nemo

The proposed Niagara Escarpment Plan would change the land use designation for the Mount Nemo plateau from Escarpment Rural Area to Escarpment Protection Area and to a lesser extent, Escarpment Natural Area. The Mount Nemo plateau has been recognized by geologists to be an Escarpment outlier – a landform which geologists now understand is part of the Escarpment and has the same stratification but has been separated from it through erosion. With the proposed changes to the Plan, Escarpment outliers would now be recognized in the Environmental Protection Area designation.

The proposed Plan provides that within the Escarpment Rural Area proposals for new Mineral Resource Extraction Areas may be considered through amendment to the Plan. In the Escarpment Protection Area, however, mineral resource extraction would not be a permitted use and thus would no longer be permitted on the Mount Nemo plateau. The change in designation also would mean that the following uses allowed in the Escarpment Rural Area would not be permitted:

- Secondary dwelling units;
- In non-prime agricultural areas, recreational uses, such as campgrounds, golf courses and associated accessory facilities. Almost all of the land affected in Burlington has been classified as prime agricultural area;

- Non-farm ponds;
- Small pits and quarries and wayside pits and quarries; and recycling depots serving the local community.

Agricultural uses, agriculture-related uses, on-farm businesses and single dwellings would be permitted.

This redesignation is in alignment with the City's Strategic Plan regarding its interest in protecting the Mount Nemo Plateau, and is in keeping with a 2009 Council resolution regarding the redesignation and long term protection of the Mount Nemo Plateau. As a result staff supports the redesignation in principle, however would request the opportunity to do a detailed review of the proposed mapping at a finer scale, similar to comments made in the HAPP submission on the general mapping changes proposed through the NEP.

3. Maintaining the “Environment First” principle of the NEP

Further changes to the Niagara Escarpment Plan are proposed to bring it into closer alignment with the Provincial Policy Statement and other Provincial plans. While staff support harmonization and alignment for the purposes of achieving clarity, the primacy of the “environment first” objectives of the NEP should not be lost in the effort to align with other Provincial Plans and the Provincial Policy Statement which is founded on balanced land use objectives. Burlington staff encourage that the NEP maintain strong policies to ensure the environmental objectives are maintained.

4. Agriculture

HAPP has noted the need for policies that would support a ‘systems’ approach for agricultural processes, and to support an Agricultural Support Network (similar to the Greenbelt Plan), both of which were not addressed in the NEP. This direction supports the objectives of the City's Strategic Plan.

Burlington staff also recommends that the NEP include additional policy guidance and support related to agricultural infrastructure such as agricultural drainage and irrigation systems. Climate change will impact the types of crops that can be grown in Burlington's agricultural lands and drainage and irrigation systems may be required to support agricultural viability. These systems should be permitted subject to natural heritage and hydrologic feature policies.

5. Scenic Resources

The proposed NEP includes new policy guidance regarding scenic resources and landform conservation. While city staff supports the principle of these policies, the NEP should discuss the primacy of Places to Grow in settlement areas.

Strategy/process

Subject to the endorsement of the HAPP Joint Submission by City Council on October 3, 2016, the Joint Submission will be forwarded to MMAH by the October 31, 2016 Provincial deadline. All local municipalities in Halton, including the Region of Halton, are following a similar process.

Financial Matters:

There are no financial impacts directly related to the subject report. The comments contained within the report encourage the Province to consider updated and innovative funding models and tool to assist with implementation of provincial land use plans

Connections

As noted above staff met with internal staff to discuss the Coordinated Plan Review and provided material for that review including track changes versions of the proposed Plans. At this time it is difficult to identify the precise implementation challenges that may be presented by revised policy.

Staff commit to continuing discussions with internal staff and our HAPP partners to discuss opportunities to meet any identified implementation challenges through future opportunities for comments or through the finalization of the Official Plan Review or the upcoming Regional Municipal Comprehensive Review.

Public Engagement Matters:

Public consultation related to the 2015 Coordinated Review of the Provincial Land Use Plans has been led by the province. Twelve public open houses were held in the Greater Golden Horseshoe and along the Niagara Escarpment.

Conclusion:

The four Provincial land use plans now under review are of great significance for planning and city-building in Burlington, and for the City's character and quality of life.

The preparation of a joint submission with the Halton Area Planning Partnership provides the City with the means to add weight to its comments to the Province.

Respectfully submitted,

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Appendices:

- a. Halton Area Planning Partnership (HAPP) Joint Submission. 2015 Coordinated Plan Review. Draft Greenbelt Plan
- b. Halton Area Planning Partnership (HAPP) Joint Submission. 2015 Coordinated Plan Review. Draft Growth Plan for the Greater Golden Horseshoe
- c. Halton Area Planning Partnership (HAPP) Joint Submission. 2015 Coordinated Plan Review. Draft Niagara Escarpment Plan

Note: Appendices are available online at www.burlington.ca/calendar

Notifications:

Name

Mailing or e-mail address

Land Use Planning Review

Ministry of Municipal Affairs and Housing

Ontario Growth Secretariat

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Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.